



Smithtown Town Board

99 West Main Street
Smithtown, NY 11787

Meeting: 02/22/24 02:00 PM
Department: Town Attorney
Category: Local Law
Prepared By: Dion Mills
Initiator: Matthew Jakubowski
Sponsors:
DOC ID: 22895

ADOPTED

RESOLUTION 2024-222

Adopt Amendments to Local Law #5-2024 Chapter 177

DESCRIPTION

Adoption of Amendments to Local Law #5-2024, Chapter 177 of the Town Code entitled "Solid Waste Management" as it relates to dumping, pursuant to Public Hearing held on February 6, 2024, SEQRA Type II Declaration and the recommendation of the Town Attorney.

PURPOSE

Adoption of amendments to Local Law #5-2024, Chapter 177 of the Town Code entitled "Solid Waste Management" as it relates to dumping.

REVIEW:

Matthew Jakubowski	Completed	02/22/2024 4:38 PM
Edward R. Wehrheim	Completed	02/22/2024 4:50 PM
Town Board	Completed	02/22/2024 2:00 PM



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RESOLUTION 2024-222

The following resolution was offered by the Town Board en masse:

BE IT RESOLVED, that the Town Board hereby adopts amendments to Local Law #5-2024, Chapter 177 of the Town Code entitled "Solid Waste Management" as it relates to dumping, pursuant to Public Hearing held on February 6, 2024, SEQRA Type II Declaration and the recommendation of the Town Attorney:

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Smithtown, Suffolk County, New York met at the Smithtown Town Hall, Patrick R. Vecchio Building, Victor T. Liss Board Room, 99 West Main Street, Smithtown, NY 11787 on Tuesday, February 6, 2024 at 2:00 p.m., time then in effect, and duly adopted amendments to Proposed Local Law #5-2024, Chapter 177 of the Town Code entitled "Solid Waste Management" as it relates to dumping.

Proposed Local Law #5-2024 Chapter 177. Solid Waste Management

Additions indicated by underlines.

Deletions indicated by ~~strikeouts~~.

§ 177-101 Dumping prohibited.

It shall be unlawful for any person, his or her agent, employee or any person under his or her control to suffer or permit any garbage, hazardous waste, liquid waste, litter, rubbish, solid waste, construction or demolition debris, whether processed or not, or debris of any sort or any other organic or inorganic material or other offensive matter being transported in a dump truck or other vehicle to be dumped, deposited or otherwise disposed of in or upon any street, lot, park, public place or other area whether publicly or privately owned, except for the disposing of solid waste at a permitted and licensed public or private disposal facility. Causing a quantity of litter, measuring less than 10 square feet in area, to be placed or thrown upon the ground shall not be deemed dumping.

§ 177-111 Penalties for offenses.

B. Any person who shall violate or neglect or refuse to comply with any of the provisions of § 177-101 shall be guilty of an unclassified misdemeanor and shall be liable to for a fine of \$5,000 up to \$10,000 or imprisonment for not more than 60 days, or both, and upon a second or subsequent conviction, by a fine of \$10,000 up to \$20,000 or by a maximum period of imprisonment not less than 60 days nor more than six months, or by both such fine and

imprisonment. Each day's continued violation § 177-101 shall constitute a separate additional violation.

Dated: February 6, 2024

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Edward R. Wehrheim, Supervisor
SECONDER:	Thomas J. McCarthy, Councilman
AYES:	Wehrheim, McCarthy, Nowick, Inzerillo, Lohmann