

(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.

~~XXXX~~
~~XXXX~~
Town
~~XXXX~~

of STRATFORD

COPY

Local Law No. 3 of the year 1996

A local law REGULATING LITTERING ON PROPERTY IN THE TOWN OF STRATFORD

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~XXXX~~
~~XXXX~~
Town
~~XXXX~~

of Stratford as follows:

- Section 1: Title
- Section 2: Definitions
- Section 3: Legislative Intent
- Section 4: Prohibited Littering on Private Property
- Section 5: Rules and Regulations
- Section 6: Enforcement
- Section 7: Penalties
- Section 8: Validity
- Section 9: Effective date

SECTION 1: TITLE

This local law shall be known and may be cited at Local Law No. 3 of the Year 1996 Regulating Littering on Property in the Town of Stratford.

SECTION 2: DEFINITIONS

For the purpose of this local law littering shall mean any and all of the following: junk cars, garbage, refuse, rubbish and other waste material, newspapers and non-commercial hand bills.

Property means any private dwelling, house, building or other structure whether occupied or temporarily or continuously occupied or vacant and shall include any yard, grounds, walk, driveway, parking area, porch, steps, vestibule or mailbox belonging or pertinent to such private dwelling, house, building or other structure in the Town of Stratford.

SECTION 3: LEGISLATIVE INTENT

It is the purpose of this local law to preserve and promote the health, safety and general welfare of the inhabitants of the Town of Stratford.

SECTION 4: PROHIBITED LITTERING ON PRIVATE PROPERTY

No person shall throw or deposit, or suffer to be deposited, litter on any private property within the Town of Stratford whether owned by such person or not, except that the owner or person in control of the private property may maintain authorized private receptacles in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, highway or other public place or upon any private property.

The owner or person in control of any private property shall at all times maintain the premises free of litter, including junk cars, provided, however, that:

1. Litter may be in authorized private receptacles.
2. Grass cuttings, leaves and other offensive materials may be stored in heaps or piles within the barriers constructed of boards, slats or wire for reduction to compost for use on the premises provided no odors are permitted to emanate therefrom or other nuisances developed.

SECTION 5: RULES AND REGULATIONS

A. The town board is hereby empowered to make and promulgate, from time to time and by order or resolution, such rules and regulations relating to littering in the Town of Stratford.

B. For the purpose of implementing and enforcing such rules and regulations, the town board may impose such restrictions, limitations and conditions as the town board may deem appropriate.

SECTION 6: ENFORCEMENT

The Fulton County Sheriff's Department and/or any other police officer and/or other peace officer may enforce the provisions of this local law.

SECTION 7: PENALTIES

Any person, firm or corporation violating or permitting the violation of any provision of this local law shall be guilty of an offense and shall be subject to a fine of not less than \$10.00 nor more than \$100.00.

SECTION 8: VALIDITY

If any clause, sentence or provision of this local law shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity thereof shall not affect, impair or invalidate the remainder of this local law.

SECTION 9: EFFECTIVE DATE

This local law shall become effective immediately upon its posting and filing thereof as provided by law.

(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. 3 of 1996 of the ~~(County)(City)(Town)(Village)~~ of Stratford was duly passed by the Town Board on July 11, 1996, in accordance with the applicable provisions of law. (Name of Legislative Body)

~~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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19____ in accordance with the applicable provisions of law. (Elective Chief Executive Officer*)~~

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. 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 _____ 19____, 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 19____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19____, and was (approved)(not disapproved)(repassed after disapproval) by the _____ on _____ 19____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19____ 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 chairman 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 19____ 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 _____ 19____, 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 19____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____ 19____, 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 cities of said county as a unit and 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.

Carolyn Walker Town Clerk
Clerk of the County legislative body, City, Town or Village Clerk
or officer designated by local legislative body
CAROLYN WALKER - TOWN CLERK

Date: July 11, 1996

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF Fulton

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Charles P. Caputo
Signature CHARLES P. CAPUTO

TOWN ATTORNEY
Title

XXXXXX
City of Stratford
Town
XXXXXX

Date: July 11, 1996