

Local Law Filing

(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 Town Village
(select one:)

of New Lebanon

Introductory Local Law No. 6 of the year 2025

A LOCAL LAW TO AMEND CHAPTER 170 OF THE TOWN CODE OF THE TOWN OF NEW LEBANON.

Be it enacted by the Town Board of the Town of New Lebanon as follows:

See attached.

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

TOWN OF NEW LEBANON

INTRODUCTORY LOCAL LAW NO. 6 OF THE YEAR 2025

A LOCAL LAW TO AMEND CHAPTER 170 OF THE TOWN CODE OF THE TOWN OF NEW LEBANON.

SECTION 1

This local law shall be referred to as “A Local Law to Amend Chapter 170 of the Town Code of the Town of New Lebanon”.

SECTION 2

A new Article III, entitled “Refuse Containers”, is hereby added to Chapter 170 of the Town Code of the Town of New Lebanon, relating to solid waste and recycling, and shall read as follows:

ARTICLE III REFUSE CONTAINERS

§ 170-5 Definitions.

The following terms shall have the following meanings:

REFUSE – Any type of waste or recyclable material, including without limitation, garbage, rubbish, and decaying or non-decaying matter.

REFUSE CONTAINER – Any moveable container designed for the collection, storage, and/or transfer to any hauler(s) of any refuse.

§ 170-6 Prompt Removal of Refuse Containers from Town Roads.

- A. Refuse containers shall not be placed on or near any town road except for the purpose of transferring refuse to a hauler(s) collecting refusal.
- B. Refuse containers that are placed on or near any town road for the purpose of transferring refuse to any hauler(s) shall be placed in a manner so as to not obstruct any lane of traffic.

- C. No owner or occupant of real property shall place, or permit to be placed, any refuse container servicing such real property on or near any town road any earlier than noon on the day before the refuse collection day designated for the subject property.
- D. No owner or occupant of real property shall permit any refuse container servicing such real property to remain on or near any town road any later than noon on the day after the refuse collection day designated for the subject property.
- E. No owner or occupant of real property shall permit any refuse container servicing such real property to remain on or near any town road for any period of time in excess of forty-eight consecutive hours.
- F. Each owner and occupant of real property shall be jointly and severally responsible for ensuring compliance with the provisions of this section with respect to any refuse container(s) servicing such real property.

§ 170-7 Enforcement; penalties for offenses.

- A. The town superintendent of highways is authorized to enforce the provisions of this Article III and may issue appearance tickets for violations hereof.
- B. Each violation of this Article III shall be punishable upon conviction by a fine not to exceed \$100.

SECTION 3

This Local Law is adopted pursuant to the N.Y. Municipal Home Rule Law.

SECTION 4

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Law, and all applications

thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 5

This Law shall become effective upon filing with the New York Secretary of State.

(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. ___ of 2025 of the (County)(City)(Town)(Village) of New Lebanon was duly passed by the Town Board of the Town of New Lebanon on _____, 2025, in accordance with the applicable provisions of law.

~~**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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20____ 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.

(Name of Legislative body)
(Elective Chief Executive Officer*)

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 _____ 20____, in accordance with the applicable provisions of law.

~~**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 2024 of the (County)(City)(Town)(Village) of New Lebanon was duly passed by the Town of New Lebanon Town Board on _____ 2024, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20____.

(Elective Chief Executive Officer*)

Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 2024, in accordance with the applicable provisions of law.

* 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 chairperson 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 20____ 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 _____ 20____, 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 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of _____ 20____, 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 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.

Marcie Robertson, Town of New Lebanon Town Clerk
Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

(Seal)

Date: _____