

1993-2

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(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 Chenango
~~Town~~
~~Village~~

Local Law No. 2 of the year 19 93

A local law AMENDING LOCAL LAW NO. 2 OF THE YEAR 1989 AS AMENDED BY LOCAL LAW NO. 5 OF 1991
(Insert Title)

Be it enacted by the Board of Supervisors of the
(Name of Legislative Body)

County
~~City~~ of Chenango as follows:
~~Town~~
~~Village~~

The Solid Waste Committee presented the following for enactment:

ADOPTED COUNTY OF CHENANGO LOCAL
LAW NO. 2 OF 1993

A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF THE YEAR 1989 AS AMENDED BY LOCAL
LAW NO. 5 OF 1991.

Be it enacted by the Board of Supervisors of the County of Chenango as follows:

SECTION 1. "Section 4.0 Prohibited Acts" of Local Law No. 2 of 1989 as amended by Local Law No. 5 of 1991 is amended in its entirety to read as follows:

"Section 4.0 Prohibited Acts
Except as otherwise provided in this Law:

4.1 The importation of solid waste, special waste, hazardous waste and/or radioactive waste for the purposes of collection, storage and/or disposal within Chenango County is strictly prohibited.

4.2 Notwithstanding the provisions of Section 4.1 above, it shall not be a violation of this law for a company regulated by the New York State Public Service Commission and operating an electric generating facility within Chenango County to import into the County alternate fuel items provided each of the following conditions are met:

- i. the alternate fuel items are incinerated or burned for the purpose of producing electric power; and
- ii. the incineration or burning of the alternate fuel item or items is in compliance with any and all federal, state and local statutes and regulations applicable thereto, including but not limited to, Federal Environmental Protection Agency and N.Y.S. Department of Conservation mandates; and

(If additional space is needed, attach pages the same size as this sheet, and number each.)
(1)

iii. stockpiling of alternate fuel items shall be limited to a quantity which will be incinerated or burned at the facility within a six month period provided, however, that in no event shall the quantity of alternate fuel items stockpiled be in violation of any federal, state or local statutes or regulations; and

iv. In the event the company determines to or is required by governmental order or mandate, to cease the incineration of burning of one or more alternate fuel items at the site, such company shall cause the removal and proper disposal of said alternate fuel item or items outside the County of Chenango at the sole cost of said company within sixty (60) days; and

v. provide a preference for the use of alternate fuel items accumulated or existing within Chenango County in its operation by affording the County of Chenango thirty days advance written notice prior to the signing of any proposed contract concerning the importation of alternate fuel items, and allowing the County or another responsible entity within Chenango County to meet such offer within such time."

4.3 For purposes of this section an "alternate fuel item" is defined as a combustible material that is non-hazardous, non-putrescible, recognizable and is used as a source of energy to produce electricity.

Section 2. This law shall take effect immediately.

Seconded by Mr. Angell

Results of a Roll Call Vote on the Local Law were: Yes-2,176, No-0, Absent-0, Deceased-89

Deceased: Supervisor Proskine

The Chairman declared the Local Law duly adopted.

(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. 2 of 19 93 of the (County)(City)(Town)(Village) of Chenango was duly passed by the Board of Supervisors on August 9 19 93 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. (Name of Legislative Body) (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. (Name of Legislative Body) (Elective Chief Executive Officer*)

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. (Name of Legislative Body) (Elective Chief Executive Officer*)

*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.)

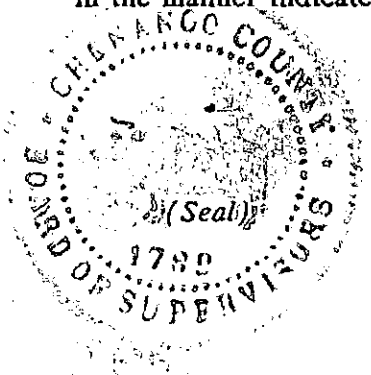
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified 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.



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

Date: August 12, 1993

(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.

Richard W. Bresler
Signature

County Attorney
Title

County
of Chenango

Date: August 12, 1993

Chenango County, SS
Recorded on this 12th Day
of August 1993 at 2:48
o'clock P. M., in Liber 1 of
Local Law
at Page 152 and examined
Paul A. Madal Clerk

FILED
1993 AUG 2 PM 2:48
COUNTY CLERK OFFICE
CHENANGO COUNTY, N.Y.