

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  
x City of Yates  
Town  
Village

Local Law No. 1 of the year 19 80

A local law Prohibiting the Storage of Radioactive Waste in Yates County  
(Insert title)

Be it enacted by the Legislature of the  
(Name of Legislative Body)

County  
x City of Yates as follows:  
Town  
Village

Section 1. Legislative Intent

The purpose of this Local Law is to prohibit the storage of radioactive waste in Yates County.

Section 2. Legislative Authority

This Local Law is enacted to protect the health, safety and welfare of the inhabitants of Yates County pursuant to the provisions of the Public Health Law of the State of New York.

Section 3. Definitions

Unless the context shall clearly indicate otherwise, whenever used in this Local Law the following words and phrases shall have the following meanings, and the singular shall include the plural:

"Day" -- Any period of 24 consecutive hours commencing at midnight

would be subject to the requirement that the package be labeled either "Radioactive-White I" or "Radioactive-Yellow II" or "Radioactive-Yellow III".

"Storage" -- The placing or depositing, for more than 12 consecutive hours, of any solid, liquid or gas matter or material above, on or below ground level, whether enclosed within a container, structure or device or whether unenclosed.

"Waste" -- Any matter or material whether solid, liquid, or gas, constituting the by-product or refuse of a process or the like.

#### Section 4. Prohibition

No owner or occupant of real property located in the County of Yates shall permit the storage of radioactive waste above, on or within such real property.

#### Section 5. Violation

The violation of this Local Law shall constitute an offense and the owner of such real property and the occupant of such real property, if other than the owner, shall each be subject to a fine not exceeding \$1,000.00 for each such offense. Each day or portion of a day of storage of radioactive waste in violation of this Local Law shall constitute a separate offense. For the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this Local Law shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations.

#### Section 6. Exemption

This Local Law shall not apply to radioactive waste stored in or on real property owned by any hospital in the County of Yates, New York which holds a valid operating certificate issued by the New York State Department of Health.

#### Section 7. Effective Date

This Local Law shall take effect on the 29th day of February, 1980.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 1980  
County  
of the ~~City~~ of Yates was duly passed by the Yates County Legislature  
~~Town~~ Yates (Name of Legislative Body)  
~~Village~~  
on February 11, 1980 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, \* or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_  
County  
of the ~~City~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_  
~~Town~~ \_\_\_\_\_ (Name of Legislative Body)  
~~Village~~  
on \_\_\_\_\_ 19\_\_\_\_\_ and was approved \_\_\_\_\_ by the \_\_\_\_\_  
not disapproved \_\_\_\_\_  
repassed after disapproval \_\_\_\_\_ Elective Chief Executive Officer \*  
and was deemed duly adopted on \_\_\_\_\_ 19\_\_\_\_\_, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_  
County  
of the ~~City~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_  
~~Town~~ \_\_\_\_\_ (Name of Legislative Body)  
~~Village~~  
on \_\_\_\_\_ 19\_\_\_\_\_ and was approved \_\_\_\_\_ by the \_\_\_\_\_  
not disapproved \_\_\_\_\_  
repassed after disapproval \_\_\_\_\_ Elective Chief Executive Officer \*  
on \_\_\_\_\_ 19\_\_\_\_\_. Such local law was submitted to the people by reason of a  
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting  
permissive \_\_\_\_\_  
thereon at the special election held on \_\_\_\_\_ 19\_\_\_\_\_, in accordance with the appli-  
general  
annual  
cable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 19\_\_\_\_\_  
County  
of the ~~City~~ of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_  
~~Town~~ \_\_\_\_\_ (Name of Legislative Body)  
~~Village~~  
\_\_\_\_\_ 19\_\_\_\_\_ and was approved \_\_\_\_\_ by the \_\_\_\_\_ on \_\_\_\_\_  
not disapproved \_\_\_\_\_  
repassed after disapproval \_\_\_\_\_ Elective Chief Executive Officer \*

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. .... of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on ..... 19 ..... became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. .... of 19..... of the County of ....., State of New York, having been submitted to the Electors at the General Election of November ....., 19 ....., pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph ..... 1 ..... above.

*Martha Marchionda*  
Clerk of the County legislative body, ~~City~~ ~~Town~~ ~~Village~~ Clerk or  
officer designated by local legislative body

Date: February 12, 1980

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK  
COUNTY OF YATES

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.