

**INTRODUCTORY LOCAL LAW NO. 1 OF 2024  
TOWN OF GOSHEN**

**A LOCAL LAW OF THE TOWN OF GOSHEN, COUNTY OF ORANGE AMENDING  
CHAPTER 80-B (“SOLID WASTE MANAGEMENT”) and CHAPTER 97 (“ZONING”) AS  
FOLLOWS:**

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF GOSHEN AS  
FOLLOWS:

**Section 1. Code Amendments**

The Town Code of the Town of Goshen is hereby amended to add additional language to Chapter 80-B entitled "Solid Waste Management" with the following text:

Article II      **Terminology**

§ 80B-2          Definitions

**SOLID WASTE**

Materials or substances discharged or rejected as being spent, useless, worthless or in excess to the owner at the time of such discard or rejection, except sewage and other highly diluted water-carried materials or substances, sewage sludge, septage and those in gaseous form. Such wastes shall include, but are not limited to, garbage, sludge, rubbish, ashes, incinerator residue, street cleanings, dead animals, offal, abandoned vehicles, agricultural waste, industrial waste, commercial waste and construction and demolition debris. Solid waste includes, but is not limited to, any matter which is defined as solid waste in 6 NYCRR Part 360 **as most recently promulgated** and/or regulated under 6 NYCRR Part 364. Solid Waste shall not be understood to include recyclables, as defined in this chapter, provided that such materials are being handled in an appropriate manner which prevents them from being classified as solid waste as defined herein.

Article IV      **Facility Permit Requirements**

§ 80B-6          Construction and operation permits required.

- A.      The Town at its discretion may require solid waste management facility permits for construction and operation as provided in §80B-6(B) and (C).**
- B.      Unless requirements for Town permits are waived, no person shall:**
  - (1) Initiate construction or modification of a solid waste management facility except in accordance with

a valid construction permit issued to such person by the Town Board pursuant to this chapter.

(2) Operate a solid waste management facility except in accordance with a valid operation permit issued to such person by the Town pursuant to this chapter.

§ 80B-12 Surety

D. Surety requirements.

(1) The Town may require a form of surety or financial responsibility acceptable to the Town by a permit holder, conditioned upon compliance with the terms of the permit issued to the holder pursuant to this chapter.

(2) Several and separate forms of surety or financial responsibility acceptable to the Town will be required for facilities where the operator and the owner are not the same person, to cover the cost of having the facility properly closed.

(3) Forms of surety or financial responsibility acceptable to the Town will be required for claims arising out of injury to persons or property from pollution or otherwise, relative to either sudden accidental occurrences or nonsudden and accidental occurrences, in the form of liability insurance, self-insurance or other form acceptable to the Town. The amount of the financial responsibility is to be set by the Town.

**(4) Surety requirements may be waived if the NYSDEC permits contain sufficient surety requirements as determined by the Town**

The Town Code of the Town of Goshen is hereby amended to add additional language to Chapter 97 entitled "Zoning" with the following text:

Article VII. **Supplementary Regulations**

§ 97-58. **Solid waste management facilities and industrial uses.**

A. Limitations on solid waste management facilities. Solid waste management facilities, as defined in Environmental Conservation Law § 27-0701 and 6 NYCRR 360, **shall meet the standards in Section B and C below and any applicable requirements of Chapter 80B.**

**Section 2. Severability**

The invalidity of any section, clause, sentence or provision of this local law shall not affect the validity of any other part of this local law which can be given effect without such invalid part or parts.

**Section 3. Effective Date**

This local law shall take effect upon the filing of certified copies thereof with the Office of the Secretary of State in accordance with the Municipal Home Rule Law.