

JUNK, RUBBISH AND GARBAGE ORDINANCE

CHAPTER 53

TOWN OF GORHAM

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(History: Adopted by the Town Board of the Town of Gorham, October 19, 1961; amended 3/98 LL#1.)

53.1010 Legislative Enactment

Be it resolved, enacted and ordained by the Town Board of the Town of Gorham, Ontario County, New York, as follows: This ordinance shall be known as the “Junk, Rubbish and Garbage Ordinance”.

53.2010 Definitions

Person – The term “person” as used in this ordinance shall include an individual, society, club, firm, partnership, corporation or association of persons.

Junk or Rubbish – The term “junk or rubbish” as used in this ordinance shall include waste metal, tin cans, ashes, cinders, glass, pottery, abandoned and/or junked vehicles or parts thereof, and all discarded substances of a solid and incombustible nature.

Garbage – The term “garbage” as used in this ordinance shall include waste food, papers, dead animals or parts thereof, and all waste of discarded wood, lumber or vegetable matter of any kind, or any other matter which shall be inflammable or capable of fermentation or decay.

Private Junk or Rubbish and Private Garbage – The term “private junk or rubbish” and “private garbage” as used in this ordinance shall be those items of junk or rubbish and garbage which shall result from a town resident’s ordinary use and occupation of and on his lands and premises within the town, and shall exclude any junk or rubbish or garbage delivered to said lands or premises from any other source including junked or dismantled motor vehicles or parts, and commercial storage thereof.

53.2020 Restrictions

No person shall throw, dump or deposit, or cause or permit to be thrown, dumped or deposited in any part of the Town of Gorham, any junk, rubbish or garbage from any source whatsoever. Excepting only in or upon any lands or premises now or hereafter owned, leased or otherwise controlled by the Town of Gorham as a public dump and there subject to all rules, regulations, ordinances, or statutes now or hereafter adopted pertaining to such public dump.

53.2030 Exceptions

Restrictions provided in 53.2020 shall not apply to resident persons or other persons owning or leasing lands and premises within the Town of Gorham who so dispose of their private junk or rubbish and private garbage on the lands and premises owned, leased, and/or occupied by them or residents of said town from whom said persons dumping have obtained express consent and permission in such manner as not to endanger the health and welfare of the residents of the Town of Gorham and in such manner as not to create a public nuisance. Garbage may be obtained and stored by any resident upon his lands and premises for the sole purpose of feed for livestock maintained on his lands, providing that the same rules, regulations, ordinances or statutes now or hereafter adopted pertaining thereto. Dumping or deposit of any such private junk or rubbish or private garbage shall in no event be any closer than fifty (50) feet from any highway line bounding the parcel of land on which it is dumped or deposited.

53.2040 Penalties

Any person violating any of the provisions of this ordinance shall be guilty of a violation, and upon conviction thereof shall be punishable by a fine not to exceed fifty (\$50.00) dollars for each offense, or by imprisonment in the county jail not to exceed thirty (30) days, or by both such fine and such imprisonment; and upon failure to pay any such fine, to be imprisoned in the county jail until such fine be paid, not to exceed one day for each dollar of fine imposed.

53.2060 Validity

The validity of any section or provision of this ordinance shall not be invalidated by the invalidity of any other section, provision or part thereof.

53.2060 Effective Date

This ordinance shall be effective ten (10) days after adoption and posting as prescribed by law.