

7942

2009-2010 Regular Sessions

I N   A S S E M B L Y

April 28, 2009

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Introduced by M. of A. KAVANAGH -- read once and referred to the Committee on Local Governments

AN ACT to amend the general business law, in relation to contracts for the collection and transportation of commercial waste

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The general business law is amended by adding a new section  
2     399-zz to read as follows:  
3     S 399-ZZ. CONTRACTS FOR THE COLLECTION AND TRANSPORTATION OF COMMER-  
4     CIAL WASTE. 1. DEFINITIONS.  
5     A. "COMMERCIAL WASTE" SHALL MEAN WASTE GENERATED BY STORES, OFFICES,  
6     INSTITUTIONS, RESTAURANTS, WAREHOUSES, AND NONMANUFACTURING ACTIVITIES  
7     AT INDUSTRIAL FACILITIES.  
8     B. "PERSON" SHALL MEAN ANY NATURAL PERSON, FIRM, ORGANIZATION, PART-  
9     NERSHIP, ASSOCIATION OR CORPORATION.  
10    C. "SOLID WASTE" SHALL HAVE THE SAME MEANING AS DEFINED IN SECTION  
11    27-0701 OF THE ENVIRONMENTAL CONSERVATION LAW.  
12    2. EVERY WRITTEN CONTRACT FOR THE COLLECTION AND TRANSPORTATION OF  
13    COMMERCIAL WASTE FROM A PLACE AT WHICH SUCH WASTE IS GENERATED, SHALL  
14    SPECIFY THE RECYCLABLE, REUSABLE OR OTHER COMPONENTS OF SUCH WASTE THAT  
15    ARE REQUIRED TO BE SEPARATED IN ACCORDANCE WITH A LOCAL LAW OR ORDINANCE  
16    ADOPTED PURSUANT TO SECTION ONE HUNDRED TWENTY-AA OF THE GENERAL MUNICI-  
17    PAL LAW AND ANY PENALTIES IMPOSED BY SUCH LAW OR ORDINANCE FOR THE FAIL-  
18    URE TO SEPARATE SUCH WASTE.  
19    3. A KNOWING VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A CIVIL  
20    FINE NOT TO EXCEED ONE THOUSAND DOLLARS.  
21    S 2. This act shall take effect on the thirtieth day after it shall  
22    have become a law and shall apply to all contracts executed on or after  
23    such date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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