

**LOCAL LAW NO. 12, 1989, AS REVISED JULY 31, 2010
PURSUANT TO SECTION 6. HEREOF
A LOCAL LAW ESTABLISHING THE ONONDAGA
COUNTY SOURCE SEPARATION LAW**

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. PURPOSE:

It shall be the purpose of the Onondaga County Source Separation Law to encourage and facilitate the maximum recycling practicable on the part of each and every household, business and institution within Onondaga County. It shall continue to be the purpose of the revised Onondaga County Source Separation Law to establish, implement and enforce minimum recycling related practices and procedures to be applicable to all WASTE GENERATORS within the County.

Section 2. DEFINITION:

2.1 COUNTY RECYCLABLE MATERIALS:

Those RECYCLABLES presently designated by the Onondaga County Resource Recovery Agency for inclusion in the Countywide recycling program, include the following:

2.1.1 CORRUGATED PAPER:

Cardboard containers, boxes and packaging, including pizza boxes, which are cleaned of contamination by food wastes or polystyrene commonly called styrofoam, and which have been flattened for transport.

2.1.2 GLASS

Empty, washed glass jars, bottles and containers of clear, green and amber (brown) that contained food and drink, caps removed. This term excludes ceramic, window glass, auto glass, mirror and kitchenware.

2.1.3 METAL

All ferrous and non-ferrous metals, including: steel, aluminum and composite cans and containers (cleaned of food wastes) and empty aerosol cans that did not contain hazardous material. Scrap metal, wire, pipes, tubing, motors, sheet metal, etc. are recyclable but must be recycled through scrap dealers.

2.1.4 NEWSPAPERS, MAGAZINES AND CATALOGUES

Includes common machine finished paper made chiefly from wood pulp used for printing newspapers, as well as glossy inserts, magazines and catalogues. All must be free of contaminants.

2.1.5 OFFICE PAPER

All bond paper and also computer printout, stationery, photocopy and ledger paper of any color from all WASTE GENERATORS. Paper should, if possible, be free of tape, adhesives, labels, rubber bands, paper clips, binders and other contaminants. This term excludes carbon paper, chemical transfer paper and tyvek or plastic coated envelopes.

2.1.6 PLASTICS

All HDPE and PET type plastic bottles (#1 & #2), including empty, washed food, beverage, detergent, bleach and hair care containers with lids removed. This term excludes all photographic film, vinyl, rigid and foam plastic materials, as well as plastics numbered 3, 4, 6, and 7 and HDPE oil bottles, as well as #1 and #2 containers that are not bottles or contained hazardous material. Also included as a recyclable, all #5 polypropylene containers, including baby bottles, cottage cheese/cream cheese containers, yogurt cups, margarine tubs, plastic ice cream containers, food storage containers, and take-out containers marked as “#5 plastic recyclables.”

2.1.7 KRAFT PAPER

As found in brown paper bags and package wrapping.

2.1.8 BEVERAGE CARTONS

Includes gabled topped paper cartons that contained milk and juice products. Also include as a recyclable, aseptic containers for juice, broth or soup.

2.1.9 PAPERBOARD

Paper packaging as found in cereal, cracker and tissue boxes, etc. and toilet tissue and paper towel tubes.

2.1.10 MIXED PAPER

Includes discarded and bulk mail, computer paper, colored paper, greeting cards, wrapping paper and carbonless multi-part forms. Excludes any paper coated with foil or plastic.

2.2 CURBSIDE COLLECTION:

The use of collection receptacles including, but not limited to RECYCLING CONTAINERS, for residential, commercial, industrial and institutional WASTE GENERATORS and the regular periodic transfer of the contents of such receptacles by a RECYCLABLE’S COLLECTOR at the location of the WASTE GENERATOR.

2.3 DROP OFF CENTER

A private or publicly operated facility to which a person can deliver their RECYCLABLES for sorting.

2.4 ELIGIBLE HOUSEHOLD

A household residing in a dwelling of four units or less, except where otherwise specified by law, and which is required to utilize County RECYCLING CONTAINERS.

2.5 MATERIALS RECOVERY FACILITY

A private or public facility for receiving and processing recyclable materials into marketable commodities.

2.6 RECYCLABLES

Those materials able to be practically separated from non-recyclable waste for which reuse markets can be accessed for less than the costs of disposal. No material shall be excluded from this definition solely for the purpose of maintaining the volume of waste processed by the County Waste-to-Energy Facility.

2.7 RECYCLABLES COLLECTOR

Any person or business contracted with for the purpose of collecting RECYCLABLES from WASTE GENERATORS for delivery to a recycling facility.

2.8 RECYCLING CONTAINER

The bin or other container supplied by the County of Onondaga or its designee for the use by ELIGIBLE HOUSEHOLDS within the County. Such containers shall be used exclusively for the storage of COUNTY RECYCLABLE MATERIALS. Such containers shall, at all times, remain the property of the Onondaga County Resource Recovery Agency.

2.9 SOURCE SEPARATION

The segregation of disposable materials into RECYCLABLE MATERIALS and non-recyclable waste.

2.10 WASTE GENERATOR

Any person or legal entity that produces waste requiring off-site disposal.

2.11 WASTE HAULER

Any person or business which is licensed, or contracted with for the purpose of collecting solid waste from WASTE GENERATORS for disposal at a permitted solid waste facility, or a municipal department, or other governmental division responsible for collection of solid waste from some or all WASTE GENERATORS in the municipality for disposal at a permitted solid waste facility. A WASTE HAULER may also be a RECYCLABLE'S COLLECTOR.

2.12 YARD AND GARDEN WASTE

Garden waste, leaves, grass clippings, weeds and brush.

Section 3. GENERAL PROVISIONS:

3.1 Every WASTE GENERATOR in Onondaga County shall SOURCE SEPARATE COUNTY RECYCLABLE MATERIALS and yard and garden waste from other RECYCLABLES and non-recyclable waste. WASTE GENERATORS, other than households residing in dwellings of four units or less, unless otherwise specified by law, shall deliver COUNTY RECYCLABLE MATERIALS, or cause COUNTY RECYCLABLE MATERIALS to be delivered, to a DROP-OFF CENTER or MATERIALS RECOVERY FACILITY.

3.1.1 Every owner of a property other than a dwelling of four units or less, occupied by one or more WASTE GENERATORS, shall provide or require that the occupying WASTE GENERATORS provide a recycling receptacle for COUNTY RECYCLABLE MATERIALS.

3.2 ELIGIBLE HOUSEHOLDS shall make SOURCE SEPARATED COUNTY RECYCLABLE MATERIAL available for collection by a RECYCLABLE'S COLLECTOR separate from non-recyclable waste on a schedule established by the RECYCLABLE'S COLLECTOR, or deliver, or cause to be delivered SOURCE SEPARATED COUNTY RECYCLABLE MATERIAL to a DROP-OFF CENTER or MATERIALS RECOVERY FACILITY.

3.3 It shall be a violation for a WASTE GENERATOR or a RECYCLABLES COLLECTOR to attempt to dispose of COUNTY RECYCLABLE MATERIALS and YARD and GARDEN WASTE as waste.

Section 4. RECYCLING CONTAINERS:

4.1 OWNERSHIP AND USE

RECYCLING CONTAINERS shall, at all times, remain the property of the Onondaga County Resource Recovery Agency, and are provided for the use and convenience of ELIGIBLE HOUSEHOLDS IN complying with the County Source Separation Law. It shall be a violation for any person to:

- (1) Remove a RECYCLING CONTAINER from the County;
- (2) Willfully destroy a RECYCLING CONTAINER;
- (3) Dispose of a RECYCLING CONTAINER other than by returning such container to the issuing municipality at a designated location;
- (4) Use such container for other than the temporary storage of COUNTY RECYCLABLE MATERIALS.

4.2 TRANSFER OF RECYCLING CONTAINERS:

RECYCLING CONTAINERS shall be distributed and maintained on the basis of dwelling units. When an ELIGIBLE HOUSEHOLD moves from a dwelling unit, it shall leave its RECYCLING CONTAINER for the subsequent occupant of the dwelling unit or alternatively return the RECYCLING CONTAINER to the issuing municipality at a designated location. Any ELIGIBLE HOUSEHOLD moving into a dwelling unit which does not have a RECYCLING CONTAINER shall, within two (2) weeks of taking possession of the dwelling unit, obtain a container from the municipality at a designated location. Failure to comply with this provision shall be a violation.

Section 5. ENFORCEMENT:

5.1 Failure of a WASTE GENERATOR to comply with those provisions of the County Source Separation Law designated as violations shall carry a fine of Fifteen Dollars (\$15.00) for the first violation; Thirty Dollars (\$30.00) for the second; Fifty Dollars (\$50.00) for the third, and One Hundred Dollars (\$100.00) for each subsequent violation. One hundred percent (100%) of the fines collected in the enforcement of this Law shall be retained by the enforcing municipality to be used as follows: No more than fifty percent (50%) to support enforcement of this Law, and no less than fifty percent (50%) to support recycling education programs, including incentive awards for model compliance.

5.2 During any twelve (12) consecutive months, the failure of a RECYCLABLE'S COLLECTOR to comply with Section 3.3 hereof shall carry a fine of Two Hundred Fifty Dollars (\$250.00) for the first violation; Five Hundred Dollars (\$500.00) for the second violation and One Thousand Dollars (\$1,000.00) for each subsequent violation.

Section 6. ADMINISTRATION:

The Onondaga County Source Separation Law shall be administered by the Onondaga County Resource Recovery Agency which shall be empowered to designate or amend COUNTY RECYCLABLE MATERIALS as appropriate, consistent with the purpose of this law.

Section 7. EFFECTIVE DATE:

The County Source Separation Law shall become **effective on July 1, 1990.**

Amendment regarding yard and garden waste becomes effective April 1, 1992