

Incorporated
Village Of Haverstraw

DEPUTY MAYOR
EMILY DOMINGUEZ

MAYOR
MICHAEL F. KOHUT

CLERK/TREASURER
JUDITH R. CURCIO

TRUSTEES
RAFAEL BUENO
THOMAS WATSON, JR.
JOEL I. A. SANTANA

Municipal Building
40 New Main Street
Haverstraw, New York 10927
Tele: (845) 429-0300 Fax: (845) 429-0353

VILLAGE ATTORNEY
J. NELSON HOOD, JR.

August 2, 2017

Re.: Village of Haverstraw Refuse Removal Regulations

To Whom It May Concern:

Please be advised that the Village of Haverstraw has instituted a law requiring all refuse removal companies to secure a Village Permit if they are doing business anywhere within the Village. At this time the annual fee for securing the Permit will cover the next 17 months and will expire on December 31, 2018. Please complete the enclosed Permit application, provide us with the insurance information as detailed in the "Insurance Requirement" notice enclosed and return to us at the above address with the appropriate fee.

You will also find enclosed a copy of the Village Code regarding Refuse Removal (§170). In it you will find the regulations for conducting business in the Village of Haverstraw, including hours of operation (Page 2). **SPECIAL NOTE: Recycling pick-up can ONLY be done on Fridays.**

Thank you for your attention to this matter and for your cooperation. If you have any questions or concerns please feel free to contact me.

Very truly yours,



Judith Curcio





Village Of Haverstraw

40 New Main Street
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Tele: (845) 429-0300 Fax: (845) 429-0353

Fees: \$100 per carter and \$50 per truck

APPLICATION FOR HAULERS PERMIT

WHEN APPROVED, SIGNED APPLICANT WILL BE ALLOWED TO COLLECT AND TRANSPORT GARBAGE WITHIN THE PARAMETERS OF THE VILLAGE OF HAVERSTRAW.

THIS APPLICATION IS A RENEWAL NEW PERMIT

BUSINESS NAME: _____

BUSINESS LOCATION: _____

TELEPHONE NUMBER(S): _____ FAX : _____

E-MAIL ADDRESS: _____

PICK-UP DAYS: _____

COMPLAINT CONTACT: _____

COMPLAINT NUMBER(If Different Than Above): _____

It shall be unlawful for any individual(s) or business entity to engage in the business of collecting, removing, transporting refuse, wastes, rubbish and construction and demolition debris in the Village of Haverstraw without first obtaining a written permit from the Village Clerk. Any individual(s) or business entity found guilty of committing any of providing false information, violating or failing to comply with the provision of Chapter 170 of the Village Code and/or permitting an unlicensed individual(s) or business entity to operate under his/its license shall be subject to fines not exceeding \$20,000, imprisonment, suspension or revocation of license, restitution for damages. Each violation shall constitute a separate offense.

Date

Signature of Applicant

- Required Documents For Approval
- List of Locations (Reverse Side)
 - List of Vehicles (Reverse Side)
 - Certificates of Insurance
(as per §170-7 of the Village Code)
 - Annual Rockland County Dept. of Health inspection certificate

Village Clerk's: Approval _____ Denial _____

Date: _____

Fee: _____

Receipt #: _____ Date Pd: _____



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Commercial Pick-Up Locations

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Vehicle Information

License Plate Number	Make & Model	Color of Vehicle

Village Of Haverstraw

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INSURANCE REQUIREMENTS TO MAINTAIN A HAULERS LICENSE:

Each licensee must file with the Village Clerk the following evidence of insurance coverage prior to the commencement of operations. All insurance coverage must extend through the permit year.

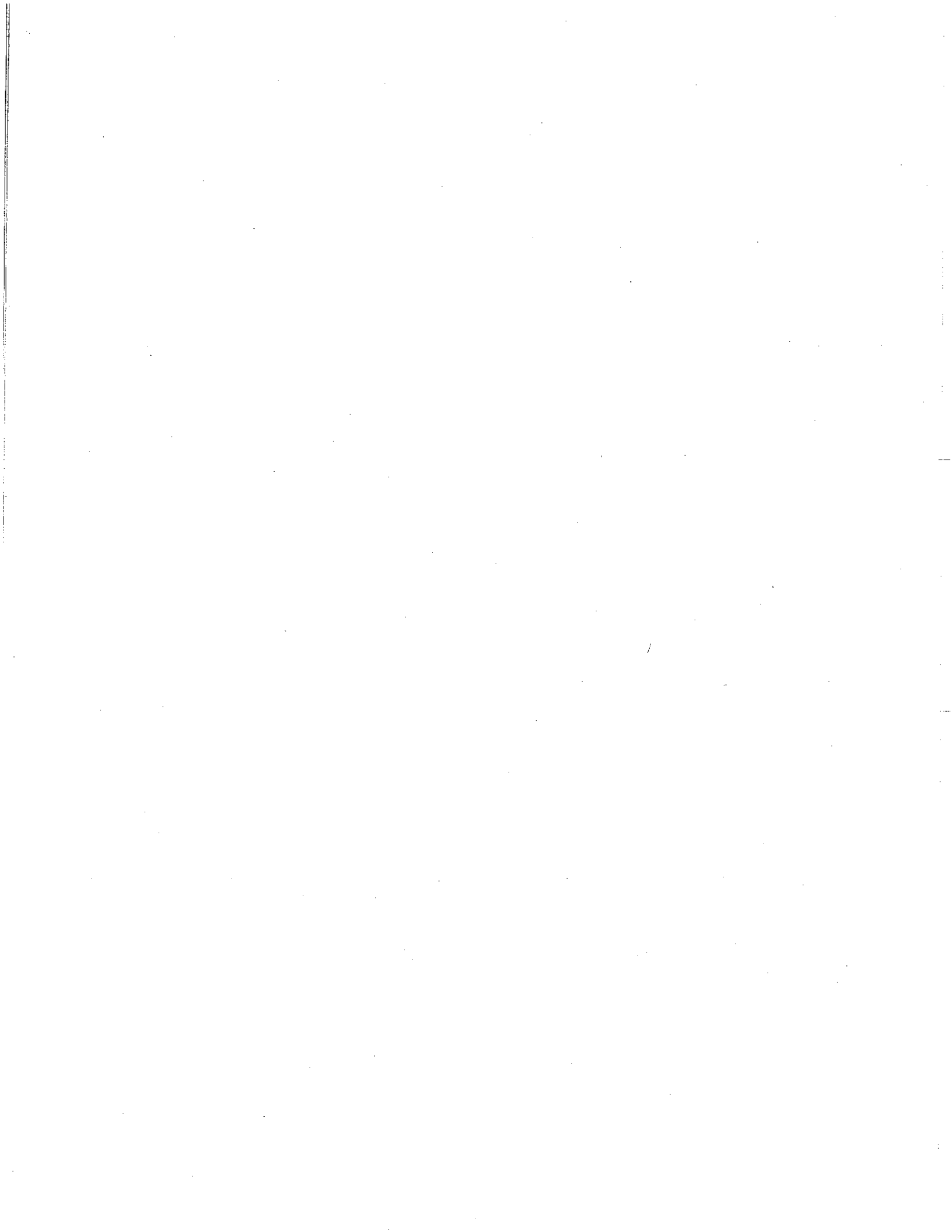
1. General Liability Insurance requirements are as follows:

- a. Coverage of \$1,000,000 bodily injury and property damage.
- b. In the box with the title "Description of operations": "The Village of Haverstraw as additional insured for general liability."
- c. In the box with the title "Certificate holder": "Village of Haverstraw, 40 New Main Street, Haverstraw, New York 10927."
- d. In the box with the title "Coverage": "30 to 60 days." The cancellation notice should provide with Village with anywhere between 30 and 60 days' notice. Ten days is not acceptable.

2. Workers' Compensation: Each licensee shall file with the Village Clerk evidence in the form of a Certificate of Insurance that workers' compensation insurance is in full force and effect covering each and every person employed by the licensee in the collection and deposit of refuse.

3. Automobile liability insurance requirements are as follows:

- a. Coverage of \$1,000,000 combined single limit or \$1,000,000/\$1,000,000 for bodily injury and \$250,000 property damage.
- b. Coverage on each and every vehicle engaged in the collection of refuse.
- c. In the box with the title "Description of operations": "The Village of Haverstraw as additional insured for general liability."
- d. In the box with the title "Certificate holder": "Village of Haverstraw, 40 New Main Street, Haverstraw, New York 10927."
- e. In the box with the title "Coverage": "30 to 60 days." The cancellation notice should provide the Village between 30 and 60 days' notice. Ten days is not acceptable.



Village of Haverstraw, NY

Tuesday, August 1, 2017

Chapter 170. Refuse Removal

[Adopted by the Board of Trustees of the Village of Haverstraw 5-16-2016 by L.L. No. 5-2016. Amendments noted where applicable.]

GENERAL REFERENCES

Solid waste — See Ch. 191.

§ 170-1. Title.

This chapter shall be known and may be cited as the "Refuse Removal Law."

§ 170-2. Findings and intent.

- A. The busy nature of the downtown retail district has resulted in the refuse collection industry's becoming an important factor in the community. Proper collection results in the preservation of the appearance of the municipality and the prevention of health hazards. Also, the convenience and financial well-being of the citizenry is affected by proper regulation of the industry.
- B. The Village Board seeks to properly regulate the garbage collection industry. It is the intention of the Village Board to assure prompt, efficient, clean and courteous service by the refuse collection industry at reasonable prices.

§ 170-3. Definitions and word usage.

- A. For the purpose of this chapter, the terms used herein are defined as follows:

COMPACTED GARBAGE

Garbage which has been compacted and processed to a density not less than that provided by the Dumpster Route King II.

ENGAGE IN BUSINESS

Solicitation, correspondence, contracting or furnishing of containers, vehicles, machinery, appliances, materials or any other items used for the purpose of collecting, removing or transporting refuse.

GRASS

Lawn clippings, grass, weeds and like material.

INDUSTRIAL AND BUSINESS ENTITY

Any person, individual, group of individuals, corporation, firm, association

or partnership, including the plural as well as the singular and the feminine as well as the masculine gender.

REFUSE, WASTES AND RUBBISH

Materials, goods, wares and merchandise and any ingredients, parts or byproducts thereof sold, offered for sale, manufactured, processed, repaired or assembled by business or commercial firms who have discarded waste, whether animal, fish, fowl, fruit or vegetable matter, resulting from the use, storage and growth of food for human consumption, and including spoiled foods, garden and tree fruits and vegetables, plastic, paper, tin, glass or other containers, discarded combustible and noncombustible waste materials, swill, ashes, the residue from the combustion of wood, coal, coke, charcoal and other combustible material, newspapers, papers, rags, cartons, boxes, excelsior, straw, rubber, leather, metals, mineral matter, crockery, dust and sweepings from buildings, the carcasses of animals, leaves, grass and yard trimmings, tree branches and rocks and stones.

- B. In addition, the terms, phrases and words used herein shall have the meanings ordinarily given thereto or as defined in the New York State Sanitary Code and the Rockland County Sanitary Code. All terms, phrases and words shall be given the construction provided for in the General Construction Law of the State of New York.

§ 170-4. Hours of operation.

A. Refuse removal.

- (1) A licensee is permitted to collect refuse from either residential and/or business establishments only between the hours of 5:30 a.m. and 8:00 p.m. Any pickup in the Downtown or CBD area must be made on the same days as pickups scheduled in the Village of Haverstraw contract with the Rockland County Solid Waste Authority as indicated on the waste collection schedule available at the Village Clerk's office.
- (2) The licensee may work on Saturdays or holidays in his or its individual discretion. If pickup is on a holiday, the customer must be notified in advance.

§ 170-5. Collection vehicle requirements.

- A. All vehicles used by collectors of refuse, wastes and rubbish shall have been inspected and approved by the Rockland County Health Department on an annual basis, the inspection certificate of which (signed by a sanitary inspector) shall be filed with the Village Clerk.
- B. All vehicles shall be so constructed as to make impossible the spilling or leakage of refuse, wastes and rubbish. During transportation through the Village of Haverstraw, all vehicles shall be covered in such a manner that none of the contents shall spill onto Village roads. In the event that any spillage occurs, the collector causing such spill must clean the same up immediately. In the event that damage occurs, a penalty may be levied pursuant to § 170-10 of

this chapter.

- C. The licensee must keep all vehicles clean, sanitary and neatly painted and shall wash, clean and disinfect such vehicles at least once a week and also in accordance with the rules, regulations and code of the Rockland County Health Department.
- D. The licensee must keep all vehicles readily identifiable by lettering the names of the owners, in letters of suitable size upon the vehicles, including all roll-off boxes. All drivers/operators of vehicles used for the collection of refuse must have the proper classification of license to operate such vehicles.

§ 170-6. Collection license application requirements.

- A. All individual(s) and/or business entities desirous of engaging in the business of collecting, removing or transporting refuse, wastes and rubbish in the Village of Haverstraw must apply for a license from the Village of Haverstraw.
- B. Determining and issuing agency. The Village Board is authorized to be the determining agency of licenses. The Village Clerk is authorized to be the issuing agency of licenses. The decision of the Village Board with respect to any application is final.
- C. Application forms. All applications for licenses shall be made on forms available at the office of the Village Clerk. All completed applications shall be deposited with the Village Clerk.
- D. Fees. The annual fee for a permit is \$100 per carter and \$50 for each truck.

§ 170-7. Collection license requirements.

- A. An individual(s) or business entity shall not engage in the business of collecting, removing or transporting refuse, wastes, rubbish and construction and demolition debris in the Village of Haverstraw without first obtaining from the Village Board a license to conduct such business in the Village of Haverstraw.
- B. Approvals. A license shall not be issued unless a complete application has been approved by the Village Board.
- C. Requirements for commercial carters. The following requirements must be adhered to by the licensee upon issuance of a license:
 - (1) All rules and regulations outlined in this chapter must be adhered to by the licensee.
 - (2) In the event that there occurs any change of facts as stated in the application, the applicant shall document such changes by submitting a supplementary application to the Village Board. The supplementary application must be deposited with the Village Clerk within 15 days of such change. The supplementary application must be approved by the Village Board.
 - (3) Insurance coverage. Each licensee must file with the Village Clerk the

following evidence of insurance coverage prior to the commencement of operations. All certificates of insurance must be in a form approved by the Village Attorney. All insurance coverage must extend through the permit year.

- (a) General liability insurance requirements are as follows:
 - [1] Coverage of \$1,000,000 bodily injury and property damage.
 - [2] Submission to the Village of Haverstraw of a certificate of insurance which meets the following requirements:
 - [a] In the box with the title "Description of operations": "The Village of Haverstraw as additional insured for general liability."
 - [b] In the box with the title "Certificate holder": "Village of Haverstraw, 40 New Main Street, Haverstraw, New York 10927."
 - [c] In the box with the title "Coverage": "30 to 60 days." The cancellation notice should provide the Village with anywhere between 30 and 60 days' notice. Ten days is not acceptable.
 - [d] The certificate of insurance which is submitted to the Village of Haverstraw must cover the license period.
- (b) Workers' compensation. Each licensee shall file with the Village Clerk evidence in the form of a certificate of insurance that workers' compensation insurance is in full force and effect covering each and every person employed by the licensee in the collection and deposit of refuse.
- (c) Automobile liability insurance requirements are as follows:
 - [1] Coverage of \$1,000,000 combined single limit or \$1,000,000/\$1,000,000 for bodily injury and \$250,000 property damage.
 - [2] Coverage on each and every vehicle engaged in the collection of refuse.
 - [3] Submission to the Village of Haverstraw of a certificate of insurance which meets the following requirements:
 - [a] In the box with the title "Description of operations": "The Village of Haverstraw as additional insured for general liability."
 - [b] In the box with the title "Certificate holder": "Village of Haverstraw, 40 New Main Street, Haverstraw, New York 10927."
 - [c] In the box with the title "Coverage": "30 to 60 days." The cancellation notice should provide the Village with anywhere between 30 and 60 days' notice. Ten days is not acceptable.

[d] The certificate of insurance which is submitted to the Village of Haverstraw must cover the license period.

- D. Term of permit. Every permit shall expire on December 31 of each year. Permits must be renewed on an annual basis.

§ 170-8. Obligations of collector.

- A. The licensee shall render efficient, reliable, quiet and courteous service at all times.
- B. The licensee shall not arbitrarily discontinue service to any customer. In the event that any customer fails to pay for the services rendered for a period of three consecutive months, service may be discontinued by the licensee. The procedure for such discontinuation is:
- (1) A written notice sent by certified mail to the customer, return receipt requested.
 - (2) A copy of the notice with proof of mailing must be sent to the Village Clerk.
- C. The licensee shall make a minimum of one collection per week.
- D. The licensee shall not abuse the customer's containers, and covers will be set on or stored neatly in emptied containers.
- E. Pickups at residential locations shall be at or near the front of the driveway or in an alley, if appropriate.
- F. Pickups at commercial locations shall be at the exterior of the building and approximately 10 feet from the curb or in an alley, if appropriate.
- G. The licensee shall pick up any garbage which is dropped from the collection vehicle.
- H. The licensee shall park the collection vehicle as far off the road as possible.
- I. The licensee shall bill customers at least once every month.
- J. The licensee shall notify all of its customers in writing of a change in the licensee servicing the customer. Said written notification shall be sent to the customer at least one week prior to the change.
- K. The licensee shall pick up recyclables, including paper and commingled items, from its customers every Friday.

§ 170-9. Obligations of customer.

- A. The customer must purchase his or her own refuse containers. The container shall be the standard twenty- to thirty-gallon container with a covering lid.
- B. All garbage must be placed in covered containers. Grass, leaves and yard material must be placed in biodegradable paper bags. The collector shall not be required to collect any garbage which is not placed therein, except for bulk

items too large for the containers.

- C. The customer cannot require collections from the interior.
- D. The customer cannot permit his containers to remain at curbside for a period of 24 hours after collection.

§ 170-10. Penalties for offenses.

- A. Any individual(s) or business entity found guilty of committing any of the following acts shall be punishable by a fine not exceeding \$20,000 or imprisonment for a term of not less than 15 days but not in excess of one year, or both; suspension or revocation of his or its license; restitution for damage to public property; and cost of cleanup of public and private property. Each violation shall constitute a separate offense and shall be punishable as such. Offenses shall include but not be limited to the following:
 - (1) Violating or failing to comply with any of the provisions of this chapter.
 - (2) Knowingly providing false information on any application for a license or renewal thereof.
 - (3) Permitting an unlicensed individual(s) or business entity to operate under his/its license.
- B. All penalties shall be levied by the appropriate court of law pursuant to Subsection A of this section.

§ 170-11. Effect on other provisions.

Nothing in this chapter shall be construed to supersede the standards contained in the New York State Sanitary Code or the Rockland County Sanitary Code. In the event of any dispute regarding which standards shall be applicable between this law and any other applicable laws, rules and/or regulations, this chapter shall be interpreted by any court of competent jurisdiction so that the more strict interpretation shall prevail.

§ 170-12. Construal and interpretation of provisions.

Nothing contained in this chapter shall be construed or interpreted to make the Village of Haverstraw a party to any contract for refuse, wastes and rubbish removal.