

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN by the Town Board of the Town of Ramapo, that pursuant to the provisions of the Town Law of the State of New York, a public hearing will be held at 8:03 o'clock P.M. (Prevailing Time) at the Ramapo Town Hall, 237 Route 59, Suffern, New York, 10901, on the 14th day of September, 2016, to consider the adoption of a local law entitled **“A LOCAL LAW AMENDING LOCAL LAW NO. 9-1993 (SOLID WASTE MANAGEMENT), AS AMENDED, TO REVISE VARIOUS PROVISIONS REGARDING ISSUANCE OF A LICENSE TO COLLECT SOLID WASTE“** which local law shall provide as follows:

(INSERT LOCAL LAW ATTACHED HERETO)

NOTICE IS HEREBY FURTHER GIVEN that all interested persons will be given an opportunity to be heard.

Dated: Suffern, New York
August 29, 2016

TOWN BOARD OF THE TOWN OF RAMAPO

By **CHRISTOPHER ST. LAWRENCE**
Supervisor

CHRISTIAN G. SAMPSON
Town Clerk

MICHAEL L. KLEIN, ESQ.
Town Attorney, Town of Ramapo
Town Hall, 237 Route 59
Suffern, New York 10901

LOCAL LAW NO. - 2016

**A LOCAL LAW AMENDING LOCAL LAW NO. 9-1993
(SOLID WASTE MANAGEMENT), AS AMENDED, TO
REVISE VARIOUS PROVISIONS REGARDING
ISSUANCE OF A LICENSE TO COLLECT SOLID WASTE**

Section 1. Legislative Intent

In order to ensure that companies seeking a license to collect solid waste are properly investigated, the Town Board wishes to establish various factors to be considered by the Director of Public works prior to either issuing a license or revoking a license. In addition, applicants will be afforded the opportunity to request a hearing and present evidence regarding denial or revocation of a license. In addition, the insurance requirements are being revised to clarify the specific insurance that will be required by the Town.

Section 2. Amend Section 235-18 "Fees" to read as follows:

The fee for a license to engage in the business described in this article and vehicle fee shall be set forth by the Town Board and shall be in accordance with the Standard Schedule of Fees of the Town of Ramapo. The application fee and vehicle fee shall be payable to the Town Clerk of the Town of Ramapo prior to the issuance of the license.

Section 3. Amend Section 235-21A "Insurance Requirements" to read as follows:

Each applicant for a license shall file with the Town Clerk's office evidence in the form of a certificate of other evidence of insurance in the amounts as set by the Town Board and reflected in the Refuse License Application.

Section 4. Amend Section 235-21B "Insurance Requirements" to read as follows:

Such policies or certificate of insurance shall name the Town of Ramapo as an additional insured and shall state the following, "with respect to the insurance for which the Town of Ramapo is designated as a Named Insured, this insurance will be primary to the Town of Ramapo."

Section 5. Amend Section 235-23 "Refusal and Revocation of License" to read as follows:

- A. A license may be refused or revoked if the applicant or any partner, stockholder or corporate officer shall have been convicted of a misdemeanor or felony which, in the judgment of the Director of Public Works, renders the applicant unfit or undesirable to carry on the trade or occupation involved herein. The Director of Public Works may also refuse or revoke a license to any person who, in his judgment, shall be unfit, undesirable or incapable of conducting the trade or business involved herein or who fails to comply with the provisions of this article. The granting, refusal or revocation

of such license by the Director of Public Works shall be subject to review by an Article 78 proceeding.

- B. The Director of Public Works may consider various factors in the review of the applicant's refuse license application. Such factors may include, but will not be limited to, the record and determination of other municipalities/governmental agencies/authorities in considering applicant's refuse license application and violation history.
- C. Should an application be refused or license revoked, pursuant to this section, a request for a hearing may be requested in writing to the Town Clerk of the Town of Ramapo, within fifteen (15) days of receipt of the Town's refusal or revocation letter. The Director of Public Works must conduct a hearing within sixty (60) days of receipt of a written request for a hearing. Only those written materials which are submitted to the Town Clerk of the Town of Ramapo at least five (5) business days prior to the hearing will be entered into the hearing record. Testimony will be permitted at the hearing from the applicant or revoked licensee, as well as any other members from the public with relevant testimony.

Section 6. **Effective Date**

This Local Law shall take effect on December 31, 2016 after filing with the Secretary of State.