

SOLID WASTE

142 Attachment 1

Village of Potsdam

APPENDIX A

**Residential Solid Waste Regulations
[Amended 5-7-1990]**

- A. These regulations are for residential pickups only. Separate regulations may apply to business and industrial collection. **[Amended 1-24-2000 by L.L. No. 2-2000]**
- B. Special cleanup weeks are announced each spring and fall for leaves, brush, limbs, trimmings and yard wastes and following the holiday season for Christmas trees and decorations. These special cleanups are done by village forces and are separate from the regular weekly contracted collections.
- C. Supplemental pick-ups of yard wastes will be made by village crews during the week following the last Monday of each month from May through October. **[Amended 1-24-2000 by L.L. No. 2-2000]**
- D. Residents shall not rake yard wastes or other solid wastes into the streets at any time. The street sweeper cannot handle it. Leaves shall be loose, not bagged, and placed at the curb. **[Amended 1-24-2000 by L.L. No. 2-2000]**
- E. Pick up day is Tuesday. **[Amended 1-24-2000 by L.L. No. 2-2000; 8-21-2000 by L.L. No. 11-2000; 6-18-2012 by L.L. No. 5-2012]**
- F. Service will be provided on all days of the year except Christmas Day, New Year's Day, the Fourth of July and Thanksgiving Day. On these days the Tuesday pickup will be done the Saturday after that Tuesday. **[Amended 1-24-2000 by L.L. No. 2-2000; 8-21-2000 by L.L. No. 11-2000; 6-18-2012 by L.L. No. 5-2012]**
- G. Service will be provided for all residents in one-, two-and three-family dwelling units. No commercial service will be provided. Individual apartment house dwellers will place trash at the curb for pickup.

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- H. Service may be delayed during periods of inclement weather, road surfaces covered with freezing rain, blizzard-type snow conditions that would produce poor visibility and any weather condition hazardous to village personnel or others. As soon as conditions improve, the required work would be completed.
- I. Collection policies.
- (1) Containers shall be the ninety-gallon wheeled or other sized containers approved or furnished by the contractor. All containers must have covers and shall be kept clean and sanitary. **[Amended 1-24-2000 by L.L. No. 2-2000; 7-16-2001 by L.L. No. 6-2001]**
 - (2) Nonacceptable containers. Oil drums; packing containers; baskets; concrete, wood or cardboard boxes; paper bags; or heavy industrial cans may not be used.
 - (3) Garbage shall be drained of liquids, wrapped in paper or placed in a plastic bag and in a container with other refuse. In case of overflow, recyclables only may be placed in a bin or plastic bags at the curb next to the container in a manner that will prevent them from blowing away. **[Amended 7-16-2001 by L.L. No. 6-2001]**
 - (4) Bulky items will not be accepted. **[Amended 1-24-2000 by L.L. No. 2-2000¹]**
 - (5) Nonacceptable refuse. The following materials will not be picked up at any time:
 - (a) Refuse or garbage not prepared in accordance with the above regulations.
 - (b) Dangerous materials or substances such as poisons, acids, caustics, radioactive materials, infected materials, medical wastes and explosives.

¹ **Editor's Note: This local law also provided for the repeal of former Subsection I(4), Construction debris, and the redesignation of former Subsection I(5) through (8) as Subsection I(4) through (7), respectively.**

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- (c) Solid waste resulting from industrial processes.
 - (d) Materials which may cause a fire, such as ashes or cinders.
 - (e) Yard wastes will be handled as specified elsewhere in these regulations. **[Amended 1-24-2000 by L.L. No. 2-2000]**
- (6) Solid waste handlers will not go onto private property for any pickups except for residents demonstrating handicapped needs. All requests for such backyard collection must be approved by the village and the contractor. **[Amended 1-24-2000 by L.L. No. 2-2000]**
- (7) All containers and other acceptable refuse must be at curbside by 7:00 a.m. on pickup day, but shall not be placed at curbside earlier than 12 hours prior to scheduled pickup. Containers and any items (garbage or recyclables) not picked up must be removed from the curbside by 7:00 p.m. the day of scheduled pickup. **[Amended 1-24-2000 by L.L. No. 2-2000; 7-16-2001 by L.L. No. 6-2001]**
- J. Failure to comply and enforcement. **[Added 7-16-2001 by L.L. No. 6-2001]**
- (1) If any person shall fail to comply with these provisions, the Code Enforcement Officer shall hand deliver or mail certified notice of such condition to the property owner or agent of record and require corrective action of said violation within 48 hours of receipt of notice.
 - (2) Only one such notice shall be sent annually per calendar year (January 1 to December 31). Subsequent violations shall be enforced without further notification as per the sections below.
 - (3) If the required corrective actions are not taken, the property owner shall be liable to pay a penalty of \$25 for each day the violation shall continue.

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- (4) Failure to comply with said violation notice may cause the village to have such work be done, and all expenses of same shall be collected as hereinafter provided.
- (5) Whenever the municipality shall perform the work on failure of the owner, occupant or agent to do so as required by Appendix A, the village shall compute the bill as follows:
 - (a) If the work is done by an independent contractor, the amount of his bill, plus an additional charge of 25% thereon to cover the expenses of administration and supervision.
 - (b) If the work is done by municipal employees and equipment, the actual and direct costs of labor, including a surcharge of 25% to cover social security, workmen's compensation and other employee overhead expenses and the usual and customary charges for the use of equipment and materials, if any, plus an additional charge of 25% thereon to cover the expenses of administration and supervision.
- (6) The Clerk shall present a copy of the bill to the owner or other person responsible on or before the 10th day of the following month by delivering same personally or by certified mail or, if the name of the person responsible or his place of residence cannot be ascertained after due diligence, by posting the same in a conspicuous place on his said premises.
- (7) If the owner or other person responsible shall fail to pay the bill on or before the first day of the month following presentation, a penalty of 5% shall be added thereto, and an additional penalty of 1% per month shall be added thereto until paid.
- (8) If any bills remain unpaid at the time for making the annual assessment role, the Clerk shall file with the Assessors a certificate of the amount due as of the taxable date against each parcel of property, which the Assessor shall, in the preparation of the next assessment role of general municipal taxes, assess such amount upon property, and the same shall be levied, corrected, enforced and collected in the same manner, by the same proceedings, at the same time, under the same penalties and

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having the same lien upon the property assessed as the general municipal tax and as a part thereof.