

RESOLUTION # - 2016

WHEREAS, the attached amendments to Chapter 38 Brush/Yard Waste Removal was introduced by the Board of Trustees of the Village of Rhinebeck on January 19, 2016, and

WHEREAS, a public hearing was held on February 9, 2016 at 7:00 p.m. at the Village Hall, 76 East Market Street, Rhinebeck, New York, notice of said hearing duly published and at which time all interested parties had an opportunity to be heard; and

WHEREAS, the public hearing was continued to March 8, 2016 at which time all interested parties had an additional opportunity to review and comment on the proposed legislation; and

WHEREAS, the Board of Trustees of the Village of Rhinebeck determined this action to be a Type II action based on the criteria found in 6 NYCRR, § 617.5 (c) (16) and therefore has determined that there are no adverse environmental impacts associate with the adoption of this Local Law;

NOW THEREFORE BE IT ENACTED, by the Board of Trustees of the Village of Rhinebeck the following:

VILLAGE LAW OF RHINEBECK
LOCAL LAW NO. OF 2016
BRUSH/ YARD WASTE REMOVAL

CHAPTER 38

BRUSH/YARD WASTE REMOVAL

§38-1 Purpose.

It is hereby declared the policy of the Village of Rhinebeck to preserve and maintain the clean and wholesome character of its environs and to preserve and maintain the health and welfare of its residents within the incorporated area of the Village, and in so doing it is necessary to establish regulations governing the collection and disposal of yard waste materials within the Village of Rhinebeck.

§38-2 Annual collection of yard waste materials.

Materials compiled in the process of a normal spring/fall yard cleanup of property in the Village shall be collected by Village collection crews. Spring cleanup will be conducted on a continuous basis between April 1 through May 15 of each year. Fall clean up will be conducted on a continuous basis between October 1 and December 1 of each year.

§38-3 Materials included.

Materials collected upon the provisions of this Chapter shall include sand accumulated in yards from being spread upon roads during the winter season, brush, limbs (up to 4 feet in length and 8 inches in diameter) and leaves. Such materials shall not include garbage, such as kitchen wastes, building materials, stones, lumber or man made materials or other similar discarded items which may be picked up by means of commercial refuse haulers. Grass clippings are prohibited in all clean up periods. All material placed in front of the property for pick up shall be generated from that property, no other debris from any other source shall be included.

§38-4 Designation of weekday for regular summer collections.

At such time as the Village Board adopts a motion pursuant to §38-2 above, said Board shall also designate, by motion, no less than one weekday per month for regular pickup of brush, limbs and leaves providing for such collection during the period of June 1 through September 30. Yard waste may be placed at the curb the weekend before the established collection date.

§38-5 Placement of materials for collection.

Such material shall be placed in front of the property but not in the gutter, covering any storm water drain, or in a location that impedes the flow of traffic. Placement of materials for pick up in front of the property may begin no earlier than 4:00 PM on the Friday preceding the scheduled pickup. Placement of yard waste at the front of the property at any other time shall constitute a violation of this Chapter.

§38-6 Enforcement.

A. The Superintendent of Public Works of the Village of Rhinebeck and such other person as may be designated by resolution of the Village Board are hereby authorized and directed to enforce this Chapter, to cause collections to be made according to this Chapter and to cause to be printed and distributed proper notice to notify persons governed by this Chapter of the dates and times for waste collection and of any rules and regulations promulgated pursuant to this Chapter.

B. The Superintendent of Public Works is hereby authorized to issue and serve appearance tickets and/or summonses with respect to violations of this Chapter.

§38-7 Penalties for offenses.

Any violation by a person, firm or corporation of any provision of this Chapter shall be deemed a violation and shall be subject to the following penalties:

(1) First offense: a fine of \$50

(2) Second offense: a fine \$100.

(3) Third offense: \$200

This amendments shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Dated: March 8, 2016

MOVED: _____

SECOND: _____

AYES: _____ NAYS: _____