

**VILLAGE OF BUCHANAN
LOCAL LAW NO. 7 OF THE YEAR 2012**

**A LOCAL LAW AMENDING CHAPTER 163 ENTITLED SOLID WASTE TO THE
CODE OF THE VILLAGE OF BUCHANAN**

Section One: The following sections of the Village Code are amended to read as follows:

Article I:

163-1. Section 163-1, entitled "Definitions; word usage", of the Code of the Village of Buchanan is hereby amended to add the following:

DUMPSTER - A metal container owned or provided by the owner or occupant of property receiving on-site collection service having the capacity of 1 1/2 cubic yards or larger, which is approved by the Building Inspector for the deposit of garbage, trash, refuse and recyclables while awaiting collection.

Section 163-7(i) shall be added and shall read as follows:

Dumpsters- Placement, Usage, Time Limits, and Applicability.

A. Placement and Usage.

- (1) Dumpsters are prohibited from being placed in streets or in the front yards of a property. Dumpsters must be kept in the driveway of the property at the furthest accessible point from the street. All dumpsters must be placed on paved off-street surfaces. The applicant must obtain pre-approval of the location by the Village Building Inspector in the following situations:
 - (i) If the property does not have a driveway;
 - (ii) If the location of the unit in the driveway is in the front yard of the property;
or
 - (iii) The property is a corner lot
- (2) No dumpster shall be loaded in such a manner as to cause its contents to spill onto any street, sidewalk or other areas intended for pedestrian traffic.
- (3) No dumpster shall contain hazardous waste unless pursuant to a permit for such waste issued by the appropriate governmental entity.

- (4) No materials contained in any dumpster shall emit any noxious or offensive odor or otherwise create any hazard or risk to public health.
- (5) Dumpsters shall be emptied within five (5) business days after reaching full capacity, as determined by the Building Inspector or his or her designee, in his or her sole discretion.

B. Time Limitations

- (1) If a person, firm, or corporation has a valid building permit, a dumpster may remain on site for the period of time in which the building permit remains valid and open pursuant to the Code of the Village of Buchanan. If a person, firm, or corporation does not have a valid building permit, then in that case a dumpster may remain on site for a period not to exceed thirty (30) days.
- (2) In an emergency or other unusual circumstance, the time period set forth above may be extended for an additional thirty (30) days by contacting the Village of Buchanan Building Inspector. The Building Inspector may allot a longer time period dependent upon need, in his or her sole discretion.

C. Applicability

- (1) This section does not apply to persons, firms or corporations who have had dumpster(s) approved via a valid site plan for the property in question.

163-8. Section 163-8, entitled "Penalties for offenses", of the Code of the Village of Buchanan is hereby amended to read as follows:

- A. Any person, firm or corporation violating §163-4, 163-5 or 163-7(i) of this article shall be liable for a fine not to exceed \$25.00 for a first offense. Each subsequent offense shall be punishable by a fine not to exceed \$100.00 per offense. Each (day, week) continued violation is considered a separate violation.

Section Two: This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.