

**A LOCAL LAW  
EXTENDING A MORATORIUM ON  
CERTAIN WASTE DISPOSAL FACILITIES  
IN THE TOWN OF CORINTH**

**NOW, THEREFORE, BE IT ENACTED BY THE CORINTH TOWN BOARD AS FOLLOWS:**

**1. Title and Authority** - This Local Law shall be known as the Town of Corinth Waste Disposal/Composting Facilities Moratorium Law. It is adopted pursuant to Municipal Home Rule Law §10.

**2. Purpose** – The Town has significant concerns regarding the potential impacts of certain types of waste disposal facilities, specifically those which compost materials, and previously adopted a Local Law establishing a moratorium on the establishment of waste disposal facilities, including composting facilities, and the review of any application to establish such facilities, in order to allow the Town Board time to investigate the relevant issues and adopt a Local Law regulating such facilities consistent with the development objectives of the Town. On September 27, 2007 the Town Board approved Local Law No. 2 of 2007 governing waste disposal facilities, except for composting facilities. Local Law No.2 specified that the Moratorium in effect until then regarding waste disposal facilities would continue and remain in effect with regard to composting facilities. The Town is in the process of developing new Code provisions and/or a Local Law regarding composting facilities. However, the development, review and adoption of new Code provisions and/or a new Local Law may not be completed prior to the expiration of the current moratorium, and the Town Board therefore finds it prudent to extend the moratorium.

**3. Definitions** – “Compostable material” means any material, whether solid or liquid or any mixture or combination, which is intended to be, or deemed to be, or is actually, used in composting.

“Composting facility” means any facility at which compostable material is composted by any process, aerated or non-aerated, covered or uncovered, open or in-vessel, naturally occurring or by design, and includes but is not limited to the following related types of facilities when used in any part with compostables or composted materials: storage areas or facilities; transfer stations; rail-haul or barge-haul facilities; processing facilities; landfills; disposal facilities; solid waste incinerators; refuse-derived fuel processing facilities; pyrolysis facilities;

waste-to-energy facilities; surface impoundments; human waste processing facilities; medical waste treatment facilities; hazardous waste storage, management, disposal, processing or incineration facilities; and special waste (including but not limited to paper sludge) storage, management, disposal, processing or incineration facilities. The term includes but is not limited to all structures, appurtenances and improvements on the land used in connection with a composting facility.

**4. Imposition and Extension of Moratorium** - The Town of Corinth hereby extends the moratorium previously imposed in part on the establishment, review or approval of any composting facility, with such extension to be for a period of approximately three (3) months, until April 30, 2008. The provisions of this Local Law shall be applicable to any establishment, review or approval of any composting facility, including any for which applications are currently pending, unless all necessary approvals have been obtained and actual physical project construction was substantially commenced as of January 26, 2006. For the purpose of this Local Law, establishment, review or approval shall include undertaking of any new or expanded facility, issuance of a building permit, application of review standards, conduct of a public hearing or rendering of a final decision or any approval which would in any way authorize the installation, construction or use of a composting facility.

**5. Extensions** - This moratorium may be extended for such additional periods as the Town Board may determine to be necessary to protect the public health, safety and welfare of the citizens of the Town of Corinth.

**6. Variance Procedure** - The Town Board shall have the power, after a public hearing, to vary or modify the application of any provision of this Local Law upon its determination that strict application of this Local Law would impose extraordinary hardship upon an applicant and that the variance granted would not adversely affect the health, safety or welfare of the citizens of the Town. Any request for a variance shall be filed with the Town Clerk. If the Town Board, in its sole discretion, determines to consider the variance application, the Town Board shall conduct a public hearing on at least five (5) days public notice and make its decision within thirty (30) days after close of the public hearing.

**7. Termination** - This moratorium shall be terminated earlier than April 30, 2008 upon enactment of any local legislation which constitutes a new Local Law or Ordinance governing

the review, approval, siting, installation, construction and/or use of composting facilities in the Town of Corinth.

**8. Severability** - The invalidity of any clause, sentence, paragraph or provision of this Local Law shall not invalidate any other clause, sentence, paragraph or part thereof.

**9. Effective Date** - This Local Law shall take effect upon filing in the office of the New York Secretary of State or as otherwise provided by law.

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