

**LOCAL LAW NO. 2 FOR THE YEAR 2002**

**A LOCAL LAW TO AMEND AND RESTATE LOCAL LAW NUMBER 5 OF 1992,  
TO PROVIDE FOR CLARIFICATION OF THE MANNER IN WHICH TIPPING,  
USER, AND PERMIT FEES ARE TO BE ESTABLISHED FOR THE DISPOSAL OF  
SOLID WASTE AT CORTLAND COUNTY LANDFILLS**

**Be it enacted by the County Legislature of the County of Cortland as follows:**

**SECTION 1.**

**LEGISLATIVE INTENT**

The County Legislature hereby finds that the intent of this local law shall be to amend Local Law number 5 of 1992, to provide for the establishment of solid waste permit, tipping and user fees by resolution, rather than local law, pursuant to Section 226-b of County Law of the State of New York.

**SECTION 2.**

**AUTHORITY**

County Law Article 5, general powers of the board of supervisors, solid waste management, pursuant to Section 226-b(2), specifically authorizes the legislative body of a county, by resolution, to establish schedules of rates or fees to be charged for any solid waste collection or management facilities or services provided.

**SECTION 3.**

Section III, subsection 2, paragraph (c) – Commercial Waste Permit Requirements, of Local Law No. 5 for the year 1992 is hereby amended to read as follows:

- c. Each Commercial Waste Permit applicant shall be required to pay a Commercial Waste Permit fee per vehicle, and a further fee for each detachable container used. The fees, rates or charges for Commercial Waste Permit holders shall be established by resolution of the Cortland County Legislature and such charges shall commence upon the adoption or effective date of such resolution and continue until modified, amended or rescinded.

#### SECTION 4.

Section III, subsection 3, paragraphs (a) and (c) – Resident Waste Permit and Private Business/Farm Permit Requirements, of Local Law No. 5 for the year 1992 are hereby amended to read as follows:

- a. Resident individuals collecting, transporting or disposing of their own solid waste and or recyclables will be required to obtain a Resident Waste Permit from the Department of Solid Waste. The fees, rates or charges for Resident Waste Permit holders shall be established by resolution of the Cortland County Legislature, and such charges shall commence upon the adoption or effective date of such resolution and continue until modified, amended or rescinded. Such permit shall be displayed on the front bumper of the delivery vehicle and shall be valid until December 31<sup>st</sup> of the year of issuance.
- c. Persons and contractors not holding Commercial Waste Permits may obtain a Private Business / Farm Permit for the collection, transportation and / or disposal of solid waste other than refuse at the County Landfill. A Private Business / Farm Permit must be obtained from the Department of Solid Waste. The fees, rates or charges for Private Business / Farm Permit holders shall be established by resolution of the Cortland County Legislature, and such charges shall commence upon the adoption or effective date of such resolution and continue until modified, amended or rescinded. Holders of a Private Business / Farm Permit shall be required to make immediate cash payment of the required fee for the first ninety days, and once a month thereafter.

#### SECTION 5.

Section III, subsection 4, paragraph (h) and (i) – Disposal of Solid Waste, of Local Law No. 5 for the year 1992 are hereby amended to read as follows:

- h. Tipping fees for Commercial Waste Permit holders and Private Business / Farm Permit holders shall be established by resolution of the Cortland County Legislature, and such charges shall commence upon the adoption or effective date of such resolution and continue until modified, amended or rescinded. A minimum fee per transaction shall be established by resolution of the Cortland County Legislature, and such charges shall commence upon the adoption or effective date of such resolution and continue until modified, amended or rescinded.
- i. Commercial Waste Permit holders and Private Business / Farm Permit holders will be billed monthly by the County. Such bills must be paid within thirty days of the mailing of the fee statement. Such bills unpaid within thirty days of mailing will be charged an additional 2% per month finance charge. Failure to make payments when due shall result in suspension or revocation of the Commercial Waste Permit or Private Business / Farm Permit.

**SECTION 6.**

**SEPARABILITY**

If any provision of this local law or the application thereof to any person or circumstance is held to be invalid, the remainder of this local law and the application of such provision to other persons or circumstances shall not be affected thereby.

**SECTION 7.**

**EFFECTIVE DATE:**

This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.