

# Local Law Filing

(Use this form to file a 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 ☐ City ☐ Town ☐ Village  
(Select one.)

of Erie

Local Law No. 5 of the year 20 25

A local law relating to the prohibition of public dumping on County Property.  
(Insert Title)

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

☒ County ☐ City ☐ Town ☐ Village  
(Select one.)

of Erie as follows:

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Vj ku'Ngi kurwtg"tgeqi pk gu"vj cv'qwt"r wdrlc"i tqwpf u"cpf "r ctmlu{ ugo "ctg"xkcnltguqwtgu'hqt"vj g"  
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vj cv'vj g"wpccwj qtk gf "r rnego gpv'qh'tghwug"qp"cp{ "Eqwpv/qy pgf "r ctegn'qh'ncpf "eqpvkdwgu"vq"vj g"  
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(If additional space is needed, attach pages the same size as this sheet, and number each.)

### **Section 3. Definitions.**

### **Section 4. Prohibitions.**

- A. It shall be unlawful for any person or for any business or corporate entity, or their agent or employee, to dump, direct the dumping of, deposit, or dispose of any dirt, sand, gravel, clay, loam, stone, rocks, rubble, building rubbish, sawdust, shavings, or commercial or household waste, refuse, ashes, manure, garbage, rubbish, yard and landscaping waste, or debris of any sort, or any other organic or inorganic material, or thing in or upon any sidewalk, street, lot, park, public place, wharf, pier, dock, slip, or other property owned by the County of Erie, except where such disposal conforms to the requirements of state and federal law and is authorized at the specific site in question pursuant to the Laws of Erie County.
- B. It shall be unlawful for any person or for any business or corporate entity, or their agent or employee, to dump, direct the dumping of, deposit, or otherwise dispose of any other solid waste as defined in 6 NYCRR 360 or hazardous waste as defined by Section 37-0103 of the New York Environmental Conservation Law in or upon any sidewalk, street, lot, park, public place, wharf, pier, dock, slip, or other property owned by the County of Erie, except where such disposal conforms to the requirements of state and federal law and is authorized at the specific site in question pursuant to the Laws of Erie County.
- C. No fill of any type or amount shall be placed on County-owned property without the written approval of the Erie County Department of Public Works Commissioner. No fill of any type or amount shall be placed on County Parkland or County Forestland without the written approval of the Erie County Department of Parks, Recreation, and Forestry Commissioner. Fill shall only be placed in accordance with accepted engineering practices and upon the presentation of documentation of the source of the fill to the Erie County Department of Public Works and the prior acceptance of such documentation by such Department.

### **Section 5. Enforcement and Penalties for Offenses.**

- A. Any person, business, or corporate entity who violates any provision of this Law shall be guilty of a violation, punishable by a fine not exceeding \$500 for a first offense, and a fine not exceeding \$1,000 or by imprisonment for a period not exceeding 15 days, or both, for each subsequent offense.
- B. Any person, business, or corporate entity who causes physical damage to real property while violating any provision of this article shall be liable for the payment of restitution in the remediation of such damage, as determined by a court of competent jurisdiction.
- C. In addition to the foregoing penalties, the offender shall be required to remediate the area

of property owned by Erie County upon which the offender dumped unlawfully within ten days after conviction thereof, or after an administrative determination of liability. In the event that the offender fails to remediate the area within such time, such remediation may be done by the County of Erie, or under their direction by a private contractor, and the cost of same shall be an additional penalty assessed to the offender. In the event that the County of Erie deems it necessary to remediate the area or to cause the area to be remediated by a private contractor prior to the offender's conviction or prior to an administrative finding, the offender shall be responsible for the cost of such remediation. Payment by such offender, when required by this section, shall be made within ten days of demand by the County of Erie.

**Section 6. Severability.**

If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the local law which shall remain in full force and effect except as limited by such order or judgment.

**Section 7. SEQRA Compliance.**

This County Legislature determines that this local law constitutes a "Type II action" pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

**Section 8. Effective Date**

This local law shall take effect immediately following its filing with the Office of the Secretary of State.

Sponsor

Taisha St. Jean Tard

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that 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. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.  
(Name of Legislative Body)

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

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 2025 of the (County)(City)(Town)(Village) of Erie was duly passed by the Erie County Legislature on July 24 2025, and was (approved)(~~not approved~~) (Name of Legislative Body) (~~repassed after disapproval~~) by the Erie County Executive and was deemed duly adopted (Elective Chief Executive Officer\*) on August 12 2025, 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (~~repassed after disapproval~~) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. (Elective Chief Executive Officer\*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

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

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (Name of Legislative Body) (~~repassed after disapproval~~) by the \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**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 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) 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)(general) election held on \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, 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 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 2 above.

Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body

(Seal)

Date: \_\_\_\_\_