

**VILLAGE OF CROTON-ON-HUDSON
BOARD OF TRUSTEES**

LOCAL LAW INTRODUCTORY NO. 16 OF 2023

**A LOCAL LAW TO REQUIRE SOURCE SEPARATION AND SEGREGATION OF
RECYCLABLE OR REUSABLE MATERIALS**

Be it enacted by the Board of Trustees of the Village of Croton-on-Hudson as follows:

Section One. That a new Chapter 185 entitled "Recycling" is hereby added to the Village Code of Croton-on-Hudson to read as follows:

§185-1. Purpose.

It is the purpose of this chapter to comply with § 120-aa of the General Municipal Law of the State of New York and with Chapter 825, entitled "Westchester County Source Separation Law," of the Laws of Westchester County, as they pertain to recyclable materials. In furtherance of said purpose, Chapter 825 of the Laws of Westchester County is hereby incorporated by reference into the Code of the Village of Croton-on-Hudson.

§185-2. Definitions.

Unless the context otherwise requires, the following terms when used in this chapter shall have the following meanings:

ALUMINUM CANS

Containers fabricated of aluminum and commonly used for soda, beer or other beverages.

COMMINGLED

The mixing together of the following recyclables: glass bottles, plastic bottles, metal and aluminum cans, gable top containers, and other like materials should they be deemed a recyclable product in the future.

CORRUGATED CARDBOARD

Non-wax-coated corrugated cardboard containers and boxes.

COUNTY LAW

Chapter 825, entitled "Westchester County Source Separation Law," of the Laws of Westchester County, as they pertain to recyclable materials.

GABLE TOP CONTAINERS

Containers including polycoated and paper board like Tetra Paks or aseptic and gable top cartons, including all milk, cream, and milk substitute beverage containers.

GLASS BOTTLES

Transparent or translucent jars, bottles and containers which are primarily used for packaging and bottling of various products.

METAL CANS

Containers fabricated primarily of metal, including aluminum cans.

MUNICIPALLY COLLECTED SOLID WASTE

Household waste and other waste materials routinely produced in a household and used household items that are municipally collected whether by public employees or contractors working for the municipality. This material does not include other materials defined as bulky metals, bulky wastes, construction and demolition debris, commingled recyclables and yard organics.

NON-RESIDENTIAL WASTE GENERATOR

All waste generators other than residential waste generators as defined herein.

PAPER/CARDBOARD

Newspapers, glossy inserts, phone books, magazines, junk mail, brown paper bags, and corrugated and grey cardboard boxes. This term excludes waxed cardboard, including gable top containers, plastic and Styrofoam packing materials, cardboard with any trace of food, paperbacks or hardcover books.

PLASTIC BOTTLES/CONTAINERS

Containers made from plastic that are used for carrying or storing various products or liquids and that are marked with the recycling logo and identifying numbers (1 through 7).

RECYCLABLES

Glass bottles, metal and aluminum cans, paper/cardboard, gable top containers, and plastic bottles and containers, as defined in this chapter.

RESIDENTIAL WASTE GENERATOR

Any person residing in a single-family or multifamily dwelling in the Village of Croton-on-Hudson who produces waste from household functions such as cooking, cleaning, etc.

WASTE GENERATOR

Any person who produces or is responsible for solid waste or recyclables in the Village of Croton-on-Hudson requiring disposal.

§ 185-3. Establishment of program.

There is hereby established a program for the collection of paper, glass bottles, aluminum and metal cans, plastic bottles and gable top containers for the purpose of recycling. The program shall be under the direction of the Village Manager, who shall be authorized to establish and promulgate rules and regulations to carry out the provisions of this chapter.

§ 185-4. Source separation required.

All persons who are owners, tenants or occupants of any commercial, residential or industrial building shall separate out from municipally or privately collected solid waste left for collection, all paper, glass bottles, aluminum and metal cans, plastic bottles and gable top containers. Separation will be in accordance with the provisions of this chapter, county law and those rules and regulations promulgated by the Village Manager.

§ 185-5. Collection schedule.

Materials shall be collected curbside once per week as per an established schedule. Recyclables shall be placed curbside not before 5:00 p.m. on the day preceding collection nor later than 7:00 a.m. on the scheduled collection date.

§ 185-6. Right not to collect.

The Village of Croton-on-Hudson or any private carter shall not collect any solid waste or recyclable which has not been separated and secured pursuant to the provisions of this county law or the rules and regulations so promulgated.

§ 185-7. Nonresidential waste generator plans.

All nonresidential waste generators who own a building or buildings commonly containing more than 100 employees, patients or students during a 24-hour period in the Village of Croton-on-Hudson shall comply with the regulations outlined in the county law regarding nonresidential waste generator plans.

§ 185-8. Penalties for offenses.

Any person, firm or corporation who violates the provisions hereof shall, upon conviction, be subject to the penalties provided by § 1-12 of Chapter 1 of the Village of Croton-on-Hudson Code.

§ 185-9. Construal of provisions.

To the extent that the provisions of this chapter are inconsistent with or different from the provisions of Chapter 135, the provisions of this chapter shall control.

Section Two. Severability

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section Three. Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.