

## PUBLIC NOTICE

TAKE NOTICE that the following ordinance was duly adopted by the Town Board of the Town of New Scotland on the 24th day of September 1969 and duly extended in the minutes for that day, said ordinance to take effect as provided in Section 7 thereof.

### ORDINANCE FOR THE REGULATION OF DUMPS AND DUMPING IN THE TOWN OF NEW SCOTLAND

Section 1. LEGISLATIVE INTENT. By the adoption of this ordinance, the Town Board of the Town of New Scotland declares its intent to be to regulate in a manner consistent with the interest of the citizens of the Town of New Scotland the dumping of garbage, rubbish, refuse and similar waste material on lands within the Town, and to provide for the disposal thereof on established town dumps. Garbage is a deleterious substance and garbage dumps emit obnoxious odors and fumes. Unattended, private garbage dumps and disposal areas attract rodents and vermin and become breeding places for them. All of these conditions can adversely affect the development of the Town unless they are properly and carefully regulated. Therefore, recognizing the above and the need of the community for an adequate and well regulated procedure for the disposal of garbage and rubbish, and in the exercise of its police power in these regards, the Town Board of the Town of New Scotland does hereby enact the following ordinance.

Section 2. APPLICATION. This ordinance shall apply to dumping upon all lands, public and private, within this Town except upon such premises as are or may be lawfully established as a public dump or dumping grounds of this Town and thereon only in the manner herein provided.

Section 3. DUMPING PROHIBITED. No person shall use any of the lands within the Town of New Scotland as a dump, dumping grounds or sanitary land fill, nor shall any person throw, dump, deposit or place on such lands or cause to be thrown, dumped, deposited or placed on such lands any waste materials or

waste substances such as bottles, cans, garbage, refuse, trash, rubbish, litter or any nauseous or offensive matter, nor dispose or attempt to dispose of any such materials, substances or matter by burying the same, by so-called sanitary land fills or otherwise, on such lands, except as otherwise provided herein.

### Section 4. TOWN DUMPS, RESTRICTIONS ON USE.

(a) No person shall deposit or cause to be deposited on premises established as a public dump of this Town, except at the places and in the manner directed by the person in charge of the premises under the authority of the Town Board, if such a person is so designated, or by a sign or signs erected upon the premises by the authority of the Town Board.

(b) No person shall deposit or cause to be deposited on premises established as a public dump of this Town any substance of any kind which originated or was collected from outside of the Town of New Scotland.

(c) No person, not a resident of or conducting an established business in the Town of New Scotland, may deposit or cause to be deposited any substance of any kind on premises established as a public dump of this Town. The Town Board may provide for such method of identification of town residents or their vehicles as they may deem necessary and expedient.

(d) No person shall hunt, trap or snare animals or birds of any description, set any traps or snares or discharge any firearms on premises established as a public dump of the Town, nor shall any person trespass on said premises for such purposes.

(e) Said premises established as a public dump shall be open to the public on such days and hours as the Town Board shall from time to time determine and notice of such days and hours shall be given by posting same on a sign or signs erected on the premises by the authority of the Town Board.

All gates to said premises shall be securely locked at all times and no unauthorized persons shall trespass on said premises for any

purpose except during the days and hours so determined.

### Section 5. VIOLATION OF ORDINANCE: PENALTIES.

(a) Any person who commits or permits any act or acts in violation of any of the provisions of this ordinance shall be deemed to have committed an offense against such ordinance, and also shall be liable for any such violation or the penalty therefore. Each day such violation shall continue or be permitted to exist shall constitute a separate violation.

(b) For every violation of any provision of this ordinance the person violating the same shall be subject to a fine of not more than Fifty Dollars (\$50.00), or imprisonment not exceeding ten (10) days, or by both such fine and imprisonment.

(c) In addition to the above-provided penalties and punishment, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with, or to restrain by injunction the violation of such ordinance.

Section 6. SAVING CLAUSE. If any clause, sentence, paragraph, section or part of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 7. EFFECTIVE DATE. This ordinance shall take effect ten days after publication and posting or immediately upon personal service as provided by section 133 of the Town Law.

I, ELIZABETH FELDMAN, Town Clerk of the Town of New Scotland, do hereby certify that the foregoing is a true and correct copy, and the whole thereof, of an ordinance duly adopted by the Town Board of said Town of New Scotland on the 24th day of September 1969 and entered in the minutes for that day.

ELIZABETH FELDMAN,  
Town Clerk, Town of New Scotland.  
(Oct. 3)

STATE OF NEW YORK }  
COUNTY OF ALBANY }

**PUBLIC NOTICE**  
TAKE NOTICE that the following ordinance was duly adopted by the Town Board of the Town of New Scotland on the 24th day of September 1969 and duly published in accordance with the provisions of Section 7

**ORDINANCE FOR THE REGULATION OF DUMPS AND DUMPING IN THE TOWN OF NEW SCOTLAND**  
Section 1. **LEGISLATIVE INTENT:** By the adoption of this ordinance, the Town Board of the Town of New Scotland declares its intent to be to regulate in a manner consistent with the interest of the citizens of the Town of New Scotland the dumping of garbage, rubbish, refuse and similar waste material on lands within the Town, and to provide for

..... Howard F. Osbury .....

of the Town of Guilderland, being duly sworn, says that he is one of the publishers of the **ALTAMONT ENTERPRISE** and **ALBANY COUNTY POST**, a weekly newspaper printed and published in the Village of Altamont, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said **ALTAMONT ENTERPRISE** and **ALBANY COUNTY POST** .....

..... consecutively, commencing on the 3 day of October 1969

Sworn to before me this 3 day of October 1969 }

..... Howard F. Osbury .....

..... Miedes R. Wise .....  
Notary Public, Albany County

MILED R. WISE  
Notary Public, Albany County  
Qualified in 1967  
No. 123456789

STATE OF NEW YORK }  
 COUNTY OF ALBANY }

**PUBLIC NOTICE**  
 TAKE NOTICE that a public hearing will be held by the Town Board of the Town of New Scotland at the Town Hall on New Scotland Road, New Scotland, New York, on the 24th day of September 1969 at 8:30 P. M. on the following proposed ordinance.  
 All persons wishing to be heard should appear at the time and place.  
**ORDINANCE FOR THE REGULATION OF DUMPS AND DUMPING IN THE TOWN OF NEW SCOTLAND**  
 Section 1. LEGISLATIVE INTENT. By the adoption of this ordinance, the Town Board of the Town of New Scotland declares its intent to be to regulate in a manner consistent with the interest of the citizens of the Town of New Scotland the dumping of garbage, rubbish, refuse and similar waste material on lands within the Town, and to provide for the disposal thereof on established town dumps. Garbage is a

Sworn to and signed by me this \_\_\_\_\_ day of September 1969.

...*Howard F. Eggen*.....

of the Town of Guilderland, being duly sworn, says that he is one of the publishers of the **ALTAMONT ENTERPRISE** and **ALBANY COUNTY POST**, a weekly newspaper printed and published in the Village of Altamont, County of Albany, and that the notice of which the annexed is a true copy, has been regularly published in said **ALTAMONT ENTERPRISE** and **ALBANY COUNTY POST** *once each week*

*for one week*... consecutively, commencing on the *12*... day of *September* 19*69*.

*Howard F. Eggen*.....

...*Mildred R. Wise*.....

Notary Public, Albany County

**MILDRED R. WISE**  
 Notary Public, State of New York  
 Qualified in Albany County  
 My Commission Expires March 30, 1971

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All persons wishing to be heard regarding same will be duly heard at that time and place.

### ORDINANCE FOR THE REGULATION OF DUMPS AND DUMPING IN THE TOWN OF NEW SCOTLAND

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Section 7. EFFECTIVE DATE. This ordinance shall take effect ten days after publication and posting or immediately upon personal service as provided by section 133 of the Town Law.

Dated: September 10, 1969.

BY ORDER OF THE TOWN BOARD

ELIZABETH FELDMAN,  
(Sept. 12) Town Clerk.