

Rockland County Sanitary Code

ARTICLE XVII

RECYCLING

17.1.0 - Declaration of Policy

It is hereby declared to be the policy of the Rockland Health District to protect the Public Health and Environment of the citizens of Rockland County by requiring the separation and recycling of designated materials by County residents and businesses, and to enforce such requirements. (*Revised 6/16/10, 4/23/14.)

17.2.0 – Purpose

It is hereby declared that the purpose of this Article is to encourage and facilitate the maximum recycling practicable on the part of each and every resident and business within Rockland County. (*Revised 6/16/10, 4/23/14.)

17.3.0 – Definitions

Whenever used in this Article, unless otherwise expressly stated or unless the context or subject matter requires a different meaning, the following terms shall have the meanings herein set forth or indicated:

17.3.1 **Deposit Items**

The term “**deposit item**” shall mean any item that can be returned to recover a previously paid deposit. (*Added 4/23/14.)

17.3.2 **Dwelling**

The term “**dwelling**” shall mean any building or structure, which is wholly or partly used or intended to be used for living or sleeping by human occupants.

17.3.3 **Facility**

The term “**facility**” shall mean any structure other than a single or two family dwelling. (*Revised 4/23/14.)

17.3.4 **Generated**

The term “**generated**” shall mean the point in time at which and item changes function from an item with an intended purpose to an item to be disposed of. (*Added 4/23/14.)

17.3.5 **Hauler**

The term “**hauler**” shall mean any person that removes recyclable materials from a property. (*Added 4/23/14.)

17.3.6 **Living Space**

The term “**living space**” shall mean space occupied for the purposes of living and sleeping. (*Added 4/23/14.)

Rockland County Sanitary Code

17.3.7 Non-Recyclable Material

The term “**non-recyclable material**” shall mean any item not listed in 17.3.10. (*Added 4/23/14.)

17.3.8 Owner

The term “**owner**” shall mean any person who, alone or jointly or severally with another: (1) shall have legal title to any facility, with or without accompanying actual possession thereof; or (2) shall have charge, care, or control of any facility, as owner, lessee, mortgagee or vendee in possession, assignee of rents, or as a receiver; an executor, administrator, trustee, or guardian of the estate of the owner. Any agent for any of the above shall be bound to comply with the provisions of this Article to the same extent as if he were the owner. (*Revised 4/23/14.)

17.3.9 Person

The term “**person**” shall mean and include any individual, firm, public or private corporation, municipality, political subdivision, association, partnership, institution, public body, facility manager, condominium or townhouse association, joint stock association or any other group of individuals, and includes plural, as well as singular.

17.3.10 Provides For

The term “**provides for**” means to supply, furnish, arrange for, contract for, or pay for, either directly or indirectly (i.e. through taxes). (*Added 1/20/16.)

17.3.11 Recyclable Materials (*Added 4/23/14.)

The term “**recyclable materials** ” as used in this Article shall mean -

17.3.11.1 Mixed paper defined as any clean paper products including but not limited to newspaper, mail, cardboard, school and office paper, magazines, catalogs, telephone books, paperback books and brown grocery bags.

17.3.11.2 Commingled containers defined as containers made from all grades of plastic (except Styrofoam and plastic bags), aluminum, metal, and glass.

17.3.11.3 Construction and demolition debris defined as solid waste resulting from construction, remodeling, repair, demolition of structures, and road building. Such wastes include but are not limited to bricks, concrete and other masonry materials, lumber and asphalt.

17.3.11.4 Yard waste defined as grass clippings, leaves, brush and cuttings from shrubs, hedges and trees. Trees and tree stumps are exempt.

17.3.11.5 Scrap metals defined as white goods (stoves, refrigerators, washing machines, dishwashers and hot water heaters), metal furniture, recognizable and uncontaminated metal vehicle parts (excluding mufflers and catalytic converters and parts that contain fluids or motor oils), metal pipes, bed frames, metal sheds and other metal objects, which has been discarded or rejected as being spent, useless, worthless, or in excess to the owners at the time of such discard or rejection, having served their intended use.

Rockland County Sanitary Code

17.3.12 Recycling Disposal Container

The term “**recycling disposal container**” shall mean any container holding recyclable materials, which is emptied of contents or removed from the property by a hauler. (*Added 4/23/14.)

17.3.13 Recycling Receptacles

The term “**recycling receptacle**” shall mean any container utilized to hold recyclable materials. (*Added 4/23/14.)

17.3.14 Shredded Mixed Paper

The term “**shredded mixed paper**” shall mean mixed paper that has been cut into fragments. (*Added 4/23/14.)

17.3.15 Tenant

The term “**tenant**” shall mean a person who uses another person’s property. (*Added 4/23/14.)

17.4.0 – Source Separation of Recyclable Materials

17.4.1 All persons are required to place recyclable materials into either recycling receptacles or recycling disposal containers when generated. (*Revised 6/16/10, 4/23/14.)

17.4.2 Commingling of recyclable materials and non-recyclable materials is prohibited. (*Added 4/23/14.)

17.4.3 All commingled containers listed in Section 17.3.10.2 shall be drained, rinsed or wiped to remove excessive non-recyclable materials. (*Revised 6/16/10, 4/23/14.)

17.4.4 Concrete and asphalt shall not be combined with any other construction and demolition debris listed in Section 17.3.10.3. (*Added 6/16/10.)

17.4.5 Yard waste, scrap metal, construction and demolition debris shall be separated from other non-recyclable material when generated and shall be placed in recycling receptacles, recycling disposal containers or in a Health Department approved, signed location. (*Added 4/23/14.)

17.4.6 Mixed paper that is destined to be shredded, shall be stored in an appropriate signed recycling receptacle or recycling disposal container. A central collection point for this material is acceptable. (*Added 4/23/14.)

17.4.7 Shredded paper shall not be combined with non-recyclable materials. (*Added 4/23/14.)

17.4.8 Deposit items are required to be stored in either original packaging or appropriately signed recycling receptacles or disposal containers. (*Added 4/23/14.)

17.5.0 – Storage and Removal of Recyclable Materials

Rockland County Sanitary Code

- 17.5.1 Recycling receptacles and recycling disposal containers shall have signage identifying which recyclable material is to be placed into it and prohibiting the use of the container for non-recyclable materials. (*Revised 6/16/10.)
- 17.5.2 Recycling receptacles present in living spaces of facilities are not required to have signage, except in the case of recycling receptacles present in common use areas. (*Added 4/23/14.)
- 17.5.3 Recycling disposal container storage locations shall be maintained in a clean and sanitary condition. (*Added 4/23/14.)
- 17.5.4 Recycling disposal containers must be marked to identify the user(s). (*Added 4/23/14.)
- 17.5.5 Recycling receptacles and recycling disposal containers must be present in close proximity, accessible and in sufficient numbers to hold recyclable materials that are generated. (*Added 4/23/14.)
- 17.5.6 In locations where mixed paper or commingled containers are generated, recycling receptacles and recycling disposal containers for these items must be located adjacent to any non-recyclable material containers. (*Added 4/23/14, Revised 1/20/16.)
- 17.5.7 Recycling receptacles are not required to be present in bathrooms. (*Added 4/23/14, Revised 1/20/16.)
- 17.5.8 Providing for Recyclable Material Containers
 - 17.5.8.1 If Owner provides for Non-Recyclable Material containers (i.e., garbage containers), Owner must provide for Recycling Receptacles and Recycling Disposal Containers. (*Added 1/20/16.)
 - 17.5.8.2 If Tenant provides for Non-Recyclable Material containers (i.e., garbage containers), Tenant must provide for Recycling Receptacles and Recycling Disposal Containers. (*Added 1/20/16.)
- 17.5.9 Providing for Removal of Recyclable Materials
 - 17.5.9.1 If Owner provides for removal of Non-Recyclable Material (i.e., garbage) from the property, Owner must provide for removal of Recyclable Materials from the property. (*Added 1/20/16.)
 - 17.5.9.2 If Tenant provides for removal of Non-Recyclable Material (i.e., garbage) from the property, Tenant must provide for removal of Recyclable Materials from the property. (*Added 1/20/16.)

17.6.0 – Notification Requirements

If the owner provides recycling receptacles and / or recycling disposal containers, the owner is responsible for notifying all residents or tenants as to the requirement to recycle and identifying the location of recycling receptacles and recycling disposal containers. (*Added 4/23/14.)

17.7.0 - Mandatory Reporting Requirements

- 17.7.1 The following persons shall complete and submit a recycling plan on a form designated by the Rockland County Health Department every 5 years: (*Revised 6/16/10, 4/23/14.)
 - 17.7.1.1 Owners of any facility. Separate plans must be submitted for facilities on separate tax parcels. (*Added 4/23/14.)

Rockland County Sanitary Code

17.7.1.2 Tenants occupying space, other than living space, within any facility. (*Added 4/23/14.)

17.7.2 Change in ownership of a facility shall require the completion and submission of a new recycling plan within 30 days of transfer of ownership. (*Added 4/23/14.)

17.8.0 - Mandatory Display

All facilities shall display a recycling sign provided by the Health Department in a prominent location adjacent to main entrance. This sign must be visible and shall not be covered in any way. (*Added 4/23/14.)

17.9.0 - Severability

If any part of this Article is found to be invalid by a court of competent jurisdiction, the remaining sections shall remain in full force and effect.

17.10.00 – Fee

A fee shall be charged for review of each recycling plan submitted in accordance with Article I of the Rockland County Sanitary Code. This fee shall be paid by cash, check or money order made payable to the Commissioner of Finance of Rockland County. Payment shall accompany the submission of the recycling plan. (*Added 6/16/10, Revised 4/23/14.)

17.11.0 - Effective Date

Article XVII became effective on May 1, 2000. Revised: June 1, 2003, October 26, 2005, June 18, 2008. Added to and revised June 16, 2010, April 23, 2014, January 20, 2016.