

VILLAGE OF TANNERSVILLE, NEW YORK
PROPOSED LOCAL LAW NO. ____ OF 2026

VILLAGE OF TANNERSVILLE REFUSE CONTROL LAW
A LOCAL LAW REGULATING THE STORAGE, HANDLING AND REMOVAL OF REFUSE

BE IT ENACTED by the Village Board of the Village of Tannersville, Greene County, New York, as follows:

SECTION 1. TITLE

This local law shall be known as the "Village of Tannersville Refuse Control Law."

SECTION 2. LEGISLATIVE INTENT AND PURPOSE

The Village Board finds that the presence of commercial-grade dumpsters and/or exterior refuse containers at residential and commercial properties negatively impacts the rural and aesthetic character of the Village of Tannersville. Such containers can lead to the accumulation of hazardous waste, attract vermin, attract bears, create odors, obstruct snow plowing and obstruct emergency vehicle access. The purpose of this law is to regulate the exterior storage of refuse at commercial and residential properties, in order to maintain the health, safety, and visual integrity of the Village.

SECTION 3. DEFINITIONS

* **COMMERCIAL PROPERTY:** Any property with a commercial use involving the sale, rental or distribution of goods, services or commodities, either retail or wholesale. Commercial uses include workplace, office, sales, eating and drinking establishments, commercial event venues, lodging and entertainment functions, among others.

* **DUMPSTER / BULK REFUSE CONTAINER:** Any large, metal, wood or plastic, mechanically handled container used for the storage and collection of garbage, rubbish, or construction debris, typically having a capacity of two (2) cubic yards or more.

* **GARBAGE:** Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

* **REFUSE:** All putrescible and non-putrescible solid wastes (except body wastes) including garbage and rubbish.

* **RUBBISH:** Non-putrescible solid waste (including ashes) consisting of both combustible and incombustible wastes, such as paper, cardboard, tin cans, yard clippings, street cleanings, wood, glass, fabric, crockery and similar materials.

* **RESIDENTIAL PROPERTY:** Any parcel of land located within the Village of Tannersville containing one (1), two (2), or three (3) family dwelling units.

* TEMPORARY CONSTRUCTION DUMPSTER: A roll-off container used specifically for the collection of debris during an active building or demolition project.

SECTION 4. PROHIBITION

- A. No person, owner, or tenant of a residential property (single-family, double-family, or triple-family home) shall place, maintain, or permit the placement of a dumpster or exterior refuse container on such property for the purposes of standard household waste disposal.
- B. Standard household refuse at these properties must be stored inside dwelling or inside a fully enclosed, bear-proof out building, pending removal by owner, owner's agent or tenant, to the Hunter Transfer station or other approved waste disposal facility.

SECTION 5. DUMPSTERS/ROLLOFF CONTAINERS LOCATED ON COMMERCIAL PROPERTIES

- A. Dumpsters may be utilized for the temporary storage and collection of refuse and rubbish at commercial properties, or residential properties of four units or more.
- B. Commercial dumpsters must be located atop asphalt or concrete pads designed to prevent infiltration of leachate into soil or groundwater. The pad shall be graded to prevent runoff from entering any watercourse, wetland or storm drain unless directed to an approved stormwater treatment system.
- C. Dumpsters shall not be used for hazardous waste, petroleum products or other regulated materials unless permitted by applicable law and approved by the Village CEO and New York City Department of Environmental Protection.
- D. Dumpsters shall not be overfilled, and waste shall not be stored outside of the container.
- E. Dumpsters shall be screened on all four sides to a minimum height of six feet by aesthetic fencing or structure designed to keep out animals and present an aesthetically pleasing appearance.
- F. Dumpsters shall be located as far back from public roads and streets as the site reasonably permits. Dumpsters may not be located within or adjacent to, Village, County or New York State Department of Transportation right of ways. All dumpster locations must be approved by the Village Code Enforcement Officer.
- G. Owners of preexisting, non-conforming dumpsters shall have a grace period of up to thirty days from date of Village of Tannersville Refuse Control Law filing with Secretary of State to bring their dumpster(s) into compliance with this law.

SECTION 6. EXCEPTIONS

- A. Temporary Construction: Dumpsters may be permitted at residential properties for a period not to exceed ninety (90) days in conjunction with an active building permit. A

"Temporary Dumpster Permit" must be obtained from the Village Code Enforcement Officer (CEO).

- B. Emergency Remediation: In the event of a fire, flood, or natural disaster, the Village Code Enforcement Officer may authorize the temporary placement of a dumpster for remediation for a period not to exceed ninety (90) days.

SECTION 7. DUMPSTER PLACEMENT AND MAINTENANCE (FOR PERMITTED USES)

Any dumpster permitted under Section 6 must:

- * Be placed entirely on private property and not in the public right-of-way or on Village sidewalks.
- * Be emptied immediately upon reaching capacity.

SECTION 8. ENFORCEMENT AND PENALTIES

- A. Authority: The Code Enforcement Officer (CEO) and/or the Town of Hunter Police are authorized to enforce the provisions of this law.
- B. Notice of Violation: Upon finding a violation, the CEO shall issue a written notice requiring the removal of the dumpster within forty-eight (48) hours.
- C. Fines: Any person who fails to comply with a notice of violation shall be subject to a fine of \$250.00 for the first offense. Each day the violation continues thereafter shall constitute a separate and distinct offense, punishable by a fine of \$100.00 per day.

SECTION 9. SEVERABILITY

If any clause, sentence, or section of this local law is adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof.

SECTION 10. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.