

Local Law Filing

New York State Department of State

41 State Street, Albany, NY, 12231

Town of DeKalb

Local Law No. 1 of the year 2013

A Local Law Throwing Refuse on Highways and Adjacent Lands Prohibited

Be it enacted by the Town Board of the

Town of DeKalb as follows:

SECTION 1. Purpose.

The purpose of this Local Law is to protect the health, safety and welfare of the residents of the Town of DeKalb.

Littering creates health and environmental issues for all the citizens of the Town of DeKalb.

SECTION 2. Authority.

This Local Law is enacted pursuant to the provisions of the Municipal and Home Rule Law of the State of New York.

SECTION 3. Title.

The title of this Local Law shall be the prohibition of throwing refuse on highways and adjacent lands.

SECTION 4. Text.

a. No person shall throw, dump, deposit or place, or cause to be thrown, dumped, deposited or placed upon any highway, or within the limits of the right of way of such highway, or upon private lands adjacent thereto, any refuse, trash, garbage, rubbish, litter or any nauseous or offensive matter.

b. Nothing herein contained shall be construed as prohibiting the use in a reasonable manner of ashes, sand, salt or other material for the purpose of reducing the hazard of, or providing traction on snow, ice or sleet.

c. Nothing herein contained shall be construed as prohibiting the use of any highway or private lands adjacent thereto for the transport or transit of agricultural trucks, machines or implements or dairy or domestic animals or agricultural stock with any accompanying reasonable or unavoidable deposit of nauseous or offensive matter.

d. A violation of the provisions of subdivision "a" of this section shall be punishable by a fine not to exceed \$350.00 and/or a requirement to perform services for a public or not-for-profit corporation, association, institution or agency not to exceed ten hours and for any second or subsequent violation by a fine not to exceed \$700.00 and/or a requirement to perform services for a public or not-for-profit corporation, association, institution or agency not to exceed fifteen hours.

e. In addition to the above provided penalties and punishment, the Town Board of the Town of DeKalb may also maintain an action or proceeding in the name of the Town in a Court of competent jurisdiction to compel compliance with this Local Law by injunction, abate or otherwise compel cessation of each violation, or obtain restitution to the Town of DeKalb for the costs incurred by the Town in identifying and remedying each violation, including but not limited to reasonable attorney fees and environmental testing.

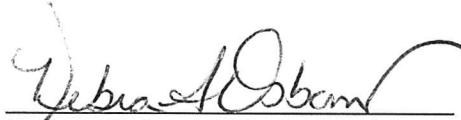
SECTION 5. Severability.

Each separate provision of this Local Law shall be deemed independent of all other provisions herein should any provision be declared invalid. All other provisions of this Local Law shall remain valid and enforceable.

SECTION 6. Effective Date.

This Local Law shall become effective upon filing with the Department of State.

I hereby certify that the Local Law annexed hereto, designated as Local Law No. 1 of 2013 of the Town of DeKalb was duly passed by the Town Board on October 16, 2013, in accordance with the applicable provisions of law.



Debra Osborn, Town Clerk
Town of DeKalb

Date: 10 - 17 - 13

(Seal)

STATE OF NEW YORK)
) ss.:
COUNTY OF ST. LAWRENCE)

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.



Charles B. Nash, Esq.
Town Attorney
Town of DeKalb

Date: 10 - 17 - 13