

TOWN OF WEST SENECA
LOCAL LAW 2013-07
MODIFICATION TO TOWN CODE CHAPTER 101
SOLID WASTE

101-3 Definitions.

Delete the following definition:

GARBAGE RECEPTACLE

Add the following:

RECYCLABLE TOTE: A Town authorized container of recyclable materials with the capacity of 65 gallons for the storage and collection of recyclable materials. All RECYCLABLE TOTES shall be the property of the Town of West Seneca, and one shall be assigned to each residential producer and other authorized unit. Any RECYCLABLE TOTE assigned to a residential producer or other authorized unit shall remain at that residence or other authorized unit and shall not be moved from the same.

GARBAGE TOTE: A Town authorized container of either 95 gallons or 65 gallons for the storage and collection of garbage. One tote shall be assigned to each residential producer or other authorized unit and shall be the property of the Town of West Seneca. A person who is the owner or occupant of a residential producer or other authorized unit shall have the option to purchase, at his or her own expense, an additional GARBAGE TOTE. There shall be no more than two (2) GARBAGE TOTES at any residential producer or other authorized unit. Each GARBAGE TOTE provided by the Town of West Seneca shall remain the property of the Town of West Seneca and shall not be removed from the residence or other authorized unit to which it was assigned.

OTHER AUTHORIZED UNIT: Any property in the Town of West Seneca to which collection of garbage or recyclable materials is offered by the Town of West Seneca.

101-4 Program Requirements: Separation and Preparation:

- Unchanged
- Totes conforming to the specifications of this Chapter shall be used when storing or placing garbage and recyclable materials at the curb for collection

by the Town. When filled, a Tote shall not exceed 150 pounds in weight. Garbage or recyclable material shall not be placed on the curb or on any public street unless the same is in a Tote as required by this section, unless otherwise authorized by this Section.

- An authorized collector shall have no obligation to collect and shall not collect or remove any brush, construction debris, garbage, large household furnishing, major appliance, recyclable material or solid waste not prepared for collection in accordance with this chapter.
- An authorized collector shall have no obligation to collect and shall not collect or remove any brush, construction debris, garbage, large household furnishing, major appliance, recyclable material or solid waste which was not produced or generated within the premises upon which it is so placed, and the placing for such collection of any brush, construction debris, garbage, large household furnishing, major appliance, recyclable material or solid waste originating at a location other than the one upon which it is placed for collection is hereby prohibited
- All municipal solid waste shall be collected by an authorized collector under contract with the municipality or by a licensed private collector under private subscription.
- Brush, Grass Clippings, and Tree Parts may be placed at the curb for collection in bags or containers of not more than 20 gallons' capacity which do not meet the definition of Totes. Bags and containers, when filled shall weigh not more than 50 pounds. Brush, Grass Clippings and Tree Parts shall not be placed in Totes.
- Any and all brush and tree parts produced by the individual activity or efforts of the owner or occupant of the premises shall be tied in bundles not to exceed thirty-six (36) inches in length and twelve (12) inches in diameter and weighing no more than fifty (50) pounds.
- All major appliances or large household furnishings not capable of being placed in receptacles or bundles as provided herein may be placed at the curblane or pavement line only on the scheduled pickup collection day for that area. It shall be the sole responsibility of the owner to dismantle the appliance or furnishing so that it will not be a hazard to the public. Specifically, all

refrigerator and freezer doors must be removed.

- Any construction debris which results from work performed by an owner or resident individually may be placed in a Tote for collection by the Town of West Seneca. ,
- Protruding nails and other sharp objects, including glass that may inflict bodily harm to personnel or residents of the Town of West Seneca, shall be removed from all solid waste prior to being deposited in containers or bundled for collection.
- Recyclable material shall be placed in Recycling Totes supplied by the Town for recycling materials as herein provided.
- Tires, batteries, motor oil and paint shall be separated from other recyclables and non-recyclables and brought to an area and at a time designated by resolution of the Town Board to be disposed of at a nominal charge.

101-5 Separation and Preparation.

Delete and replace with the following:

101-5 Receptacles and Storage:

- The Town shall provide and assign to each residential unit and other authorized unit one garbage tote and one recycling tote (but no more than two garbage totes per building/structure). Residents may purchase additional garbage totes from the Town. Garbage Totes shall be used for the collection, storage and disposal of all garbage and nonrecyclable refuse and rubbish that may accumulate or be produced by them. Recycling Totes shall be used for the collection, storage and disposal of recyclable materials.
- Garbage and nonrecyclable refuse and rubbish shall be stored in the garbage tote with the lid completely closed. No garbage tote shall exceed 150 pounds in weight when filled.

- Recycling materials shall be stored in the recycling tote with the lid completely closed. No recycling tote shall exceed 150 pounds in weight when filled.
- All garbage and recycling totes shall be maintained in good condition. All garbage and recycling totes shall be kept as sanitary as possible in view of the use to which they are put and shall be thoroughly cleaned by the owner or occupant of the premises after garbage or recyclable materials are removed by the collector. Except when placed at the curb-line for collection, all totes shall be stored on the property producing the solid waste.

101-6 Receptacles and Storage:

Delete and Replace with the following

101-6 Placement of Totes and Receptacles for Collection:

- All garbage totes, recycling totes and other receptacles shall be transferred to the curbline or pavement line in front of the premises
- No garbage tote, recycling tote or other receptacle shall be set out for collection before 6:00 p.m. on the day preceding collection and shall be at the curb for collection by 7:00 a.m. on the day of collection.
- Garbage totes, recycling totes and other receptacles shall be removed from the curbline within 12 hours after being emptied to a place invisible from the street.

101-7 Placement of receptacles for collection

Delete and replace with the following:

101-7 Collection and Disposal:

- The Town of West Seneca shall provide for the collection and disposal of all recyclable material, as well as for the collection and disposal of up to a maximum of two garbage totes per week, from each residential unit or other authorized unit.
- The Town of West Seneca will collect cut grass, brush and tree parts produced by commercial contractors and residents, provided that such cut grass, brush and tree parts were generated at the site upon which they are placed for collection and they

are placed for disposal.

- Town employees or equipment shall not enter private property or other structures in making collections under the Chapter.
- The Town shall have no obligation to pick up and remove any solid waste which was not produced within the Town of West Seneca.
- Ownership of waste material which has been placed at the curb for collection in accordance with this Chapter shall vest in the Town of West Seneca. It shall be unlawful and a violation of this article for any person without authority from the Town to collect, pick up, remove or cause to be collected, picked up or removed any rubbish. Each such collection, pick up or removal of waste material from one or more premises shall constitute a separate and distinct offense in violation of this article.

101-9 Prohibited deposits or accumulations:

This Section shall be renumbered 101-8 and remain unchanged.

101-10 Supervision, rules and regulations.

This section shall be renumbered 101-9 and remain unchanged.

101-11 Authorized collectors, license required.

This section shall be renumbered 101-10 and remain unchanged.

101-12 Approval, denial, suspension or revocation of license.

This section shall be renumbered 101-11 and remain unchanged.

101-13 Unlawful activities

This section shall be renumbered 101-12 and remain unchanged.

101-13.1 Rodent Control Measures

| This section shall be renumbered 101-13