

**AN ACT TO PROHIBIT THE OPERATION OF DUMPS AND DISPOSAL OF
GARBAGE AND RUBBISH IN THE TOWN OF PERTH, FULTON COUNTY, NEW YORK**

LOCAL LAW #1-1992

Be it enacted by the Town Board of the Town of Perth, Fulton County, NY, as follows:

Section 1. Declaration of Policy: It is hereby determined by the Town Board that the operation of dumps for the disposal of garbage and rubbish are likely to constitute a hazard and menace to health and safety of the residents of the Town of Perth and it is therefore the intent of this Local Law to prohibit the operation of dumps for the disposal of garbage and rubbish in the Town of Perth pursuant to Section 130 subdivisions (6) and (15) of the Town Law of the State of NY.

Section 2. Definitions: The term "Person" as used in this Local Law shall include an individual, firm, partnership, corporation, municipality or association of persons. The term "dump" as used in this Local Law shall mean a place used for the disposal and leaving of paper, garbage, rubbish and waste materials of any nature by the public or by any person.

Section 3. Restrictions: The operation or maintenance of a dump for the disposal of garbage and rubbish is hereby prohibited in the Town of Perth.

Section 4. Exception: Nothing herein contained shall be deemed to prohibit any person from disposing of non-commercial or industrial rubbish, waste material and garbage on property upon which such rubbish, waste material and garbage is produced. *

Section 5. Penalties: Any person violating any of the provisions of this Local Law shall be guilty of a misdemeanor and upon conviction thereof be punished by a fine not exceeding \$1,000.00 for each offense or by imprisonment in the County Jail for not more than six months, or by both such fine and imprisonment. The Town Board shall also have the power to bring a civil action to restrain any violation of this Local Law in a Court of competent jurisdiction. When a violation of this Local Law is continuous, each 24 hours thereof shall constitute a separate and distinct offense.

Section 6. The invalidity of any Section or provision of this Local Law shall not invalidate any other Section or provision thereof.

Section 7. This Local Law shall take effect immediately upon filing with the NY State Secretary of State's Office.

*Further, nothing herein contained shall be construed as an authorization by the Town of Petth, or any official thereof, to any person to violate any applicable federal, state, county or other local law, rule or regulation pertaining to the proper disposal of waste, garbage, and rubbish, or the proper operation and maintenance of a dump.