

**A LOCAL LAW REGARDING RESTRICTIONS AT THE TOWN BRUSH AND
LANDSCAPE DISPOSAL FACILITY
LOCATED ON NYS ROUTE 67 IN THE TOWN OF CHARLTON**

**TOWN OF CHARLTON
LOCAL LAW #1, 2022**

Be it enacted by the Town Board of the Town of Charlton as follows:

Purpose:

The Town currently allows Town residents the privilege to dump brush, leaves and grass clippings at the Town Brush and Landscape Disposal Facility located on Route 67 in the Town of Charlton. The Town Board has become aware of the growing problem of contractors and non-residents abusing this privilege by dumping excessive yard waste, landscape materials, building materials and other unacceptable items on the premises.

Prohibited Acts:

It shall be illegal for anyone who is a non-resident of the Town of Charlton or any contractor regardless of place of operation, to use the facility for any purpose, and shall further be illegal for Town residents to dump anything other than brush, leaves, and grass clippings at the property, without first obtaining the written consent of the Town Superintendent of Highways.

Penalties for Offenses:

Any person violating any of the provisions of this local law, as the same may be from time to time amended, shall be guilty of a violation punishable by a fine of not more than \$500.00, in addition to the civil penalties set forth below.

Additional Penalties:

Repeat violation of this local law shall further subject the offender, for each offense, to a civil penalty as follows:

- (1) For a second offense, a fine of not more than five hundred dollars (\$500.00) plus the cost to the Town of clearing away the offensive or unacceptable materials.
- (2) For a third offense, a fine of not more than seven hundred fifty dollars (\$750.00) plus twice the cost to the Town of clearing away the offensive or unacceptable materials.

(3) For a fourth and any subsequent offenses, a fine of not more than one thousand dollars (\$1,000.00), and twice the cost to the Town for clearing away the offensive or unacceptable materials.

Posting:

The Town Superintendent of Highways shall have the authority to place appropriate signage at the premises providing notice to violators of this local law.

Severability:

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by and court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Effective Date:

This Local Law shall take effect immediately upon filing with the Secretary of State.