

Chapter 130
SOLID WASTE

ARTICLE I
Recycling

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[HISTORY: Adopted by the Town Board of the Town of Henderson as indicated in article histories. Amendments noted where applicable.]

ARTICLE I
Recycling

[Adopted 8-3-1988 by L.L. No. 2-1988]

§ 130-1. Purpose.

- A. This article recognizes the fact that disposal of solid waste is an extremely important problem for the continued welfare, health and enjoyment of the land and the environment and that without concerted efforts on the part of the Town of Henderson and its citizens, we will soon be facing insurmountable environmental pollution problems.
- B. This article is intended to protect the quality of ground- and surface water, promote the reuse of heretofore "throwaway" materials, with the accompanying conservation of such natural resources as wood, petroleum and mined minerals and the reduction of loss of valuable land now devoted to burying our solid wastes.

§ 130-2. Short title.

This article shall be known as the "Henderson Recycling Law."

§ 130-3. Definitions.

As used in this article, the following terms shall have the following meanings:

- CONSTRUCTION DEBRIS — Discarded building material, concrete, stones and earth from excavations or gradings and all other refuse matter resulting from erection, repair or demolition of buildings, structures or improvements of property. This term shall include tree parts.

GARBAGE — Kitchen and house refuse and table cleanings, fruit and vegetable parings, decaying vegetable, animal and fruit matter, fallen fruit and similar biodegradable materials.

HAZARDOUS WASTE — Includes, but is not limited to the following products and their containers: insecticides, herbicides, petroleum products, caustic chemicals, oil-based paint and battery casings, or any other material listed on any state or federal list of hazardous materials.

LARGE HOUSEHOLD FURNISHINGS — All other large and/or bulky articles used in the home or business which would equip it for living, such as chairs, sofas, tables, beds, carpets and the like.

LITTERING VIOLATION — Depositing, scattering or collecting materials on the roads, streets or areas not authorized by the Town Board or the Zoning Board.

MAJOR APPLIANCES — Large and/or bulky household mechanisms, such as refrigerators, washers, dryers, stoves and the like, ordinarily operated by gas, wood or electric current.

NONRECYCLABLE RUBBISH — Rags, sweepings, excelsior, rubber, leather, crockery, shells, clothing, straw, dirt, filth, wastepaper and similar waste material, as well as small items of discarded products, such as latex paint, radios, tools and so forth.

RECYCLABLE RUBBISH — Clean metal food containers and cans, glass food containers and bottles with metal rings and tops removed, discarded newspapers, magazines, corrugated cardboard, flat paper, hard plastic, soft plastic containers and such other items as may in the future be defined in regulations as recyclable rubbish.

§ 130-4. Preparation of garbage, recyclable rubbish and nonrecyclable rubbish.

- A. Each household or business shall provide suitable containers for the handling of garbage and/or nonrecyclable rubbish.
- B. Each household or business shall separate recyclable rubbish according to rules and regulations adopted by the Town Board and posted at the recycling center and shall deposit such rubbish at the recycling center of the Town of Henderson.
- C. From the time of placement of recyclable rubbish at the recycling center, such recyclable rubbish shall become the property of the Town of Henderson or its authorized agent. It shall be a violation of this article for any person to collect, pick up, remove or cause to be removed, collected or picked up material without first having obtained the authority from the Town Board.
- D. The use of the recycling center shall be restricted to residents and/or taxpayers of the Town of Henderson.
- E. No person shall knowingly dispose of any hazardous waste by including such items in any other category of solid waste as defined in § 130-3 of this article.
- F. The Town Board may, from time to time, adopt and amend such rules and regulations as necessary for the safe, efficient and effective implementation of the recycling efforts

provided for herein. A violation of such rules and regulations shall be punishable as provided herein.

§ 130-5. Construction debris, major appliances and large household furnishings.

- A. No person shall place or store construction debris with garbage or rubbish. The person generating or producing construction debris shall remove same and dispose of same in a safe and sanitary manner.
- B. All major appliances and large household furnishings shall be placed by the owner of same at a designated location at the recycling center. It shall be the sole responsibility of the owner to dismantle the appliance or furnishing so that it will not be a hazard to the public. In this respect, doors shall be removed from the appliance or furnishing before placing it at the recycling center.
- C. The Town of Henderson shall have no obligation to accept any construction debris, major appliances or large household furnishings which were not used by a resident or taxpayer in the Town of Henderson.

§ 130-6. Acceptance of garbage, recyclable rubbish and nonrecyclable rubbish.

- A. The Town Board shall designate the days and hours of the day for accepting garbage, recyclable rubbish and nonrecyclable rubbish at the recycling center.
- B. The Town Board shall designate the days of the week for the door-to-door pickup of garbage and nonrecyclable rubbish by the Sanitation Department of the Town of Henderson.
- C. The Town Board shall publish rules and regulations setting forth in detail the requirements for sorting of waste, storing of waste and so forth.

§ 130-7. Penalties for offenses. [Amended 11-5-1992 by L.L. No. 4-1992]

Violation of any of the provisions of this article shall be punishable upon conviction in any court of law, for the first violation, by a fine of up to \$250 or 15 days in jail or both and for subsequent violations by a fine of up to \$1,000 or 15 days in jail or both.