

VILLAGE OF BUCHANAN
LOCAL LAW NO. 5 OF THE YEAR 2020

**A LOCAL LAW AMENDING CHAPTER 163 OF THE CODE OF THE VILLAGE OF
BUCHANAN**

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

§163-7.2 Imposition of Dumpster Fees:

- a) The owners of all properties where dumpsters are serviced by the Village of Buchanan shall be charged for the removal of wastes generated by such properties at a rate as set forth in the Village of Buchanan Master Fee Schedule. The term “owner” shall be defined as an individual or company that has owners’ rights to the property.
- b) A dumpster is defined as having a volume not exceeding two cubic yards. Dumpsters exceeding two cubic yards will not be serviced by the Village of Buchanan. Any owner of property where dumpsters are serviced by the Village of Buchanan shall be entitled to have one (1) dumpster per property for refuse picked up without charge by the Village of Buchanan.
- c) Any owner of property which has more than one (1) dumpster shall pay a pick-up fee as established by the Village Board of Trustees and set forth in the Master Fee Schedule maintained in the office of the Village Clerk.
- d) Not more than four thirty-two-gallon containers of garbage, trash, rubbish and/or refuse shall be collected in any one week, with no more than two such containers being picked up at any one time. Any owner of land, disposing of or allowing a tenant to dispose of garbage, trash, rubbish, and/or refuse in excess of four waste containers per week shall instead provide one or more dumpsters which are compatible with the Village collection trucks for mechanical dumping and shall pay the dumpster fee as established by the Village Board of Trustees.
- e) Billing and payment for use of dumpsters shall be made quarterly in advance of each quarter as described below:

(i) schedule for each year:

Month of Billing	Due Date	Months Covered By Payments
December	December 31	January, February and March of the next ensuing year
March	March 31	April, May and June of that year

Month of Billing	Due Date	Months Covered By Payments
June	June 30	July, August and September of that year
September	September 30	October, November and December of that year

f) In order to use Village of Buchanan services for pickup of more than one dumpster per week, the owner will be required to sign a collection agreement approved by the Village Board of Trustees one time only and pay the user fees as set forth in the Master Fee Schedule maintained in the office of the Village Clerk. Any owner of property providing or allowing a tenant to have one or more mechanically emptied containers may opt out of Village collection and instead have all refuse and/or recyclables collected by a private carter. Such private collection shall be made at least once per week. Any such owner choosing to have his or her, or his or her tenants' garbage collected by a private carter who previously had his or her garbage collected by the Village shall notify the Village Clerk, in writing, that Village pickup will not be required for the next quarter and advising which day of the week the private collection will be made.

(1) The Village of Buchanan shall promptly discontinue service to any owner of land, person, residence, business, store, factory, restaurant, or other commercial establishment for which the user fees required by this section are not timely paid.

(2) The Village Highway Department shall not be required to remove construction debris, mechanically operated vehicles or machinery or any parts thereof, including tires.

163-7.3 Preparation and mailing of bills.

Bills for all garbage collection services contemplated by this article shall be prepared on or before the 30th day following each quarterly period, commencing with the first day of the Village fiscal year 2020-2021, and continuing thereafter, and shall be mailed to the owner of the premises or property as the same appears upon the last

completed assessment roll of the Village of Buchanan, New York. If more than one person shall appear as the owner of the premises or property, the bill may be mailed to any one of such persons.

§ 167-7.4 Payment due date.

Bills for garbage collection services provided pursuant to this article shall be payable in the face amount without penalty within 30 days following the date as indicated upon the bill mailed to the consumer.

§ 167-7.5 Penalties for past-due bills.

Penalties shall accrue against dumpster collection fees as follows: There shall be charged a penalty on past-due sanitation fees at the rate of 10% following 30 days from the date of billing and the rate of an additional 2% per month for each additional 30 days or part thereof of delinquency.

§ 167-7.6 Unpaid dumpster fees.

Such unpaid dumpster fees shall constitute unpaid garbage fees, and those amounts, together with the amount of penalty as herein prescribed and due by reason of nonpayment of such garbage fees, shall be a lien on the real property upon which or in connection with which the garbage collection is used, and if not paid by February 1 of the fiscal year in which accrued, the amount thereof, together with the penalty as herein prescribed, shall be included in the next annual tax levy and shall be levied upon the real property.

