



STATE OF NEW YORK  
DEPARTMENT OF STATE  
ALBANY, NY 12231-0001

ALEXANDER F. TREADWELL  
SECRETARY OF STATE

September 12, 1996

TOWN OF SHERBURNE  
HARRY CONLEY  
PO BOX 860  
SHERBURNE, NY 13460

RE: Town of Sherburne, Local Law 3, 1989, filed 09/11/96

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.

Please be advised only 1 original local law is required to be filed in our office.

Sincerely,

A handwritten signature in cursive script that reads "Janice G. Durfee".

Janice G. Durfee  
Principal File Clerk  
Bureau of State Records  
(518) 474-2755

JGD:ml

(Please Use this Form for Filing your 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.

XXXXX

XXX of SHERBURNE  
Town  
XXXXX

Local Law No. III of the year 19 89

A local law PROHIBITING THE IMPORTATION OF SOLID WASTE, ASH RESIDUE, HAZARDOUS WASTE, AND RADIOACTIVE WASTE TO THE TOWN OF SHERBURNE

Be it enacted by the TOWN BOARD of the  
(Name of Legislative Body)

XXXXX  
XXX  
Town  
XXXXX

of SHERBURNE as follows:

SEE NEXT PAGE FOR PROVISIONS

(If additional space is needed, please attach sheets of the same size as this and number each)

SECTION 1.0 TITLE

1.1 This law shall be known as the Solid Waste, Ash Residue, Hazardous Waste, and Radioactive Waste Disposal Law.

SECTION 2.0 DECLARATION OF PURPOSE

2.1 This local law is adopted for the purpose of promoting the health, safety, and general welfare of the people of the Town of Sherburne, including the protection and preservation of the environment and it's inhabitants, in all matters related thereto by prohibiting the importation of solid waste, ash residue, hazardous waste, and redioactive waste for collection, storage and/or disposal within the Town of Sherburne.

SECTION 3.0 AUTHORITY

3.1 This local law is hereby enacted pursuant to the authority granted by Section 130 of New York State Town law.

SECTION 4.0 PROHIBITED ACTS

Except as otherwise provided in this Local Law:

4.1. The importation of solid waste, ash residue, hazardous waste, and redioactive waste for collection, storage, and/or disposal within the Town of Sherburne is strictly prohibited.

SECTION 5.0 LOW LEVEL RADIOACTIVE WASTE

5.1 Importation of low-level redioactive waste by a duly licensed transporter is permitted only for the purpose of disposal in a facility which has been issued the required federal state, county, and/or local licenses, permits and/or approvals.

SECTION 6 DEFINITIONS

A - Collection. The temporary storage of any solid waste, ash residue, hazardous waste, and/or redioactive waste prior to storage or disposal.

B Disposal. The burning, discharge, deposit, injection, dumping, spilling, leaking, or placing of solid waste, ash residue, hazardous waste, or air.

C. IMPORTATION. To bring solid waste ash residue, hazardous waste, and/or radioactive waste into the Town of Sherburne for purposes of collection, storage, and/or disposal.

D. RESIDUE, ASH Means ash residue as defined in Part 360 of Title 6 NYCRR.

E. STORAGE. The containment of solid waste, ash residue, hazardous waste, and/or radioactive waste such that it does not constitute disposal of that waste.

F. WASTE, HAZARDOUS. Means hazardous waste as defined in Part 371 of Title 6 NYCRR.

G. WASTE, RADIOACTIVE. Includes low-level radioactive waste as defined in the Federal Low-Level Radioactive Waste Policy Amendments Act of 1985, 42 U.S.C. Section 2021b, et seq; and high-level radioactive waste as defined in 11e(2) of the Atomic Energy Act U.S.C., Section 2011 et seq.

H. WASTE SOLID Means solid waste as defined in Part 360 of Title 6 NYCRR.

#### SECTION 7.0 ENFORCEMENT.

7.1 The Sherburne Town Board will enforce the law through its agents duly authorized to enforce the provisions of this law.

#### SECTION 8 PENALTIES

8.1 Any person or agent who violates this law shall be guilty of an offense and subject to a fine up to \$ 250.00 dollars or imprisonment for not more than 30 days or, both. When a violation of any of the provisions of this local law is continuous, each day or portion thereof shall constitute a separate and distinct violation.

#### SECTION 9.0 VALIDITY

9.1 Separability. If any section, paragraph, subdivision, or provision of this local law shall be invalid, such invalidity shall apply only to the section, paragraph, subdivision, or provision adjudged invalid and the remainder of this law shall remain valid and in full force and effect.

9.2 EFFECTIVE DATE. This local law shall take effect upon the filing in the Office of the Secretary of State, State of New York.

Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein 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 1989 of the Town of Sherburne was duly passed by the Sherburne Town Board on June 21 1989 in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. of 19 of the County City of was duly passed by the on 19 not disapproved and was approved by the Elective Chief Executive Officer\* repassed after disapproval and was deemed duly adopted on 19 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 19 of the County City of was duly passed by the on 19 not disapproved and was approved by the Elective Chief Executive Officer\* repassed after disapproval on 19 Such local law was submitted to the people by reason of a mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting permissive general thereon at the special election held on 19 in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. of 19 of the County City of was duly passed by the on 19 not disapproved and was approved by the Elective Chief Executive Officer\* repassed after disapproval on 19 Such local law was subject to a permissive referendum and no valid petition requesting such referendum was filed as of 19 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 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 19 ..... of the City of ..... having been submitted to referendum pursuant to the provisions of §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 ..... 19..... 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 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19....., 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 of 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 ..... above.

\_\_\_\_\_  
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date:

(Seal)

(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 Chenango

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.

James F. Taylor  
Signature  
Town Attorney  
Title

Date: June 23, 1989

County  
City of Sherburne  
Town  
Village