

## LOCAL LAW #2 OF THE YEAR 2014

### A LOCAL LAW PROVIDING FOR AN EXTENSION OF MORATORIUM ON THE CONSTRUCTION AND OPERATION OF COMMERCIAL SOLID WASTE MANAGEMENT FACILITIES AND AMENDING THE SAME

BE IT enacted by the Town Board of the Town of Newfield as follows:

Section 1. Title. This Local Law shall amend as hereinafter provided Local Law #1 of the year 2013 Providing for a Moratorium on the Construction and Operation of Commercial Solid Waste Management Facilities (herein “Local Law #1 for the year 2013”).

Section 2. Purpose:

The purpose of this Local Law is to amend and thereby extend Local Law #1 of the year 2013 so as to enable the Town Board to continue its review and consideration of issues involved with the construction, placement, erection, enlargement, installation and operation of commercial solid waste management facilities within Town limits.

Section 3. Findings. This Local Law is being proposed for the reasons cited in Local Law #1 for the year 2013 and also in order to allow the Town’s Planning Board adequate opportunity to consider, report about, and make recommendations, if any, pertaining to the construction, placement, erection, enlargement, installation and operation of waste transfer stations within the Town.

Section 4. Definitions. The definitions contained in Section 4 of Local Law #1 are hereby incorporated by this reference.

Section 5. Prohibition of Solid Waste Management Facilities. Section 5 of Local Law #1 for the year 2013 is amended to provide that for a period of nine (9) months from the date of enactment of this Local Law, no solid waste management facility shall be constructed, placed, erected, established, enlarged or permitted in the Town of Newfield.

Section 6. Implementation of Prohibition. Section 6 of Local Law #1 for the year 2013 is amended to provide that for a period of nine (9) months for the enactment of this Local Law:

(a) No Town official shall accept for filing any application for the construction, placement, erection, enlargement, establishment or installation of any solid waste management facilities.

(b) The Code Enforcement Officer shall not issue any building or other permit for any construction that is related to, or would result in the construction, placement, erection, enlargement, establishment or installation of solid waste management facility.

Section 7. Exceptions, Penalties, Severability: Sections 7, 8 and 10 of Local Law #1 of the year 2013 shall continue in effect and hereby are incorporated by this reference.

Section 9. Term. This Local Law shall be in effect for nine (9) months from its effective date; provided, however, that the penalties section shall remain in full force and effect after such period for the purpose of prosecuting any violation which occurred during such a period.

Section 10. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.