Village of Homer

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

Board Meeting

Thursday November 9, 2017

Local Law No. 2 of 2017

A LOCAL LAW AMENDING HOMER CODE Section 131 Garbage, Rubbish, Refuse and Recyclables OF THE CODE OF THE VILLAGE of HOMER in CORTLAND COUNTY, NEW YORK

Be it enacted by the Board of Trustees of the VILLAGE OF HOMER as follows: The VILLAGE of HOMER Code Section 131: Garbage, Rubbish, Refuse and Recyclables is hereby amended by this Local Law to add these provisions as follows:

Section 1. Compost Site

 The Village herby designates the compost site located at N. Fulton Street in the Village of Homer as the Compost Site.

Section 2. Rules and Regulations.

 The Board of Trustees shall have the authority to promulgate and adopt rules and regulations necessary to administer and regulate the Compost Site, including but not limited to regulation of the manner, days, persons authorized to use, and times the compost site is open, types of materials accepted, and penalties and fines for noncompliance with this section and any such rules or regulations the Board promulgates. The Board may modify, repeal, amend or otherwise change any portion of said rules and regulations at any time by filing a notice with the Village Clerk at least 14 days in advance of the effective date, making this notice available for inspection, and notifying residents of such change by direct mail or publication.

Section 3. Penalties for offenses.

 Upon the failure to comply with the requirements of this article or the rules and regulations promulgated hereunder, the Board and any duly designed agent the Board may designate may:

(1) Refuse entry to the compost site, (2) treat the noncompliance as a violation, and any person found guilty thereof shall be liable for a fine which shall not exceed $50 for the first offense, $100 for a second offense, and $250 for any subsequent offense.

Section 4. Separability

 If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the BOARD OF TRUSTEES of the VILLAGE of HOMER hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 5. Effective Date

 This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.