

**Topic:** Recycling  
**Resource Type:** Regulations  
**State:** New York  
**Jurisdiction Type:** Municipal  
**Municipality:** City of Auburn  
**Year (adopted, written, etc.):** 2000  
**Community Type - applicable to:** Urban; Suburban  
**Title:** City of Auburn Solid Waste Recycling Program  
**Document Last Updated in Database:** April 13, 2017

### ***Abstract***

This law outlines the recycling program in Auburn, New York.

### ***Resource***

City of Auburn NY Solid Waste Recycling Program  
Code of the City of Auburn NY  
Chapter 254: Solid Waste  
General Code

### **ARTICLE IV Solid Waste Recycling Program**

#### **§ 254-17. Components of solid waste.**

Solid waste consists of:

- A. Garbage waste (useless).
- B. Green waste (usable for composting).
- C. Miscellaneous (usable and useless).
- D. Recycling items (reusable items from households and agricultural, public, commercial and industrial sites).

#### **§ 254-18. Definitions.**

As used in this article, the following terms shall have the following meanings:

APPROVED CONTAINER — Defined as, but not limited to, the following: cans, bags and plastic boxes, and shall be of the size, type, material and color as designated by the City Manager. Cardboard boxes are not considered approved containers. **[Added 1-20-2000 by Ord. No. 2-2000.]**

HOUSEHOLD GARBAGE — All components of household solid waste not included in recyclables, green waste or miscellaneous waste.

HOUSEHOLD GREEN WASTE — Grass clippings, leaves, and cuttings from shrubs, hedges and trees, and garden debris. "Green waste" shall not be construed to include garbage, recyclable materials, construction debris, and major appliances.

MISCELLANEOUS — Encompasses the following terms and items:

- A. MAJOR APPLIANCE — A large and/or bulky household mechanism (such as a refrigerator, washer, dryer, stove, etc.) ordinarily operated by gas or electric current.
- B. LARGE HOUSEHOLD FURNISHINGS — All other large and/or bulky articles actually used in the home and which equip it for living (such as chairs, sofas, tables, beds, carpets, etc.).
- C. VEHICULAR TIRES — Tires from cars and trucks and their casings.
- D. HOUSEHOLD HAZARDOUS WASTES — Household hazardous wastes are exempt from state and federal regulations. For the purpose of this article, "household hazardous waste" shall include pesticides, used motor oil, automobile batteries, swimming pool chemicals, flammable materials, flammable liquids, paints, special metals, explosives and any other "red label" substance. Special disposal times for these substances will be established. The substances that are generated by commercial or industrial establishments cannot be collected per federal law. **[Amended 1-20-2000 by Ord. No. 2-2000]**
- E. INFECTIOUS WASTE — As defined in 6 NYCRR 360, as amended. Infectious and medical waste must be incinerated.
- F. COMMERCIAL AND INDUSTRIAL GARBAGE — Includes all nonhazardous and nontoxic wastes which are not recyclable commercial and industrial by-products or green wastes.
- G. CONSTRUCTION AND DEMOLITION DEBRIS — Waste resulting from construction, remodeling, repair and demolition of structures, road building, and land clearing. Such wastes include but are not limited to bricks, concrete and other masonry

materials, soil, rock, lumber, road spoils, paving material, and stumps of trees.

H. FARM HAZARDOUS WASTE — All containers containing pesticides and/or pesticide residue and which can no longer be utilized for farm purposes.

RECYCLABLES — Any material designated, from time to time, by the City Council, either upon the Council's own initiative or upon the recommendation of the City Manager, which under any applicable law or regulation is not hazardous and which is separated from the waste stream and held for its material recycling or reuse value.

- A. HOUSEHOLD METALS — Any empty metal food containers, including aluminum, bimetal and steel cans (tin cans).
- B. HOUSEHOLD GLASS — Any empty and clean glass food jars and beverage bottles without any lids and caps. Auto glass, light bulbs, mirrors, fluorescent tubes, Pyrex, window glass, ceramics or table china is not acceptable.
- C. HOUSEHOLD PLASTIC A-GRADE — Only high-density polyethylene (HDPE) cloudy white milk and water jugs plus mixed colors of high-density polyethylene (HDPE) detergent bottles. Household Plastic B-Grade, C-Grade, etc., to be announced.
- D. CARDBOARD and CORRUGATED CARDBOARD — Respectively mean single-ply cardboard and triple-ply corrugated cardboard where the middle ply is a wavy flute of reinforcing material. These items are to be kept dry.
- E. HOUSEHOLD PAPER A-GRADE — Newspapers without a glossy or waxy coated surface. Paper is to be kept dry. Newspapers used for reasonable secondary household uses, such as for animal droppings, shall not be required to be recycled.
- F. PUBLIC, COMMERCIAL AND INDUSTRIAL PAPER B-GRADE — Typical office correspondence paper. Paper is to be kept dry.
- G. RECYCLABLE COMMERCIAL AND INDUSTRIAL BY-PRODUCTS — Includes all materials which are a by-product of production utilized in production or sale after sale by a commercial enterprise or industrial enterprise.
- H. RECYCLERS — Those who deal with recyclable material as collectors, separators and marketers. This definition shall include not-for-profit corporations and charitable organizations which collect recyclables for fund-raising purposes.

- I. PERSON — Any individual head of household, tenant, landlord, chief executive officer, owner or manager of a commercial or industrial establishment.
- J. SOURCE SEPARATION — The segregation of recyclable materials from the solid waste stream at the point of generation for separate collection, sale or other disposition.

ROADSIDE DUMPING — Solid waste abandoned on unauthorized sites. Littering is unlawful. The DEC has a hot-line called 1-800-Tipp-DEC. The "Tipp" stands for "Turn in a Poacher or Polluter."

SET-OUT TIMES — All materials to be picked up must be at the curb no later than 7:00 a.m. on the day of collection. No material shall be placed at the curb before dusk (dusk being defined as 1/2 hour before sunset on the day before the scheduled pickup day). Separate piles of brush, metal, and large items must be maintained by the resident because they will be picked up by separate trucks on special days. All refuse and improper recyclable containers must be removed from the curb by 7:00 p.m. on the day of collection. **[Amended 8-29-1991]**

SOLID WASTE — All putrescible and nonputrescible solid wastes, including but not limited to materials or substances discarded or rejected as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection, or which are being accumulated, stored, or physically, chemically or biologically treated prior to being discarded or rejected, having served their intended use, or as a manufacturing by-product, including but not limited to garbage, refuse, industrial, commercial and agricultural waste, sludges from air or water pollution control facilities or water supply treatment facilities, rubbish, ashes, contained gaseous material, incinerator residue, demolition and construction debris and offal, but not including sewage and other highly diluted water-carried materials or substances and those in gaseous form, special nuclear or by-product materials within the meaning of the Atomic Energy Act of 1954, as amended, or waste which appears on the list or satisfies the characteristics of hazardous waste promulgated by the Commissioner of Environmental Conservation.

#### **§ 254-19. Preparation of garbage and recyclable material for residential collection.**

No person shall dispose of garbage or recyclables except as follows:

- A. In order to provide for public health and safety and to facilitate the conservation of vital resources, each person shall provide for the removal of garbage and recyclables from the property on which they are generated either through a service provided by the City or a licensed private hauler or by direct haul by the individual generator to the Auburn Sanitary Landfill or other designated location approved by the City.

- B. In order to facilitate the conservation of vital natural resources through recycling, and pursuant to Article 6, § 120-aa of the General Municipal Law, each person is required to provide for the source separation and segregation of recyclables in suitable containers as authorized by the City for recyclable material. **[Amended 8-29-2002 by Ord. No. 15-2002]**
- C. In order to further facilitate the conservation of vital natural resources through recycling, household glass, household metals, and household A-grade plastics and newsprint shall be separated from garbage. The particular requirements for separation shall be established by the City. **[Amended 9-3-1992]**
- D. From the time of placement of garbage and of recyclable material at the street curb or other designated area approved by the City by a person for collection in accordance herewith, such garbage and recyclable material shall be delivered to the appropriate facility designated by the City. It shall be a violation of this chapter for any person without authority from the City to collect, pick up, remove, or cause to be collected, picked up or removed any garbage and recyclable material placed at the street curb or other designated area, and each such collection, pickup, or removal from one or more premises shall constitute a separate and distinct offense in violation of this chapter. A resident may dispose of his or her recyclables by selling or donating the same to recyclers, but these recyclables may not be picked up at the street curb. Residents are encouraged to report scavengers to the Police Department.
- E. It shall be a violation of this chapter for any person to place at the street curb for collection the following:
- (1) Household garbage in bags other than contact clear bags.
  - (2) Household garbage unbagged.
  - (3) Household garbage in excess of 35 pounds per bag.
  - (4) Recyclables in nonapproved container. **[Amended 1-20-2000 by Ord. No. 2-2000]**
  - (5) Recyclables not separated from household garbage.
  - (6) Recyclables not scheduled to be picked up.
  - (7) Recyclables not cleaned.

- (8) Recyclables with lids attached thereto.
- (9) Nonrecyclable materials mixed with recyclables.
- (10) Different recyclables mixed together
- (11) Household green waste unbundled.
- (12) Household green waste in excess of four inches in diameter.
- (13) Household green waste in excess of six feet long.
- (14) Construction and demolition debris in excess of 35 pounds per approved container and in excess of two such containers. **[Amended 8-20-1998 by Ord. No. 12-1998]**

F. It shall be a violation of this chapter for any person without authority from the City to collect, pick up, tamper with, remove or cause to be collected, picked up or removed any clear bag or recyclable material placed at the street curb or other designated area, and each such collection, pickup, or removal from one or more premises shall constitute a separate and distinct offense in violation of this chapter.

G. Tipping fees, if necessary, for the collection, handling and disposal of recyclables shall be established by the City Council as needed, either upon its recommendation or that of the City Manager.

H. It shall be a violation of this chapter for any person to place at the street curb for collection household garbage, recyclables, household green waste and miscellaneous except at such times as allowed pursuant to the definition of "set-out times" in § 254-18. **[Added 8-29-1991]**

**§ 254-20. Public sale of recyclables. [Amended 1-20-2000 by Ord. No. 2-2000]**

A. In order to facilitate the sale of recyclable material, the City shall request letters of interest from recyclers expressing their willingness to purchase recyclable material from the City. A list of interested parties will be established by the Director of Municipal Utilities.

B. Prior to the sale of recyclable material, recyclers appearing on the list will be notified and given specifications with regard to available recyclable material for sale.

- C. In the event that recyclers submit a written quote on said recyclable material, it shall be required that said quote be delivered to the Director of Municipal Utilities according to the specifications set forth in the specifications. All sales of recyclables collected and separated shall be subject to bid. In the case of award, the highest quoted price will be accepted.

**§ 254-21. Residential, commercial and industrial construction and demolition debris.**

- A. The City shall provide a location at the Sanitary Landfill or other suitable area for residential, commercial and industrial construction and demolition debris. Such material which is recycled or reused for construction shall not be regulated by this chapter.
- B. Tipping fees or other charges for the handling and disposal of residential, commercial and industrial construction and demolition debris and any rules and regulations pertaining to said handling and disposal shall be established and modified by the City Council as needed from time to time, either upon the Council's own initiative or upon the recommendation of the City Manager.

**§ 254-22. Residential green waste.**

- A. The City shall provide a schedule for the collection of residential green waste. Said green waste shall be composted by the City at a site or sites designated by the City. Where allowed by law or regulation, this section shall not prohibit private composting of green waste.
- B. Tipping fees or other charges for the handling and disposal of residential green waste and any rules and regulations pertaining to said handling and disposal shall be established and modified by the City Council as needed from time to time, either upon the Council's own initiative or upon the recommendation of the City Manager.

**§ 254-23. Commercial and industrial garbage and recyclables.**

- A. All commercial and industrial garbage collected by the generator or private hauler shall be delivered to the Auburn Landfill or facility designated by the City Council.
- B. All commercial and industrial recyclables designated for disposal at an approved facility shall be packaged and collected in a manner designated by the City and delivered to the facility.

- C. Tipping fees or other charges for the handling and disposal of commercial and industrial garbage and recyclables and any rules and regulations pertaining to said handling and disposal shall be established and modified by the City Council as needed from time to time, either upon the Council's own initiative or upon the recommendation of the City Manager.
- D. The materials collected by the metal industry, recyclers, and their agents, as well as the materials that they separate and market, shall be exempt from this chapter. Any waste they tender for municipal collection shall not include recyclables.
- E. Recyclable industrial and commercial by-products may be sold or donated by an industrial and/or commercial enterprise to any scrap metal enterprise or recycler. Materials cannot be placed at the curbside for collection by said scrap metal enterprise or recycler.
- F. Green waste produced by commercial and industrial enterprises shall be delivered to the Auburn Landfill or a location designated by the City Manager. It shall not be left for City pickup. **[Amended 1-20-2000 by Ord. No. 2-2000]**

**§ 254-24. Major appliances, large household furnishings and tires.**

- A. The City shall provide a schedule for the collection and disposal of major appliances, large household furnishings and tires.
- B. Major appliances, large household furnishings and tires shall be disposed of by the City at a site or sites designated by the City Manager. **[Amended 1-20-2000 by Ord. No. 2-2000]**
- C. Tipping fees or other charges for the handling and disposal of major appliances, large household furnishings and tires and any rules and regulations pertaining to said handling and disposal shall be established and modified by the City Council as needed from time to time, either upon the Council's own initiative or upon the recommendation of the City Manager.

**§ 254-25. Household hazardous waste and farm hazardous waste.**

- A. All household hazardous waste and farm hazardous waste shall be placed in a container determined by the Director of Municipal Utilities. **[Amended 1-20-2000 by Ord. No. 2-2000]**

- B. Household hazardous waste and farm hazardous waste shall be delivered to such facility as designated by the City Manager. **[Amended 1-20-2000 by Ord. No. 2-2000]**
  
- C. Tipping fees or other charges for the handling and disposal of residential hazardous waste and any rules and regulations pertaining to said handling and disposal shall be established and modified by the City Council as needed from time to time, either upon the Council's own initiative or upon the recommendation of the City Manager.

**§ 254-26. Infectious waste. [Amended 1-20-2000 by Ord. No. 2-2000]**

All infectious waste, as defined and regulated by 6 NYCRR 360, shall be disposed of at a location and by a method as designated and approved by the City Manager and in compliance with all applicable state laws and regulations.