

**LOCAL LAW NO. 5- 2007  
TOWN OF AMHERST  
COUNTY OF ERIE, STATE OF NEW YORK**

**(REPRINTED FROM APRIL 16, 2007 TOWN BOARD MEETING MINUTES)**

**A Local Law To Amend The Solid Waste Law, Chapter 169 of the Code of the Town of Amherst And Administration of Government, Chapter 4 of the Code of the Town of Amherst With Respect To the Use of Totes for Solid Waste Disposal and Other Purposes**

Be it enacted by the Town Board of the Town of Amherst as follows:

Section 1. Title

This Local Law shall be referred to as, "Revisions Amending The Solid Waste Law, Chapter 169 Of The Code Of The Town Of Amherst and Administration of Government, Chapter 4 of the Code of the Town of Amherst With Respect To the Use of Totes for Solid Waste Disposal and Other Purposes."

Section 2.

Chapter 169 of the Code of the Town of Amherst is amended by making revisions to existing sections as follows:

**§169-3 Definitions**

TOTES - Town authorized containers of 95 or 65 gallon capacity for the storage and collection of household garbage.

**§169-5(A) Preparation of waste material for collection.**

A. Garbage and household solid waste shall be placed in tote units with lids completely closed.

**§169-6(B) Collection of waste material.**

B. No solid waste shall be placed within the public right-of-way earlier than 6:00 p.m. of the day prior to the designated collection day.

**§169-10(B) Hazardous waste.**

B. Dangerous hazardous or chemically toxic wastes should be disposed by the owner or producer in a manner acceptable under all state and federal laws and regulations.

**§169-16(A)(2) Storage regulations.**

A(2). Garbage shall be stored in covered rodent-proof tote units or other watertight, metal or plastic containers that are rodent-proof and designed for the purpose of storing all household garbage. Other than the tote units issued by the town, containers shall not exceed a forty (40) gallon capacity nor weigh more than sixty (60) pounds when filled.

**§169-16(A)(3) Storage regulations.**

(A)(3). Plastic bags containing garbage or household solid waste may not be placed in the right-of-way for collection unless

contained in an approved, town provided tote or other metal or plastic rodent-proof container designed for the purpose of storing household generated garbage.

**§169-16(A)(3) Storage regulations.**

§169-16(A)(3) will now become §169-16(A)(4).

**§169-16(A)(3) Storage regulations.**

§169-16(A)(4) will now become §169-16(A)(5).

**§169-21(B) Enforcement.**

B. The Refuse Control Officers are hereby authorized to issue and serve appearance tickets and/or summonses with respect to violations of this Article.

**§169-22(A) Penalties for offenses.**

A. Any violation by a person, firm or corporation of any provision of this Article shall be deemed a violation and shall be subject to the following penalties:

**1st Offense** Written Warning

**2nd Offense** Within 12 month period - Fine: \$50.00-\$100.00

**3rd Offense** Within 12 month period - Fine: \$100.00-\$150.00

**4th Offense** Within 12 month period - Fine: \$150.00-\$300.00

**Any Additional Offense** Within 12 month period - Fine: \$300.00-\$500.00

Section 3.

Chapter 4 of the Code of the Town of Amherst is amended by adding a new section, §4-4(D)(3) as follows:

(3) Refuse Control Officer

Section 4. Effective Date.

This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law and published pursuant to Section 130 of the Town Law and Chapter 28 of the Code of the Town of Amherst.

*Please refer to the Town Board meeting minutes dated April 16, 2007 for additional information regarding this matter.*