

AN ORDINANCE TO AMEND CHAPTER 126 OF THE CODE OF THE CITY OF SARATOGA SPRINGS, NY, ENTITLED "GARBAGE, RUBBISH AND REFUSE"

BE IT ORDAINED by the City Council of the City of Saratoga Springs, NY, as follows:

SECTION 1. Section 126-5 of Chapter 126 of the Code of the City of Saratoga Springs, entitled "Garbage, Rubbish and Refuse – Deposit of Refuse" is hereby amended to read (new material underlined; old material in brackets):

126-5 Deposit of refuse.

A. Except as otherwise provided in this section, no person, firm, ~~partnership or corporation~~partnership, corporation or legal entity shall deposit refuse upon or along any road, curb, sidewalk, alley, street or land in the City of Saratoga Springs without the written permission of authorized personnel of the Department of Public Works.

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B. Between ~~March 1 June 1~~ and ~~December 31~~September 16 in any year, a person, firm, ~~partnership or corporation~~partnership, corporation, or legal entity may deposit yard debris such as leaves, grass and other similar natural materials at curbside for pick up by the Department of Public Works. Any such debris shall be placed in suitable containers, receptacles, or paper bags, and shall not be loosely piled. Tree limbs and branches shall not exceed four feet in length.

C. The Commissioner of Public Works, in his discretion, may from time to time establish schedules during which the Department of Public Works shall pick up refuse placed for collection at or near a road, curb, sidewalk, alley or street. The Commissioner shall have the authority to specify the types of refuse that shall be so collected, as well as types of Containers, receptacles, or paper bags ~~receptacles or containers~~ to be used, and the number of hours prior to scheduled pick up that said refuse may be placed for collection.

In addition to and not in limitation of Subsection B above, the Commissioner of Public Works shall have authority to establish a permit system by which persons, firms, partnerships, corporations and legal entities engaged in the business of landscaping or property maintenance may deposit refuse consisting of yard debris such as grass, leaves, tree limbs and similar natural materials, lawfully collected by them in the course of business, at a compost facility operated and controlled by the City. Any such permit system shall specify the means to confirm that the refuse so deposited was collected from a property located in Saratoga Springs.

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D. Any deposit of refuse not in accordance with ~~Subsection B above~~ shall be a violation of this chapter, and the Commissioner of Public Works is hereby authorized and empowered to pay for the correction of said violation, subject to the approval of the City Council of the City of Saratoga Springs.

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(1) When the Commissioner of Public Works has effected the correction of the violation or has paid for its removal, the actual cost thereof, plus the accrued legal rate of interest per annum from the date of the completion of the work, if not paid by such owner prior thereto, shall be charged to such owner by the City, and such charge shall become due and payable by said owner or person at the time of the payment of such bill.

(2) Where the full amount due the City is not paid by such owner within 20 days after the correction of such violation as provided in Subsections A and B above, then and in that case, the Commissioner of Public Works shall cause to be filed in the office of the City Clerk a sworn statement showing the cost and expense incurred for the work, the date the work was completed and the location of the property by section, lot and block on which said work was done and the name of the reputed owner thereof. The filing of such sworn statement shall constitute a lien and privilege on the property and shall remain in full force and effect for the amount due in principal and interest, plus the cost of court, if any, for collection, until final payment has been made. Said costs and expenses shall be collected in the manner fixed by law for the collection of taxes and, further, shall be subject to a delinquent penalty at the legal rate of interest in the event that the same is not paid in full on or before the date the tax bill upon which such charge appears becomes delinquent. Sworn statements filed in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been properly and successfully done and shall be full notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated and described in the statement and that the same is due and collectible as provided by law.

SECTION 2. This Ordinance shall take effect the day after publication as provided by the City Charter of the City of Saratoga Springs, NY.

ADOPTED:

CITY COUNCIL OF THE CITY OF
SARATOGA SPRINGS, NEW YORK

By: Dillon Moran, City Clerk