

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of Canaan
Town
Village

Local Law No. 3 of the year 2024

A local law REGULATING THE DELIVERY OF HOUSEHOLD REFUSE AND CONSTRUCTION AND DEMOLITION (C&D) WASTE BY TOWN RESIDENTS TO THE CANAAN TRANSFER STATION.

Be it enacted by the Town Board of the
(Name of Legislative Body)

County
City of Canaan as follows:
Town
Village

SECTION 1. PURPOSE AND INTENT

It is the intent of this local law to establish the specify the rules, regulations and fee structure associated with household waste and construction & demolition (“C&D”) waste brought by Town residents to the transfer station currently owned and operated by County Waste in the Town of Canaan. The Town Board finds it to be in the public interest for the Town of Canaan to continue to provide garbage and solid waste services to its residents, but to regulate the service in an equitable manner.

SECTION 2. AUTHORIZATION

This local law is adopted pursuant to Municipal Home Rule Law §10.

SECTION 3. ENACTMENT

Be it therefore enacted by the Town Board of the Town of Canaan as follows:

- A. On an annual basis, all residents shall apply for a Transfer Station Municipal Solid Waste (MSW) Sticker prior to delivering any household waste to the Canaan Transfer Station owned and operated by County Waste. The following guidelines shall apply to the application, issuance and use of said MSW Sticker:

1. Resident applicants for a MSW sticker must provide proof of residency; acceptable proof of residency shall include a copy of a recorded deed, tax bill, utility bill or other bill in the applicant's name at a property address located within the Town of Canaan.
 2. Resident applicants must provide their License Plate number which shall be logged in the Transfer Station Book and written on the MSW Sticker issued by the Town Clerk.
 3. MSW Stickers are to be used for the qualified residence/business and the designated vehicle only, and they must be attached to the vehicle.
 4. MSW Stickers are designated for use for one residence or business; they are not transferable. Sharing stickers with other residences or businesses, non-residents, or multiple residences is considered a misuse and may result in a loss of the sticker.
 5. Multiple use applications such as Property Managers, Homeowner Associations, Contractors, etc. must have a sticker for each residence they service.
 6. Upon request, a qualified resident may request a second sticker for a second vehicle at the same address providing the second person is a resident at that address. The second sticker will be tied to the second vehicle's license plate and all other rules above apply.
 7. Residents with a valid MSW Sticker may drop household waste at the Transfer station on non-holiday Wednesdays, from 3:30pm to 5:30pm, and on non-holiday Saturdays, from 8:00am to Noon. Household waste shall not be accepted under a MSW Sticker during any other hours.
 8. Residents shall comply with all rules and regulations posted by the Canaan Transfer Station, including but not limited to the types of acceptable household waste, the prohibition to deposit hazardous waste, disposal container requirements, and waste being secured and covered in delivery vehicles.
 9. Residents with a valid MSW Sticker shall be allowed up to two (2) large contractor bags of household waste per delivery day. Any additional household waste delivered in excess of said two (2) large contractor bags daily limit will be billed directly to the resident applicant by the Town of Canaan. Any bill for excess delivery of household waste that is not paid within 30 days of delivery of said bill shall result in revocation of said resident's MSW Sticker and no further MSW or CDMP permits shall be issued to said resident until any and all outstanding fees are paid in full.
 10. The annual fee for a resident MSW Sticker shall be established and/or modified as necessary by resolution of the Canaan Town Board.
- B. On an annual basis, all residents shall apply for a Construction and Demolition (C&D) Maintenance Permit (CDMP) prior to delivering any C&D waste to the Canaan Transfer Station owned and operated by County Waste. The following guidelines shall apply the application and issuance of a CDMP:**
1. Resident applicants for a CDMP must provide proof of residency; acceptable proof of residency shall include a copy of a recorded deed, tax bill, utility bill or other bill in their name at a property address located within the Town of Canaan.

2. Resident applicants shall be entitled to receive (2) CDMP permits per year.
3. Residents must provide their License Plate number which shall be logged in the Transfer Station Book and written on the CDMP issued by the Clerk.
4. C&D may only be delivered pursuant to a CDMP on non-holiday Saturdays. C&D to be delivered under a CDMP shall not be accepted on any other day.
5. Residents holding a CDMP may deliver a maximum of one (1) ton of C&D in any single visit to the Canaan Transfer Station.
6. Any C&D waste delivered by a resident under a CDMP in excess of said one (1) ton daily limit shall be billed directly to the resident applicant by the Town of Canaan. Any bill for excess delivery of C&D waste that is not paid within 30 days of delivery of said bill shall result in revocation of any MSW Sticker held by said resident applicant, and no further CDMP permits or MSW Stickers shall be issued to said resident applicant until any and all outstanding fees are paid in full.
7. The annual fee for the resident CDMP permit shall be established and/or modified as necessary by resolution of the Canaan Town Board.

SECTION 4. . REPEALER

Any prior local law currently in existence that is inconsistent with the terms of this local law is hereby repealed.

SECTION 5. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the Office of the New York State Secretary of State and after approval of a majority of the electors voting thereon in accordance with the requirements of Section 23 of the Municipal Home Rule Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 2024 of the Town of Canaan was duly passed by the Town Board on July, 2024, in
(Name of Legislative Body)

accordance with the applicable provisions of law.

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer.*)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____, 20____, and was (approved)(not approved)(repassed after~~
(Name of Legislative Body)

~~disapproval) by the _____ and was deemed duly adopted on _____, 20____, (Elective Chief Executive Officer*)~~

~~in accordance with the applicable provisions of law.~~

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____, 20____, and was (approved)(not approved)(repassed after

(Name of Legislative Body)
disapproval) by the _____ on _____, 20____. Such local law was
(Elective Chief Executive Officer*)

submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____, 20____, in accordance with the applicable provisions of law.

~~4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____, 20____, and (approved)(not approved)(repassed after~~
(Name of Legislative Body)

~~disapproval) by the _____ on _____, 20____. Such local law was subject~~
(Elective Chief Executive Officer*)

~~to permissive referendum and no valid petition requesting such referendum was filed as of _____, 20____, in accordance with the applicable provisions of law.~~

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, _____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.



Josh Weisbuch
Josh Weisbuch, Town Clerk

Date: July 7, 2024
AUG

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF COLUMBIA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature _____ Andrew B. Howard

Title: Counsel

County _____
City of _____ Canaan
Town _____
Village _____

Date: _____, 2024