

(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 STEUBEN
~~TOWN~~
~~VILLAGE~~

Local Law No. FOURTEEN of the year 19 94..

A local law amending Local Law No. One for the Year 1989, as amended,
(Insert Title) authorizing and directing the Commissioner of Public
Public Works to promulgate rules and regulations for
the maintenance and operation of Steuben County's
Solid Waste Management.

Be it enacted by the LEGISLATURE of the
(Name of Legislative Body)

County
~~CITY~~ of STEUBEN as follows:
~~TOWN~~
~~VILLAGE~~

SECTION 1. LEGISLATIVE INTENT. It is the intent of the within statute to amend Local Law No. One for the Year 1989 of the County of Steuben, as amended, authorizing and directing the Commissioner of Public Works to promulgate rules and regulations consistent with Environmental Conservation Law Section 27-0711, this local law and such other local laws, rules and regulations consistent with Environmental Conservation Law and resolutions as may hereinafter be enacted for the County's Solid Waste Management and Resource Recovery. The Commissioner, with the advice and consent of the Committee shall have the authority and power to accept such solid waste from areas outside of Steuben County which is the difference between the volume generated and disposed of in the Steuben County Landfill and the annual permitted capacity, if any.

SECTION 2. DEFINITION. SECTION 2. of Local Law No. One for the Year 1989 is amended to read as follows:

2-10. "Approved Design Capacity" means the average daily tonnage to be received at the solid waste management facility during the quarter in which the most waste is anticipated to be received, as approved by the department. For solid waste facilities, approved design capacity means the annual rated throughput capacity of the unit or units for treatment of solid waste as approved by the department.

SECTION 3. GENERAL FUNCTIONS, POWERS AND DUTIES OF THE DEPARTMENT AND THE COMMISSIONER. SECTION 3. of Local Law No. One for the Year 1989 is amended to read as follows:

It shall be the responsibility of the department, in accordance with such existing provisions and limitations as may be by the law and elsewhere set forth in law, by and through the Commissioner to carry out the solid waste management and resource recovery policy of the County of Steuben. In so doing, the Commissioner, with the advice and consent of the Committee, shall have power to:

c. Prescribe and recommend methods for the recovery, recycling and reuse of solid waste; or, where recycling and reuse are not possible, the disposal of solid wastes, including domestic and industrial refuse, junk cars, litter and debris consistent with sound health, scenic, environmental quality, and land use practices, for solid waste offered for disposal at the County's solid waste management facilities, including but not limited to the types of solid waste acceptable for disposal at said facilities, as prescribed by the operating permit issued by the New York State Department of Environmental Conservation.

In no case shall the Commissioner allow into any solid waste facility, quantities of solid waste which exceed the approved design capacity. The Commissioner shall assume disposal capacity for all qualified solid waste generated within the boundaries of Steuben County.

The difference between volumes generated within Steuben County and disposed of in the County landfills and the annual permitted capacity, if any, may be used for the disposal of waste from areas outside of Steuben County upon application from haulers registered with the department and approved by the Commissioner. Such application shall include areas served, types of waste and daily volume.

Such haulers must provide information to the Department which proves they are registered to do business in the State of New York.

In no event shall solid waste from outside of Steuben County be permitted in excess of 12,500 tons for the year 1995. In addition, no waste from outside of Steuben County shall be accepted for disposal after midnight on December 31, 1995.

SECTION 4. PERMITTING OF HAULERS. Section 4. of Local Law No. One for the Year 1989 is amended to read as follows:

SECTION 5. EFFECTIVE DATE. This Local Law shall be effective upon final adoption.

(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. Fourteen of 1994 of the (County)~~(City)(Town)(Village)~~ of Steuben was duly passed by the Steuben Co. Legislature on 12/19 1994, in accordance with the applicable provisions of law. (Name of Legislative Body)

~~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 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19__, in accordance with the applicable provisions of law. (Elective Chief Executive Officer*)~~

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)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19__. Such local law was 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 _____ 19__, 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 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19__. Such local law was subject to 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 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 19____ 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 _____ 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 1, above.



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

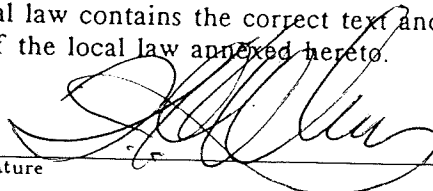
(Seal)

Date: December 22nd, 1994

(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 Steuben

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

Steuben County Attorney
Title

County
~~XXXX~~ of Steuben
~~XXXX~~
~~XXXX~~

Date: December 22nd, 1994