

**Chapter 93****RECYCLING**

**§ 93-1. Title.**

**§ 93-2. Legislative intent.**

**§ 93-3. Definitions.**

**§ 93-4. Source separation required.**

**§ 93-5. Penalties for offenses.**

**§ 93-6. Authorization to establish regulations.**

**§ 93-7. Preparation of recyclables for collection.**

**[HISTORY: Adopted by the Board of Trustees of the Village of Cold Spring 5-26-1992 as L.L. No. 2-1992. Amendments noted where applicable.]**

**GENERAL REFERENCES**

Dumpsters and Roll-Off Containers - See Ch. 48.  
Littering - See Ch. 59.

**§ 93-1. Title.**

- A. This chapter shall be cited and may be referred to hereinafter as the "Village of Cold Spring Mandatory Recycling Law."
- B. The Code of the Village of Cold Spring is hereby amended by adding thereto a new statute entitled "Mandatory Recycling Law of the Year 1992."

**§ 93-2. Legislative intent.**

It is the intent of this chapter to establish a mandatory recycling program within the Village of Cold Spring and to empower the Village Board to adopt regulations therefor, thereby promoting and protecting the health, safety and welfare of the residents of the Village concerning energy and natural resources and protecting the environment. This chapter shall apply to all the area serviced by the Village Highway Department.

**§ 93-3. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

PERSONS - Includes all individuals, partnerships, corporations, owners, tenants, lessees, occupants, associations and organizations residing or owning, operating, managing, leasing or occupying any premises, lands, residence or business within Village of Cold Spring. This chapter shall apply to the area serviced by Village Highway Department.

RECYCLABLES - Solid waste consisting of:

- A. Newspapers.
- B. Corrugated cardboard.
- C. Glass.
- D. Tin and aluminum cans.
- E. Plastic bottles which are either polyethylene terephthalate (P.E.T.E.) and/or higher density polyethylene (H.D.P.E.) (These normally have a recyclable symbol on the bottom with number 1 or 2).
- F. Tires.
- G. White goods which are defined as appliances and large solid metal items, including but not limited to washers, dryers, refrigerators, freezers, stoves, water tanks, hot water heaters, air conditioners, vending machines, copy machines, axles, transmissions, tire rims, metal tubs and shower stalls.

**§ 93-4. Source separation required.**

- A. It shall be mandatory for all persons to separate recyclables from other solid waste disposed of or left for collection or disposal within the Village of Cold Spring.
- B. No person shall dispose of recyclables within the Village of Cold Spring except at the times and places and in containers as shall be designated by the Village Board of the Village of Cold Spring from time to time by resolution of the Board.

No person shall knowingly dispose of solid waste within the Village of Cold Spring which contains recyclables.

**§ 93-5. Penalties for offenses.**

Any person who violates any provision of this chapter or any regulation promulgated hereunder shall be guilty of a violation punishable as follows:

- A. Conviction of a first offense: up to twenty-five dollars (\$25).
- B. Conviction of a second offense: up to fifty dollars (\$50).
- C. Conviction of a third or subsequent offense: up to two hundred fifty dollars (\$250).

**§ 93-6. Authorization to establish regulations.**

- A. The Village Board of the Village of Cold Spring is authorized to adopt and establish regulations by resolution for the administration, procedures and manner of collection and disposition of recyclables under this chapter.
- B. The Village Board may adopt, amend, modify or supplement said regulations by resolution.

**§ 93-7. Preparation of recyclables for collection. [Added 6-13-00 by L.L. 2000-5]**

Recyclable containers shall be set out for collection no earlier than 4 p.m. of the day prior to collection and removed from Village property no later than midnight of the day of collection.

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### Chapter 59

## LITTERING

- § 59-1. Findings; intent.
- § 59-2. Definitions and word usage.
- § 59-3. Throwing Litter in Public Places.
- § 59-4. Manner of placing Litter in receptacles.
- § 59-5. Depositing in gutters or streets.
- § 59-6. Litter from Vehicles.
- § 59-7. Vehicles causing Litter.
- § 59-8. Litter in Parks.
- § 59-9. Litter in public waters.
- § 59-10. Handbills in Public Places.
- § 59-11. Handbills on Vehicles.
- § 59-12. Handbills on vacant premises.
- § 59-13. Handbills on Private Premises.
- § 59-14. Litter on Private and commercial premises.
- § 59-15. Maintenance of commercial premises.
- § 59-16. Maintenance of Private Premises.
- ~~§ 59-17. Preparation of Garbage for collection.~~
- § 59-17. Repealed
- § 59-18. Litter on vacant lots.
- ~~§ 59-19. Deposit restricted.~~
- § 59-19. Repealed
- § 59-20. Penalties for offenses.
- § 59-21. Severability.
- § 59-22. Repealer.

[HISTORY: Adopted by the Board of Trustees of the Village of Cold Spring 2-9-1982 as L.L. No. 2-1982.<sup>1</sup> Amendments noted where applicable.]



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<sup>1</sup>Editor's Note: This local law also repealed former Ch. 59, Garbage, Rubbish and Refuse, adopted 8-11-1931 as Section I of the Code of Ordinances. as amended.

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### GENERAL REFERENCES

Signs and Placards - See Ch. 104.

#### § 59-1. Findings; intent.

It is hereby declared and found that litter carelessly deposited in the Village is the cause of civic and public concern; that litter is a health, fire and safety hazard and pollutant; that litter control can result in substantial savings to taxpayers of the Village; and that litter is a matter affecting the public interest and consequently should be subject to supervision and administrative control for the purpose of safeguarding the health, safety and general welfare of the people of the Village.

#### § 59-2. Definitions and word usage.

- A. Word usage. For the purposes of this Chapter, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.
- B. Words defined. As used in this Chapter, the following terms shall have the meanings indicated:

COMMERCIAL PLACE - Any store or group thereof, including shopping centers, shopping plazas and other similar places wherein mercantile activities and services are offered to the public, and shall include all parking areas thereat.

GARBAGE- Decayable animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food. **[Amended 08-24-2021 by L.L. 21-2021]**

HANDBILL - Any printed or written matter, any sample or device, circular, leaflet, pamphlet, paper, booklet or any other printed or otherwise reproduced original or copy of any matter of literature which does any of the following:

- (1) Advertises for sale any merchandise, product, commodity or thing.
- (2) Directs attention to any business or mercantile or commercial establishment or other activity for the purpose of, either directly or indirectly, promoting the interest thereof by sales.

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- (3) Directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind, for which an admission fee is charged for the purpose of private gain or profit.
- (4) While containing reading matter other than advertising matter, is predominantly and essentially an advertisement and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distributor.

**LITTER** - Garbage, Refuse and Rubbish, as defined herein, and all other waste material.

**NEWSPAPER** - Any Newspaper of general circulation, as defined by law, any Newspaper duly entered with the Post Office Department of the United States in accordance with federal statute or regulation and any Newspaper filed and recorded with any recording officer, as provided by law. In addition thereto, "Newspaper" shall mean and include any periodical or current magazine regularly published with not less than four (4) issues per year. **[Amended 08-24-2021 by L.L. 21-2021]**

**PARK** - A Park, reservation, playground, beach, recreation center or any other public area in the Village or owned or used by the Village and devoted to active or passive recreation.

**PERSON** - Any Person, firm, partnership, association, corporation, company or organization of any kind.

**PRIVATE PREMISES** - Any house, building or other structure designed or used, either wholly or in part, for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

**PUBLIC PLACE** - Any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public Parks, squares, spaces, grounds and buildings.

**REFUSE** - All decayable and non-decayable solid wastes, except body wastes, including Garbage, Rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes. **[Amended 08-24-2021 by L.L. 21-2021]**

**RUBBISH** - Non-decayable solid wastes consisting of both combustible and noncombustible wastes. **[Amended 08-24-2021 by L.L. 21-2021]**

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VEHICLE - Every device in, upon or by which any Person or property is or may be transported or drawn upon a highway or street, including devices used exclusively upon stationary rails or tracks.

VILLAGE - The Village of Cold Spring.

### **§ 59-3. Throwing Litter in Public Places.**

No Person shall deposit or throw Litter in or upon any street, sidewalk or other Public Place within the Village, except in public Litter receptacles, in private receptacles for collection or in a public dump or lands officially designated by the Board of Trustees for that purpose.

### **§ 59-4. Manner of placing Litter in receptacles.**

Persons placing Litter in public or private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements or animals upon any street, sidewalk or other Public Place or upon private property. [Amended 08-24-2021 by L.L. 21-2021]

### **§ 59-5. Depositing in gutters or streets.**

No Person shall sweep or deposit in any gutter, street or other Public Place within the Village the accumulation of Litter from any building or Litter from any public sidewalk or driveway.

### **§ 59-6. Litter from Vehicles.**

No Person, while a driver or passenger in a Vehicle, shall throw or deposit Litter upon any street or Public Place within the Village or upon private property.

### **§ 59-7. Vehicles causing Litter.**

No Person shall drive or move any truck or other Vehicle within the Village unless such Vehicle is safeguarded as to prevent any load, contents or Litter from being blown or deposited upon any street, alley or other Public Place. [Amended 08-24-2021 by L.L. 21-2021]

### **§ 59-8. Litter in Parks.**

No Person shall throw or deposit Litter in any Park within the Village, except in public receptacles and in such a manner that the Litter will be prevented from being carried or deposited by the elements upon any part of the Park or upon any street or other Public



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Place. Where public receptacles are not provided all such Litter shall be carried away from the Park by the Person responsible for its presence and properly disposed of elsewhere, as provided herein.

**§ 59-9. Litter in public waters.**

No Person shall throw or deposit Litter in any fountain, pond, lake, river, stream, bay or any other body of water in a Park or elsewhere within the Village. **[Amended 08-24-2021 by L.L. 21-2021]**

**§ 59-10. Handbills in Public Places.**

No Person shall throw or deposit any Handbill in or upon any sidewalk, street or other Public Place within the Village. Handbills on a tree or utility pole in the Village require a permit. See Chapter 104 - Signs and Placards. **[Amended 08-24-2021 by L.L. 21-2021]**

**§ 59-11. Handbills on Vehicles.**

No Person shall throw or deposit any Handbill in or upon any Vehicle; provided, however, that it shall not be unlawful in any Public Place for a Person to hand out or distribute, without charge to the receiver thereof, a Handbill to any occupant of a Vehicle who is willing to accept it. **[Amended 08-24-2021 by L.L. 21-2021]**

**§ 59-12. Handbills on vacant premises.**

No Person shall throw or deposit any Handbill in or upon any Private Premises which is temporarily or continuously uninhabited or vacant. **[Amended 08-24-2021 by L.L. 21-2021]**

**§ 59-13. Handbills on Private Premises.**

A. No Person shall throw, deposit or distribute any Handbill in or upon Private Premises which are inhabited, except by handing or transmitting any such Handbill directly to the owner, occupant or other Person then present in or upon such Private Premises. **[Amended 08-24-2021 by L.L. 21-2021]**

B. Exemption for mail and Newspapers. The provisions of this section shall not apply to the distribution of mail by the United States or to Newspapers, as defined herein, except that Newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street or other Public Place or upon private property.

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### **§ 59-14. Litter on Private and commercial premises.**

No Person shall throw or deposit Litter on any occupied private property or Commercial Place within the Village, whether owned by such Person or not, except that the owner or Person in control of such private property or Commercial Place may maintain authorized private receptacles for collection in such manner that Litter will be prevented from being carried or deposited by the elements upon any street or other Public Place or upon any private property.

### **§ 59-15. Maintenance of commercial premises.**

Each owner or Person in control of any Commercial Place, including shopping centers and delivery and parking areas thereat, shall keep said places, parking fields, parking areas, delivery areas and other open areas which are a part of such Commercial Place free from Litter.

### **§ 59-16. Maintenance of Private Premises.**

The owner or Person in control of any private property shall at all times maintain such premises free of Litter; provided, however, that this section shall not prohibit the storage of Litter in authorized private receptacles for periodic collection by the Village authorities or private carting services. [Amended 08-24-2021 by L.L. 21-2021]

### ~~**§ 59-17. Preparation of Garbage for collection.**~~

~~All Garbage and Refuse shall be placed in metal or heavy plastic containers readily handled by collectors. All papers placed for collection shall be securely bound. Containers shall be set out for collection no earlier than 4 pm of the day prior to collection day and removed from Village property no later than 11:59 pm on the day of collection. [Amended 6-13-00 by L.L. 2000-4; 08-24-2021 by L.L. 21-2021]~~

### **§ 59-17. Repealed on \_\_ - \_\_-2025 by L.L. \_\_-2025]**

### **§ 59-18. Litter on vacant lots.**

- A. No Person shall throw or deposit Litter on any open or vacant private property within the Village, whether owned by such Person or not.
- B. The Board of Trustees or its designated representative is hereby authorized and empowered to notify the owner of any open or vacant private property or Commercial Place within the Village, or the agent of such owner, to properly dispose of Litter located on such owner's property which is a nuisance or dangerous to public health, safety or welfare. Such notice shall be by certified mail, addressed to said owner at his/her last known address.

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**~~§ 59-19. Deposit restricted. [Added 9-9-1993 by L.L. No. 7-1993][Amended 08-24-2021 by L.L. 21-2021]~~**

~~No Person shall deposit Garbage, Litter, Rubbish or Refuse collected from any Commercial Place or Private Premises in any public Litter receptacle or private receptacle, other than their own, within the Village of Cold Spring.~~

**§ 59-19. Repealed on \_\_ - \_\_-2025 by L.L. \_\_-2025]**

**§ 59-20. Penalties for offenses. [Amended 08-24-2021 by L.L. 21-2021]**

Any Person committing an offense against any provision of this Chapter shall, upon conviction, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding two hundred fifty dollars (\$250) or by imprisonment for a term not exceeding fifteen (15) days, or by both such fine and imprisonment. The continuance of an offense for each day (twenty-four (24) hours) shall be deemed a distinct and separate violation.

**§ 59-21. Severability. [Amended 08-24-2021 by L.L. 21-2021]**

If any section or subsection or clause of this Chapter shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the Article, section, paragraph, sentence, clause or provision thereof directly involved in the controversy which such judgment shall have been rendered.

**§ 59-22. Repealer. [Amended 08-24-2021 by L.L. 21-2021]**

The existing provisions of Chapter 59 of the Code of the Village of Cold Spring are repealed as of the effective date of this Chapter, except that this repeal shall not affect or prevent the prosecution or punishment of any Person for any act done or committed in violation of such prior Chapter while such Chapter was in effect and prior to the taking effect of the new Chapter 59.

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### Chapter 59

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- § 59-1. Findings; intent.**
- § 59-2. Definitions and word usage.**
- § 59-3. Throwing Litter in Public Places.**
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- § 59-17. Repealed.**
- § 59-18. Litter on vacant lots.**
- § 59-19. Repealed.**
- § 59-20. Penalties for offenses.**
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**[HISTORY: Adopted by the Board of Trustees of the Village of Cold Spring 2-9-1982 as L.L. No. 2-1982.<sup>1</sup> Amendments noted where applicable.]**

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- (3) Directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind, for which an admission fee is charged for the purpose of private gain or profit.
- (4) While containing reading matter other than advertising matter, is predominantly and essentially an advertisement and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distributor.

LITTER - Garbage, Refuse and Rubbish, as defined herein, and all other waste material.

NEWSPAPER - Any Newspaper of general circulation, as defined by law, any Newspaper duly entered with the Post Office Department of the United States in accordance with federal statute or regulation and any Newspaper filed and recorded with any recording officer, as provided by law. In addition thereto, "Newspaper" shall mean and include any periodical or current magazine regularly published with not less than four (4) issues per year. **[Amended 08-24-2021 by L.L. 21-2021]**

PARK - A Park, reservation, playground, beach, recreation center or any other public area in the Village or owned or used by the Village and devoted to active or passive recreation.

PERSON - Any Person, firm, partnership, association, corporation, company or organization of any kind.

PRIVATE PREMISES - Any house, building or other structure designed or used, either wholly or in part, for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

PUBLIC PLACE - Any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public Parks, squares, spaces, grounds and buildings.

REFUSE - All decayable and non-decayable solid wastes, except body wastes, including Garbage, Rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes. **[Amended 08-24-2021 by L.L. 21-2021]**

RUBBISH - Non-decayable solid wastes consisting of both combustible and noncombustible wastes. **[Amended 08-24-2021 by L.L. 21-2021]**

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VEHICLE - Every device in, upon or by which any Person or property is or may be transported or drawn upon a highway or street, including devices used exclusively upon stationary rails or tracks.

VILLAGE - The Village of Cold Spring.

### **§ 59-3. Throwing Litter in Public Places.**

No Person shall deposit or throw Litter in or upon any street, sidewalk or other Public Place within the Village, except in public Litter receptacles, in private receptacles for collection or in a public dump or lands officially designated by the Board of Trustees for that purpose.

### **§ 59-4. Manner of placing Litter in receptacles.**

Persons placing Litter in public or private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements or animals upon any street, sidewalk or other Public Place or upon private property. [Amended 08-24-2021 by L.L. 21-2021]

### **§ 59-5. Depositing in gutters or streets.**

No Person shall sweep or deposit in any gutter, street or other Public Place within the Village the accumulation of Litter from any building or Litter from any public sidewalk or driveway.

### **§ 59-6. Litter from Vehicles.**

No Person, while a driver or passenger in a Vehicle, shall throw or deposit Litter upon any street or Public Place within the Village or upon private property.

### **§ 59-7. Vehicles causing Litter.**

No Person shall drive or move any truck or other Vehicle within the Village unless such Vehicle is safeguarded as to prevent any load, contents or Litter from being blown or deposited upon any street, alley or other Public Place. [Amended 08-24-2021 by L.L. 21-2021]

### **§ 59-8. Litter in Parks.**

No Person shall throw or deposit Litter in any Park within the Village, except in public receptacles and in such a manner that the Litter will be prevented from being carried or deposited by the elements upon any part of the Park or upon any street or other Public

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Place. Where public receptacles are not provided all such Litter shall be carried away from the Park by the Person responsible for its presence and properly disposed of elsewhere, as provided herein.

### **§ 59-9. Litter in public waters.**

No Person shall throw or deposit Litter in any fountain, pond, lake, river, stream, bay or any other body of water in a Park or elsewhere within the Village. [Amended 08-24-2021 by L.L. 21-2021]

### **§ 59-10. Handbills in Public Places.**

No Person shall throw or deposit any Handbill in or upon any sidewalk, street or other Public Place within the Village. Handbills on a tree or utility pole in the Village require a permit. See Chapter 104 - Signs and Placards. [Amended 08-24-2021 by L.L. 21-2021]

### **§ 59-11. Handbills on Vehicles.**

No Person shall throw or deposit any Handbill in or upon any Vehicle; provided, however, that it shall not be unlawful in any Public Place for a Person to hand out or distribute, without charge to the receiver thereof, a Handbill to any occupant of a Vehicle who is willing to accept it. [Amended 08-24-2021 by L.L. 21-2021]

### **§ 59-12. Handbills on vacant premises.**

No Person shall throw or deposit any Handbill in or upon any Private Premises which is temporarily or continuously uninhabited or vacant. [Amended 08-24-2021 by L.L. 21-2021]

### **§ 59-13. Handbills on Private Premises.**

A. No Person shall throw, deposit or distribute any Handbill in or upon Private Premises which are inhabited, except by handing or transmitting any such Handbill directly to the owner, occupant or other Person then present in or upon such Private Premises. [Amended 08-24-2021 by L.L. 21-2021]

B. Exemption for mail and Newspapers. The provisions of this section shall not apply to the distribution of mail by the United States or to Newspapers, as defined herein, except that Newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street or other Public Place or upon private property.



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**§ 59-14. Litter on Private and commercial premises.**

No Person shall throw or deposit Litter on any occupied private property or Commercial Place within the Village, whether owned by such Person or not, except that the owner or Person in control of such private property or Commercial Place may maintain authorized private receptacles for collection in such manner that Litter will be prevented from being carried or deposited by the elements upon any street or other Public Place or upon any private property.

**§ 59-15. Maintenance of commercial premises.**

Each owner or Person in control of any Commercial Place, including shopping centers and delivery and parking areas thereat, shall keep said places, parking fields, parking areas, delivery areas and other open areas which are a part of such Commercial Place free from Litter.

**§ 59-16. Maintenance of Private Premises.**

The owner or Person in control of any private property shall at all times maintain such premises free of Litter; provided, however, that this section shall not prohibit the storage of Litter in authorized private receptacles for periodic collection by the Village authorities or private carting services. [Amended 08-24-2021 by L.L. 21-2021]

**§ 59-17. Repealed on \_\_-\_\_-2025 by L.L. \_\_-2025]**

**§ 59-18. Litter on vacant lots.**

- A. No Person shall throw or deposit Litter on any open or vacant private property within the Village, whether owned by such Person or not.
- B. The Board of Trustees or its designated representative is hereby authorized and empowered to notify the owner of any open or vacant private property or Commercial Place within the Village, or the agent of such owner, to properly dispose of Litter located on such owner's property which is a nuisance or dangerous to public health, safety or welfare. Such notice shall be by certified mail, addressed to said owner at his/her last known address.

**§ 59-19. Repealed on \_\_-\_\_-2025 by L.L. \_\_-2025**

**§ 59-20. Penalties for offenses. [Amended 08-24-2021 by L.L. 21-2021]**

Any Person committing an offense against any provision of this Chapter shall, upon conviction, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding two hundred fifty dollars (\$250) or by imprisonment

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for a term not exceeding fifteen (15) days, or by both such fine and imprisonment. The continuance of an offense for each day (twenty-four (24) hours) shall be deemed a distinct and separate violation.

### **§ 59-21. Severability. [Amended 08-24-2021 by L.L. 21-2021]**

If any section or subsection or clause of this Chapter shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the Article, section, paragraph, sentence, clause or provision thereof directly involved in the controversy which such judgment shall have been rendered.

### **§ 59-22. Repealer. [Amended 08-24-2021 by L.L. 21-2021]**

The existing provisions of Chapter 59 of the Code of the Village of Cold Spring are repealed as of the effective date of this Chapter, except that this repeal shall not affect or prevent the prosecution or punishment of any Person for any act done or committed in violation of such prior Chapter while such Chapter was in effect and prior to the taking effect of the new Chapter 59.

Chapter 58  
GARBAGE, RECYCLING AND YARD WASTE COLLECTION

§ 58-1 Findings; legislative intent

§ 58-2 Definitions

§ 58-3 Municipal services

§ 58-4 Collection regulations

§ 58-5 Unlawful disposal of Garbage, Recyclable Materials and other debris

§ 58-6 Penalties for offenses

§ 58-7 Enforcement

§ 58-8 Severability

**[HISTORY: Adopted by the Board of Trustees of the Village of Cold Spring \_\_-\_\_-2025 as L.L. \_\_-2025.]**

**GENERAL REFERENCES, SEE**

**Chapter 36, Brush, Grass, Weeds, Trees**

**Chapter 48, Dumpsters**

**Chapter 59, Littering**

**Chapter 78, Nuisances**

**§58-1. Findings; legislative intent.**

It is hereby determined that regulation of the collection and removal of Garbage, Recycling and Yard Waste is the interest of the health, safety and welfare of the residents of the Village of Cold Spring. It is further determined that appropriate limitations on collection and removal of Garbage, Recycling and Yard Waste is in the public interest, and is necessary for the governmental and fiscal viability of the Village of Cold Spring.

**§58-2. Definitions.**

A. Word Usage.

As used in this chapter, the following terms, phrases and their derivations shall have the meanings given in §58-2B. “Shall” is always mandatory and not merely directory.

B. Words Defined.

BROWN GOODS – televisions, radios, stereos and air conditioners.

BULK ITEMS – household items too large for regular Garbage collection, excluding Hazardous Waste, Industrial Waste, Brown Goods and White Goods.

COLLECTION – pickup of Garbage, Recyclable Materials, Yard Waste by a contracted hauler.

COMMERCIAL ESTABLISHMENT – Any store, restaurant, office, service provider, or any group of these, offering goods and services to the public.

GARBAGE – Non-recyclable plastics and paper, kitchen wastes, refuse and rubbish from households and commercial establishments. Garbage shall include all decayable and non-decayable solid wastes, ashes, street cleanings, dead animals and solid commercial waste.

CONSTRUCTION DEBRIS – materials resulting from the repair, construction, alteration demolition or excavation of buildings, structures, streets or sidewalks, including but not limited to earth, plaster, mortar, concrete, bricks, lath and roofing materials.

HAULING CONTRACTOR – the entity hired as the exclusive provider of collection and disposal services for the Village’s municipal solid waste, recyclables and other specified commodities as described in this chapter.

HAZARDOUS WASTE – dangerous materials or substances, such as poisons, acids, caustics, infected materials, medical waste, combustibles, and explosives.

HOLIDAY DECORATIONS – Natural materials used to decorate for winter holidays, including, but not limited to Christmas trees, natural wreaths and garlands.

INDUSTRIAL WASTE – unwanted or residual solid, liquid, or gaseous materials generated by industrial or manufacturing processes.

PARCEL – a distinct piece of land or real estate identified by a unique tax identification number assigned by the Putnam County Tax Assessor’s Office.

PERSON – Any Person, entity, firm, partnership, association, corporation, company or organization of any kind.

RECEPTACLE – the container/bin, specified by the Village, in which Garbage and Recycling are placed curb-side.



RECYCLABLE MATERIALS – aluminum products, cans with lids removed, cardboard, glass, newspapers, magazines, circulars, office paper, rated recyclable plastics, recyclable commercial by-products.

RESIDENCE – a building, or any portion of a building, designed or used as the living quarters for one (1) or more families. Also referred to as “Dwelling.”

WHITE GOODS – large appliances, cabinets, water heaters, and plumbing fixtures.

VILLAGE – The Village of Cold Spring

YARD WASTE – Brush, tree branches and limbs, grass clippings, and leaves.

### **§58-3. Municipal services;**

- A. Garbage. The Village of Cold Spring shall contract a hauler for weekly removal of Garbage from each separately assessed real property parcel that is improved with an occupied structure and situated within the Village of Cold Spring, based upon the following conditions:
- 1) The weekly collection of Garbage will be on a day determined by the Village.
  - 2) The Village shall collect no more than one (1) Receptacle of Garbage from each Parcel, except as set forth hereafter. The Village shall specify the receptacle to be used. In the event that the Parcel ownership or control is transferred, the Receptacle shall remain with the parcel.
  - 3) Additional Garbage Receptacles of various sizes shall be available from the Hauling Contractor, at an additional cost to the Parcel owner, based on the pricing recorded in the Village’s contract with the Hauling Contractor.
- B. Recyclable Material. The Village of Cold Spring shall contract a hauler for weekly removal of Recyclable Materials from each separately assessed real property parcel that is improved with an occupied structure and situated within the Village of Cold Spring, based upon the following conditions:
- 1) The weekly collection of Recyclable Materials will be on a day determined by the Village.
  - 2) Instructions on recycling will be created and, from time to time, updated by the Hauling Contractor in consultation with the Village. Communication of instructions to Parcel owners will be the responsibility of the Village.
  - 3) The Village shall collect no more than one (1) Receptacle of Recyclable Materials from each Parcel, except as set forth hereafter. The Village shall specify the Receptacle to be used. In the event that the parcel ownership or control is transferred, the

Receptacle shall remain with the parcel.

- 4) Additional Recycling Receptacles of various sizes shall be available from the Hauling Contractor, at an additional cost to the Parcel owner, based on the pricing recorded in the Village's contract with the Hauling Contractor.

C. Yard Waste. The Village of Cold Spring shall contract a hauler for seasonal removal of Yard Waste, from each separately assessed real property Parcel that is improved with an occupied structure and situated within the Village of Cold Spring, based upon the following conditions:

- 1) The seasonal collection of Yard Waste will be on dates determined by the Village, in consultation with the Hauling Contractor.

D. Holiday Decorations. The Village of Cold Spring shall contract a hauler for seasonal removal of winter holiday decorations from each separately assessed real property Parcel that is improved with an occupied structure and situated within the Village of Cold Spring, based upon the following conditions:

- 1) The seasonal collection of Holiday Decorations will be on dates determined by the Village, in consultation with the Hauling Contractor, and communicated to Parcel owners by the Village.

E. The Village of Cold Spring shall contract for one (1) Bulk Item pickup from each separately assessed real property Parcel that is improved with an occupied structure and situated within the Village of Cold Spring.

- 1) The annual collection of Bulk Items will be on a date determined by the Village, in consultation with the Hauling Contractor, and communicated to Parcel owners by the Village.

#### **§58-4. Collection Regulations;**

##### **A. Garbage**

- 1) All Persons shall at all times maintain Garbage in Receptacles on the Parcel for periodic Collection by the Village's hauling contractor.
- 2) Garbage shall be fully contained in the receptacle specified by the Village and shall not protrude beyond the top of the container, nor be piled around it.
- 3) Garbage Receptacles shall be placed by the curb the night before the day of scheduled Collection, but in no event any earlier than 4:00pm of the day prior to scheduled Collection. They shall be removed from the curb no later 8:00pm on the



day of Collection.

- 4) Garbage Receptacles shall not be placed in such a way as to hinder pedestrian or vehicular traffic.

#### B. Recyclable Materials

- 1) All Persons shall at all times maintain Recyclable Materials in Receptacles on the Parcel for periodic Collection by the Village's hauling contractor.
- 2) Recyclable Materials shall be fully contained in the Receptacle specified by the Village and shall not protrude beyond the top of the container, nor be piled around it.
- 3) It shall be the Parcel owner's responsibility to ensure that no Garbage or waste materials are commingled with Recyclable Materials collected by the contracted hauler. All Receptacles so commingled or combined shall be left at the curb by the contracted hauler and must be disposed of by the Parcel owner.
- 4) Recyclable Materials shall not include: aerosol cans, bottle caps, ceramics, coat hangers, dishes, diapers, drinking glasses, fish bowls, flower pots, foam plastics, gas cans, jar lids, headlights, laundry baskets, light bulbs, mirrors, motor oil jugs, paint cans, plastic bags, plastic toys, pots, pans, Pyrex glass, window glass, or scrap metal items. From time to time, the Village Board of Trustees may modify this list via Board Resolution.
- 5) Recyclable Material Receptacles shall be placed by the curb the night before the day of scheduled Collection, but in no event any earlier than 4:00pm of the day prior to scheduled Collection. They shall be removed from the curb no later 8:00pm on the day of Collection.
- 6) Recyclable Materials shall not be placed in such a way as to hinder pedestrian or vehicular traffic.

#### C. Yard Waste

- 1) Yard Waste shall be placed in brown paper bags or in reusable containers provided by the Parcel owner.
- 2) Tree and shrub limbs, branches, twigs and sticks shall be cut in a length no longer than 36", and bundled with twine if they are not contained in a brown paper bag or reusable container.

#### D. Holiday Decorations

- 1) Holiday Decorations shall be maintained on the Parcel for until Collection by the Village's hauling contractor.

- 2) All ornaments and lights shall be removed from Holiday Decorations before placing them curbside.
- 3) Loose natural wreaths and garlands shall be placed in brown paper bags for Collection.
- 4) Holiday Decorations shall not be placed by the curb any earlier than 4:00pm of the day prior to scheduled Collection and removed from the curb no later 8:00pm on the day of Collection.
- 5) Holiday Decorations shall not be placed in such a way as to hinder pedestrian or vehicular traffic.

**E. Bulk Item Pickup**

- 1) Bulk item pick up shall not include:
  - a. Construction Debris
  - b. Hazardous Waste
  - c. Brown Goods
  - d. White Goods
  - e. Industrial Waste
- 2) Specific instructions for the date of the once-annual Bulk Item pickup, as well as placement of Bulk Items curbside for Collection, will be provided by the Village, in consultation with the Hauling Contractor, at least two (2) weeks prior to Collection.

**§58-5. Unlawful disposal of Garbage, Recyclable Materials and other debris.**

The following shall be considered unlawful:

- A. Disposing of any Garbage, Recyclable Materials, Hazardous Materials, Construction Debris, Industrial Waste, Brown Goods or White Goods by burying in the ground or yard on public or private property in the Village of Cold Spring.
- B. Disposing or attempting to dispose of any of the following as part of Collection of Garbage, Recyclable Materials, Yard Waste, Christmas Trees or Bulk Pickup:
  - 1) Construction Debris
  - 2) Hazardous Waste
  - 3) Brown Goods
  - 4) White Goods
  - 5) Industrial Waste
- C. Depositing or attempting to deposit Garbage or Recyclable Materials, or any other waste from any Commercial Establishment or Residence in any public receptacle, or a Receptacle belonging to another Parcel, within the Village of Cold Spring.

**§ 58-6. Penalties for offenses.**

Any Person committing an offense against any provision of this Chapter shall, upon conviction, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding two hundred fifty dollars (\$250). The continuance of an offense for each day (twenty-four (24) hours) shall be deemed a distinct and separate violation.

**§58-7. Enforcement.**

The provisions of this chapter shall be administered and enforced by the Head of the Highway Department, the Code Enforcement Officer or the Police Department.

**§ 58-8. Severability.**

If any section or subsection or clause of this Chapter shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder of the Chapter, but shall be confined in its operation to the Article, section, paragraph, sentence, clause or provision directly involved in the controversy which such judgment shall have been rendered.

**Chapter 58**  
**GARBAGE, RECYCLING AND YARD WASTE COLLECTION**

- § 58-1. Findings; legislative intent**
- § 58-2. Definitions**
- § 58-3. Garbage**
- § 58-4. Recycling**
- § 58-5. Yard Waste**
- § 58-6. Holiday Decorations**
- § 58-7. Bulk Item Pickup**
- § 58-8. Unlawful disposal of Garbage, Recyclable Materials and other debris**
- § 58-9. Penalties for offenses**
- § 58-10. Enforcement**
- § 58-11. Severability**

**[HISTORY: Adopted by the Board of Trustees of the Village of Cold Spring \_\_-\_\_-2025 as L.L. \_\_-2025.]**

**GENERAL REFERENCES, SEE**  
**Chapter 36, Brush, Grass, Weeds, Trees**  
**Chapter 48, Dumpsters**  
**Chapter 59, Littering**  
**Chapter 78, Nuisances**

**§58-1. Findings; legislative intent.**

It is hereby determined that regulation of the collection and removal of Garbage, Recycling and Yard Waste is the interest of the health, safety and welfare of the residents of the Village of Cold Spring. It is further determined that appropriate limitations on collection and removal of Garbage, Recycling and Yard Waste is in the public interest, and is necessary for the governmental and fiscal viability of the Village of Cold Spring.

## **§58-2. Definitions.**

### **A. Word Usage.**

As used in this chapter, the following terms, phrases and their derivations shall have the meanings given in §58-2B. "Shall" is always mandatory and not merely directory.

### **B. Words Defined.**

**BROWN GOODS** – televisions, radios, stereos and air conditioners.

**BULK ITEMS** – household items too large for regular Garbage collection, excluding Hazardous Waste, Industrial Waste, Brown Goods and White Goods.

**COLLECTION** – pickup of Garbage, Recyclable Materials, Yard Waste by a contracted hauler.

**COMMERCIAL ESTABLISHMENT** – Any store, restaurant, office, service provider, or any group of these, offering goods and services to the public.

**GARBAGE** – Non-recyclable plastics and paper, kitchen wastes, refuse and rubbish from households and commercial establishments. Garbage shall include all decayable and non-decayable solid wastes, ashes, street cleanings, dead animals and solid commercial waste.

**CONSTRUCTION DEBRIS** – materials resulting from the repair, construction, alteration demolition or excavation of buildings, structures, streets or sidewalks, including but not limited to earth, plaster, mortar, concrete, bricks, lath and roofing materials.

**HAULING CONTRACTOR** – the entity hired as the exclusive provider of collection and disposal services for the Village's municipal solid waste, recyclables and other specified commodities as described in this chapter.

**HAZARDOUS WASTE** – dangerous materials or substances, such as poisons, acids, caustics, infected materials, medical waste, combustibles, and explosives.

**HOLIDAY DECORATIONS** – Natural materials used to decorate for winter holidays, including, but not limited to Christmas trees, natural wreaths and garlands.

**INDUSTRIAL WASTE** – unwanted or residual solid, liquid, or gaseous materials generated by industrial or manufacturing processes.

**PARCEL** – a distinct piece of land or real estate identified by a unique tax identification number assigned by the Putnam County Tax Assessor's Office.

**PERSON** – Any Person, entity, firm, partnership, association, corporation, company or organization of any kind.



RECEPTACLE – the container/bin, specified by the Village, in which Garbage and Recycling are placed curb-side.

RECYCLABLE MATERIALS – aluminum products, cans with lids removed, cardboard, glass, newspapers, magazines, circulars, office paper, rated recyclable plastics, recyclable commercial by-products.

RESIDENCE – a building, or any portion of a building, designed or used as the living quarters for one (1) or more families. Also referred to as “Dwelling.”

WHITE GOODS – large appliances, cabinets, water heaters, and plumbing fixtures.

VILLAGE – The Village of Cold Spring

YARD WASTE – Brush, tree branches and limbs, grass clippings, and leaves.

### **§58-3. Garbage**

#### **A. Municipal Services for Garbage**

The Village of Cold Spring shall contract a hauler for weekly removal of Garbage from each separately assessed real property parcel that is improved with an occupied structure and situated within the Village of Cold Spring, based upon the following conditions:

- 1) The weekly collection of Garbage will be on a day determined by the Village.
- 2) The Village shall collect no more than one (1) Receptacle of Garbage from each Parcel, except as set forth hereafter. The Village shall specify the receptacle to be used. In the event that the Parcel ownership or control is transferred, the Receptacle shall remain with the parcel.
- 3) Additional Garbage Receptacles of various sizes shall be available from the Hauling Contractor, at an additional cost to the Parcel owner, based on the pricing recorded in the Village’s contract with the Hauling Contractor.

#### **B. Collection Regulations for Garbage**

- 1) All Persons shall at all times maintain Garbage in Receptacles on the Parcel for periodic Collection by the Village’s hauling contractor.
- 2) Garbage shall be fully contained in the receptacle specified by the Village and shall not protrude beyond the top of the container, nor be piled around it.
- 3) Garbage Receptacles shall be placed by the curb the night before the day of scheduled Collection, but in no event any earlier than 4:00pm of the day prior to



scheduled Collection. They shall be removed from the curb no later 8:00pm on the day of Collection.

- 4) Garbage Receptacles shall not be placed in such a way as to hinder pedestrian or vehicular traffic.

#### **§58-4. Recycling**

##### **A. Municipal Services for Recycling**

The Village of Cold Spring shall contract a hauler for weekly removal of Recyclable Materials from each separately assessed real property parcel that is improved with an occupied structure and situated within the Village of Cold Spring, based upon the following conditions:

- 1) The weekly collection of Recyclable Materials will be on a day determined by the Village.
- 2) Instructions on recycling will be created and, from time to time, updated by the Hauling Contractor in consultation with the Village. Communication of instructions to Parcel owners will be the responsibility of the Village.
- 3) The Village shall collect no more than one (1) Receptacle of Recyclable Materials from each Parcel, except as set forth hereafter. The Village shall specify the Receptacle to be used. In the event that the parcel ownership or control is transferred, the Receptacle shall remain with the parcel.
- 4) Additional Recycling Receptacles of various sizes shall be available from the Hauling Contractor, at an additional cost to the Parcel owner, based on the pricing recorded in the Village's contract with the Hauling Contractor.

##### **B. Collection Regulations for Recycling**

- 1) All Persons shall at all times maintain Recyclable Materials in Receptacles on the Parcel for periodic Collection by the Village's hauling contractor.
- 2) Recyclable Materials shall be fully contained in the Receptacle specified by the Village and shall not protrude beyond the top of the container, nor be piled around it.
- 3) It shall be the Parcel owner's responsibility to ensure that no Garbage or waste materials are commingled with Recyclable Materials collected by the contracted hauler. All Receptacles so commingled or combined shall be left at the curb by the contracted hauler and must be disposed of by the Parcel owner.
- 4) Recyclable Materials shall not include: aerosol cans, bottle caps, ceramics, coat hangers, dishes, diapers, drinking glasses, fish bowls, flower pots, foam plastics, gas

cans, jar lids, headlights, laundry baskets, light bulbs, mirrors, motor oil jugs, paint cans, plastic bags, plastic toys, pots, pans, Pyrex glass, window glass, or scrap metal items. **From time to time, the Village Board of Trustees may modify this list via Board Resolution.**

- 5) Recyclable Material Receptacles shall be placed by the curb the night before the day of scheduled Collection, but in no event any earlier than 4:00pm of the day prior to scheduled Collection. They shall be removed from the curb no later 8:00pm on the day of Collection.
- 6) Recyclable Materials shall not be placed in such a way as to hinder pedestrian or vehicular traffic.

#### **§58-5. Yard Waste**

##### **A. Municipal Services for Yard Waste**

The Village of Cold Spring shall contract a hauler for seasonal removal of Yard Waste, from each separately assessed real property Parcel that is improved with an occupied structure and situated within the Village of Cold Spring. The seasonal collection of Yard Waste will be on dates determined by the Village, in consultation with the Hauling Contractor.

##### **B. Collection Regulations for Yard Waste**

- 1) Yard Waste shall be placed in brown paper bags or in reusable containers provided by the Parcel owner.
- 2) Tree and shrub limbs, branches, twigs and sticks shall be cut in a length no longer than 36", and bundled with twine if they are not contained in a brown paper bag or reusable container.

#### **§58-6. Holiday Decorations**

##### **A. Municipal Services for Holiday Decorations**

**Holiday Decorations.** The Village of Cold Spring shall contract a hauler for seasonal removal of winter holiday decorations from each separately assessed real property Parcel that is improved with an occupied structure and situated within the Village of Cold Spring. The seasonal collection of Holiday Decorations will be on dates determined by the Village, in consultation with the Hauling Contractor, and communicated to Parcel owners by the Village.

##### **B. Collection Regulations for Holiday Decorations**

- 1) Holiday Decorations shall be maintained on the Parcel for until Collection by the Village's hauling contractor.
- 2) All ornaments and lights shall be removed from Holiday Decorations before placing them curbside.
- 3) Loose natural wreaths and garlands shall be placed in brown paper bags for Collection.
- 4) Holiday Decorations shall not be placed by the curb any earlier than 4:00pm of the day prior to scheduled Collection and removed from the curb no later 8:00pm on the day of Collection.
- 5) Holiday Decorations shall not be placed in such a way as to hinder pedestrian or vehicular traffic.

#### **§58-7. Bulk Item Pickup**

##### **A. Municipal Services for Bulk Item Pickup**

The Village of Cold Spring shall contract for one (1) Bulk Item pickup from each separately assessed real property Parcel that is improved with an occupied structure and situated within the Village of Cold Spring. The annual collection of Bulk Items will be on a date determined by the Village, in consultation with the Hauling Contractor, and communicated to Parcel owners by the Village.

##### **B. Collection Regulations for Bulk Items**

- 1) Bulk item pick up shall not include:
  - a. Construction Debris
  - b. Hazardous Waste
  - c. Brown Goods
  - d. White Goods
  - e. Industrial Waste
- 2) Specific instructions for the date of the once-annual Bulk Item pickup, as well as placement of Bulk Items curbside for Collection, will be provided by the Village, in consultation with the Hauling Contractor, at least two (2) weeks prior to Collection.

#### **§58-8. Unlawful disposal of Garbage, Recyclable Materials and other Debris.**

The following shall be considered unlawful:

- A. Disposing of any Garbage, Recyclable Materials, Hazardous Materials, Construction Debris, Industrial Waste, Brown Goods or White Goods by burying in the ground or yard on

public or private property in the Village of Cold Spring.

B. Disposing or attempting to dispose of any of the following as part of Collection of Garbage, Recyclable Materials, Yard Waste, Christmas Trees or Bulk Pickup:

- 1) Construction Debris
- 2) Hazardous Waste
- 3) Brown Goods
- 4) White Goods
- 5) Industrial Waste

C. Depositing or attempting to deposit Garbage or Recyclable Materials, or any other waste from any Commercial Establishment or Residence in any public receptacle, or a Receptacle belonging to another Parcel, within the Village of Cold Spring.

#### **§ 58-9. Penalties for offenses.**

Any Person committing an offense against any provision of this Chapter shall, upon conviction, be guilty of a violation pursuant to the Penal Law of the State of New York, punishable by a fine not exceeding two hundred fifty dollars (\$250). The continuance of an offense for each day (twenty-four (24) hours) shall be deemed a distinct and separate violation.

#### **§58-10. Enforcement.**

The provisions of this chapter shall be administered and enforced by the Head of the Highway Department, the Code Enforcement Officer or the Police Department.

#### **§ 58-11. Severability.**

If any section or subsection or clause of this Chapter shall be adjudged by any court of competent jurisdiction to be invalid, such adjudication shall not affect, impair or invalidate the remainder of the Chapter, but shall be confined in its operation to the Article, section, paragraph, sentence, clause or provision directly involved in the controversy which such judgment shall have been rendered.



**Chapter 27****RECREATION COMMISSION**

**§ 27-1. Establishment.**

**§ 27-2. Composition.**

**§ 27-3. Terms of office of members.**

**§ 27-4. Powers of Commission.**

**§ 27-5. Reservation of powers.**

**§ 27-6. Annual budget and annual report.**

**§ 27-7. Recreation Commission.**

**§ 27-8. Hours of operation.**

**§ 27-9 Docking of Vessels.**

**[HISTORY: Adopted by the Board of Trustees of the Village of Cold Spring 11-25-75 as L.L. No. 2-1975. Amendments noted where applicable.]**

**§ 27-1. Establishment.**

There is hereby established the Recreation Commission of the Village of Cold Spring in accordance with the provisions of § 243 of the General Municipal Law.

**§ 27-2. Composition. [Amended 12-18-2018 by LL 03-2018]**

The Commission shall consist of five (5) persons who are residents of the Village and shall be appointed by the Board of Trustees. The terms of the members of such Commission first appointed shall be so fixed that the term of one (1) Commissioner shall expire annually thereafter. The members of such Commission shall serve without compensation.

**§ 27-3. Terms of office of members. [Amended 2-18-2018 by LL 03-2018]**

Members shall be appointed by the Mayor and Board of Trustees for a five (5) year term. The term shall commence on the date of the appointment. Each member shall serve until the appointment of his/her successor. In the event a vacancy occurs during

the term of a member of the Recreation Commission, the Mayor shall make an interim appointment to complete the unexpired term of such member.

**§ 27-4. Powers of Commission.**

The following powers, subject to the provisions in § 27-5, are hereby delegated to the Recreation Commission:

- A. The complete and exclusive control, management and maintenance of all Village-owned or operated parks, playgrounds, recreational centers and recreational facilities.
- B. The employment of recreational directors, playground directors, playground assistants and supervisors, subject to the approval of the Board of Trustees.
- C. The power to use:
  - (1) Such Village property as the Board of Trustees may from time to time set apart therefor.
  - (2) With the consent of the Board of Education, such school buildings, premises and property as may be suitable and desirable therefor.
  - (3) With the consent of the owners and of the Board of Trustees, such private property as may be suitable and desirable therefor.
- D. The power to adopt and continue rules of procedure for the conduct of all business within its jurisdiction.
- E. Any other necessary powers fully and satisfactorily to carry out the purposes for which this Commission is established.

**§ 27-5. Reservation of powers.**

The Board of Trustees expressly reserves the following powers:

- A. The power to take any steps deemed necessary in connection with the finances of said Recreation Commission.
- B. The power to take any steps necessary in connection with the hiring of recreational directors or the appointment of other employees by the said Commission

- C. The power to assign employees to this Commission from other Village departments and to assign employees of this Commission to other Village departments.
- D. The power to purchase additional real property for use as parks.
- E. The power of general regulation which the Board may deem expedient and necessary.

**§27-6. Annual budget and annual report.**

The Recreation Commission shall prepare an annual budget before February 1 of each year and file an annual report at the end of each fiscal year.

**§27-7. Recreation Commission. [Added 6-13-00 by L.L. 2000-1 and Amended 12-18-2018 by LL 03-2018]**

The use of all Village parks is by permission of the Village Recreation Commission and Board of Trustees as follows:

- A. Permission of the Recreation Commission is required for the use of any Village park for all public events and for all private events where more than ten people are expected to attend. Application for permission to use any Village park must be made by a town or Village resident at the Village office at least four weeks prior to any requested date and is subject to the approval of the Commission and the Village Board.
- B. Application from a non-town or non-Village resident for permission to use any Village park must be received at the Village office at least eight (8) weeks prior to any requested date and is subject to the approval of the Commission and the Village Board.

**§27-8. Hours of Operation. [Added 6-13-00 by L.L. 2000-1 and Amended 12-18-2018 by LL 03-2018]**

Mayor's Park: 7:00 a.m. to 9:00 p.m. March 1 through December 31

Waterfront Park 7:00 a.m. to 11:00 p.m. All Year

Playground in McConville Park 8:00 a.m. to dusk March 1 through December 31



**§27-9. Docking of Vessels. [Added 06-03-2009 by L.L. 2- 2009 and Amended 5-17-2011 by L.L. 1-2011]**

**A. Definitions.**

VILLAGE DOCK - means the waterfront mooring facility located in the Village Waterfront Park on the Hudson River, Cold Spring, New York.

DOCK or DOCKING - means any non-emergency connection, by tying up or otherwise mooring to the Village Dock or anchoring within 100 feet off the Village Dock and using the same as a landing point.

VESSEL – means every description of ship, boat, barge, canoe, kayak, watercraft or other contrivance used on or capable of being used as a means of transportation in water.

- B. Docking at the Village Dock.** Docking of vessels at the Village Dock shall be permitted only upon grant of a special permit called a “docking permit” from the Village Board of Trustees as provided herein.
- C. Issuance of Docking Permit.** Upon written application, the Village Board may issue a docking permit allowing a vessel to dock at the Village Dock. In determining whether or not to issue a docking permit, the Village Board shall take into consideration the following:
- (1) The availability of docking space and the number of other vessels which will be docked at the Village Dock during the day or days for which the permit is sought; and
  - (2) Whether the presence of the vessel at the Village Dock presents any hazards to health, safety and welfare or would otherwise be detrimental to use and enjoyment of the Waterfront Park.
- D. Docking Fees.** A fee may be charged for vessels docking for commercial purposes at a rate determined by resolution of the Village Board of Trustees. The Village Board shall have the authority to waive docking fees upon a finding that good cause exists for doing so.



E. Restrictions. All docking permits shall be subject to the following restrictions:

- (1) All docking permits shall be valid only for the dates approved by the Village Board.
- (2) Docking permits are not transferable, and shall be issued for the exclusive use of the docking permit holder for a specific vessel for specific set dates.

F. Prohibited activities. The following activities are prohibited for vessels docked at the Village Dock:

- (1) Cleaning of boats below the waterline;
- (2) Sandblasting, power sanding and painting of vessels;
- (3) Dumping, discharging or place any oil, garbage, sewage, waste or refuse matter of any kind into the Hudson River or any Village waters.

G. Modification or Revocation of Docking Permits.

- (1) All docking permits may be revoked by the Village Board any time, either for cause, such as engaging in prohibited activity or without cause.
- (2) In the event that a docking permit is revoked for cause, then the applicant shall not be entitled to return of any portion of the docking fee paid to the Village.
- (3) In the event that a docking permit is revoked without cause, the applicant shall be entitled to remittance of a portion of the docking fee paid to the Village on a pro-rated basis in accordance with the duration of the docking permit, but shall have no other remedy or claim against the Village.
- (4) All docking permits issued by the Village shall be subject to modification by any additional rules and regulations imposed upon docking permits by the Village Board of Trustees, provided that such regulations do not increase the docking permit fee and do not preclude docking upon days set forth in the docking permit.

- H. Removal of Unauthorized Vessels. Any vessels docked in violation of this section shall be removed by the owner or person in charge thereof on order of the Village Code Enforcement Officer. The said order shall be delivered to a person of suitable age and discretion on board the vessel or, if the vessel is unoccupied, by affixing a copy to the vessel. If the said vessel is not promptly removed after delivery of an order to do so, the Village Board may adopt a resolution directing an officer, employee or agent of the Village to cause the said vessel to be removed at the expense of the owner of the vessel.
- I. Penalty. In addition to any other remedies, whether civil or criminal, available to the Village, a violation of any provision of this chapter shall be punishable by a fine of \$250 for each violation. Each day of violation shall be deemed a new violation.

REPEALED

# RECREATION COMMITTEE

## Chapter 27

### RECREATION COMMITTEE

SECTION 1. Title. This local law, adopted by the Village Board of Trustees on [INSERT DATE] as L.L. No. \_\_, shall be known as the “Amendments to Chapter 27 (Recreation Commission)”.

SECTION 2. Authority. New York State General Municipal Law §243 and New York State Village Law §4-412.

SECTION 3. History of Amendments. Chapter 27, first adopted by the Board of Trustees of the Village of Cold Spring 11-25- 75 as L.L. No. 2-1975, and periodically updated by the Village Board of Trustees, shall be repealed in its entirety and replaced with a new Chapter 27, Recreation Committee, as follows:

§ 27-1. Establishment

§ 27-2. Definitions

§ 27-3. Legislative Intent

§ 27-4. Composition

§ 27-5. Terms of Office of Members

§ 27-6. Powers of Committee

§ 27-7. Reservation of Powers

§ 27-8. Responsibilities of Committee

§ 27-9. Event Coordinator

§ 27-10. Events

§ 27-11. Village Parks, Hours of Operation, and Rules

§ 27-12. Management of Dockside Park

§ 27-13. Docking of Vessels at the Village of Cold Spring Municipal Dock

**§ 27-14. Enforcement**

**GENERAL REFERENCES**

**Chapter 45, Dogs**

**Chapter 83, Parades**

**§ 27-1. Establishment.**

There is hereby established the Recreation Committee of the Village of Cold Spring in accordance with the provisions of §243 of the General Municipal Law.

**§ 27-2. Definitions**

**APPLICANT** Any person, entity, or organization seeking to use a Village Park for an Event

**DOCK or DOCKING** any non-emergency connection, made by tying up or otherwise mooring to the Village's Municipal Dock or anchoring within one hundred (100 feet) of the Village Dock and using the same as a landing point.

**DOCKING FEE** an amount charged for Docking at the Village Dock, determined by the Village Board of Trustees and recorded in the Fee Schedule.

**DOCKING PERMIT** a permit issued in advance by the Board of Trustees to Dock at the Village's Municipal Dock

**EVENT APPLICATION** the instructions, checklist and paperwork used to request permission to use Village Parks for all categories of events to be attended by ten (10) or more people.

**EVENT COORDINATOR** A part-time position hired by the Village Board of Trustees to review and make recommendations to the Village Board of Trustees regarding Ticketed and Unticketed Event Applications; and coordinate Events in Village Parks. The Event Coordinator reports to the Village Clerk and the Village Board of Trustees and shall coordinate with the Recreation Committee, when needed.

**EVENT, PRIVATE** an event not open to the General Public, but only to the invitees of the sponsoring individual or entity; may be Ticketed or Unticketed.

**EVENT, TICKETED** an event for which tickets are either sold or offered to attendees; may be sponsored by a profit or not-for-profit entity

**EVENT, UNTICKETED** an events for which tickets are not sold or offered to attendees; may or may not be a Private Event.

**VESSEL** every description of ship, boat, barge, canoe, kayak, watercraft, jet-ski or other

## RECREATION COMMITTEE

contrivance used on or capable of being used as a means of transportation in water.

**VILLAGE DOCK** the waterfront mooring facility located in Waterfront Park on the Hudson River in Cold Spring, New York

**VILLAGE PARK** parks, open spaces, playgrounds, recreation facilities, and recreation areas owned, maintained, and operated by the Village of Cold Spring.

### **§ 27-3. Legislative Intent.**

The Board of Trustees has established the Recreation Committee to provide the Board of Trustees with input and advice in the development and adoption of policies regarding the use, operation and maintenance of Village Parks. The Board of Trustees has continued to exercise financial control and managerial oversight of Village Parks. The Board of Trustees wishes to adopt this chapter to clarify the authority of the Recreation Commission, establish the responsibilities of the Village's Event Coordinator and set forth basic operational rules for the Village Parks.

The mission of the Village of Cold Spring Recreation Committee is to increase the utilization of all Village Parks and open spaces by maintaining and programming Village-owned public spaces and facilities for safe and enjoyable use for all Village residents and visitors.

### **§ 27-4. Composition.**

- A. The Committee shall consist of at least five (5) persons, but not more than seven (7), who are residents of the Village and shall be appointed by the Board of Trustees. The terms of the members of such Committee first appointed shall be fixed so that the term of one (1) Committee member shall expire annually thereafter. The members of such Committee shall serve without compensation.
- B. The Mayor, with the approval of the Board of Trustees, shall designate one (1) of the members of the Committee to be Chairperson, and in the absence of such a designation, the Committee shall select a Chairperson from amongst its members. The Committee shall annually designate additional officers as needed.

### **§ 27-5. Terms of Office of Members.**

Members shall be appointed by the Mayor and Board of Trustees for a five (5) year term. The term shall commence on the date of the appointment. In the event a vacancy occurs during the term of a member of the Recreation Committee, the Mayor shall make an interim appointment to complete the unexpired term of such member.

**§ 27-6. Powers of Recreation Committee.**

The following powers are hereby delegated to the Recreation Committee:

- A. Make recommendations to the Board of Trustees on the management, oversight and maintenance of all Village Parks.
- B. Adoption and continuation rules of procedure for the conduct of all Recreation Committee meetings and business.
- C. As requested by the Board of Trustees, make recommendations for Ticketed Events and Non-Ticketed Events for approval, approval with conditions or denial by the Village Board of Trustees.

**§ 27-7. Reservation of Powers by the Village Board of Trustees.**

The Board of Trustees expressly reserves the following:

- A. The power to take any steps deemed necessary in connection with the finances of said Recreation Committee.
- B. The power to take any steps necessary in connection with the hiring and management of Event Coordinators, or the appointment and management of other employees to undertake work related to the mission of the Recreation Committee.
- C. The power to approve, approve conditionally or decline permit requests for Ticketed Events and Non-Ticketed Events.
- D. The power to approve Village-wide events including, but not limited to, Holiday Tree Lighting and Community Day.
- E. The power to purchase additional real property for use as parks.

**§ 27-8. Responsibilities of Committee.**

The following responsibilities are hereby delegated to the Recreation Committee by the Village Board of Trustees:

- A. Provide monthly minutes and status reports to the Village Board of Trustees.
- B. Prepare an annual budget for submission to the Village Treasurer and approval

## RECREATION COMMITTEE

by the Board of Trustees.

- C. Propose to the Board of Trustees for approval, approval with conditions, or declination facility improvements in Village Parks; and coordinate improvements with Village staff and vendors.
- D. Propose to the Village Board of Trustees programming in Village Parks tailored to the recreational interests of Village residents; manage and oversee programming.
- E. As requested by the Mayor and/or the Village Board of Trustees, propose modifications to and/or recommendations for Ticketed and Non-Ticketed Event Applications.
- F. When requested by the Mayor and/or the Village Board of Trustees, communicate with the Haldane Central School District and/or other entities to discuss use of Village Parks and make any recommendations to the Board of Trustees for approval, approval with conditions, or denial of such arrangements.
- G. With approval of the Village Board of Trustees, coordinate the annual holiday tree lighting with Village Departments. Coordinate installation and removal of holiday decorations at the Bandstand.
- H. With approval of the Village Board of Trustees, coordinate Village-wide events, including, but not limited to Holiday Tree Lighting and Community Day.
- I. Work with The Friends of Philipstown Recreation or a similarly-constituted 501(c)(3) to solicit and/or accept funds on behalf of the Village that will be used toward Recreation Committee and/or Village-sponsored events in Village Parks.

### **§27-9. Event Coordinator.**

Event Coordinator responsibilities include:

- A. Ensure Event Applications are complete prior to submission for approval to the Village Board of Trustees, including whether required non-Village permits (eg Board of Health, New York State Liquor Authority) are being secured and/or have been secured by Applicant.
- B. Recommend to the Village Board of Trustees the approval, approval with conditions, or denial of complete Event Applications. Secure advisory opinion of Recreation Commission if requested by the Board of Trustees.
- C. Communicate with Applicants to confirm their understanding of rules and



## COLD SPRING CODE

regulations as documented in applications.

- D. Unlock gates/doors and, after consultation with the Officer in Charge of the Cold Spring Police Department, set up cones to block off parking or divert traffic as appropriate.
- E. Coordinate with Applicant for deliveries.
- F. Coordinate with other Village departments as needed.
- G. Be onsite for the set-up, and breakdown. When warranted by event logistics, be on site for the duration of an event.
- H. Post signage at the appropriate venue when there is a Private Event.
- I. Review the condition of the Village Park after use and notify the Village Clerk of any concerns.
- J. Prepare a brief event summary following the Event identifying positive and negative feedback, as well as areas of improvement.
- K. Attend Recreation Committee meetings to record minutes; work with Recreation Commission for minute approvals and the Village Clerk to post minutes on the Village website.

### **§27-10. Events.**

The use of all Village Parks must be requested by a Permit Application and have the advance approval of the Village Board of Trustees and, if deemed necessary, an advisory recommendation from the Recreation Commission.

- A. All Public Events and/or Private Events where more than ten (10) people are expected to attend require a permit issued by the Village Board of Trustees.
- B. Applications for Ticketed Events must be received at least eight (8) weeks prior to the proposed event date.
- C. Applications for Unticketed Events must be received at least four (4) weeks prior to the proposed event date.

### **§27-11. Village Parks, Hours of Operation, and Rules.**

- A. Hours of Operation
  - 1) Mayor's Park and Pavilion: Dawn to Dusk

## RECREATION COMMITTEE

- 2) McConville Park/Tots Park: Dawn to Dusk
- 3) Waterfront Park: Dawn to 11:00pm
- 4) Enforcement of this provision is by the Village of Cold Spring Police Department.

### B. General Rules

- 1) No bathing or swimming
- 2) No campfires or other open flames
- 3) No barbecuing outside of designated barbeque structures
- 4) No open containers or consumption of alcohol without permit
- 5) No smoking or vaping of any kind.
- 6) Events attended by more than 10 people require permits issued by the Village Board of Trustees

### C. Dogs in Village Parks [See also Village Code Chapter 45, Dogs]

- 1) Dogs must be on a leash no longer than six (6) feet in McConville Park/Tots Park and Waterfront Park
- 2) Dogs may be off-leash only in designated areas of Mayor's Park only with a permit issued by the Village Clerk
- 3) Dogs may not be on sports fields in Mayor's Park, on or off-leash
- 4) As in all areas of the Village, dog owners are responsible for cleaning up all dog waste in Village Parks and appropriately disposing of it in appropriate garbage receptacles.
- 5) Enforcement of this provision is by the Town of Philipstown Dog Control Officer and the Village of Cold Spring Police Department.

### **§27-12 Management of Dockside Park**

Dockside Park is owned and regulated by New York State Parks and Recreation and managed by the Village of Cold Spring under a separate contract. The contract, rules, regulations, and event permit processes for Dockside Park are contained within separate documents and applications, available on the Village website and from the Village Clerk. Approvals, approvals with conditions and denial of Event Permits within Dockside are at the discretion of the Village Board of Trustees. The Trustees may seek advisory opinion on Dockside event applications from the Recreation Committee and/or the Event Coordinator.

### **§27-13. Docking of Vessels at the Village of Cold Spring Municipal Dock**

Docking of Vessels at the Village Dock shall be permitted only upon grant of a special permit called a "Docking Permit" from the Village Board of Trustees.

- A. Upon written application, the Village Board of Trustees may issue a Docking Permit allowing a Vessel to Dock at the Village Dock. In determining whether or not to issue a Docking Permit, the Village Board of Trustees shall take into



consideration the following:

- 1) the availability of Docking space and the number of other Vessels which will be Docked at the Village Dock during the day or days for which the Docking Permit is sought
  - 2) whether the presence of the Vessel at the Village Dock presents any hazards to public health, safety and welfare or would otherwise be detrimental to use and enjoyment of Waterfront Park.
- B. Docking Fees. A Docking Fee will be charged to all commercial and private Vessels requesting to Dock at the Village's Municipal Dock. The Docking Fees are determined by resolution of the Village Board of Trustees and recorded in the Village's Fee Schedule. The Board of Trustees has the authority to waive Docking Fees at its discretion.
- C. Restrictions. All Docking Permits shall be subject to the following restrictions:
- 1) All Docking Permits shall be valid only for the dates and times approved by the Village Board of Trustees.
  - 2) Docking permits are non-transferable, and shall be issued for the exclusive use of the Docking Permit holder for a specific Vessel, for specific set dates and times.
- D. Prohibited activities. The following activities are prohibited for Vessels Docked at the Village's Municipal Dock:
- 1) Cleaning of Vessels below the waterline.
  - 2) Sandblasting, power sanding and painting of Vessels.
  - 3) Dumping, discharging or placing any oil, garbage, sewage, waste or refuse matter of any kind into the Hudson River or any Village waters.
  - 4) Docking overnight, except by express permission extended by the Village Board of Trustees as part of the Docking Permit.
- E. Modification or Revocation of Docking Permits.
- 1) All Docking Permits may be revoked by the Village Board at any time for cause, including but not limited to, engaging in prohibited activity.
  - 2) In the event that a Docking Permit is revoked for cause, then the applicant shall not be entitled to a return of any portion of the Docking Fee paid to the Village.
  - 3) In the event that a Docking Permit is revoked without cause, the applicant shall be entitled to remittance of a portion of the Docking Fee paid to the Village on a pro-rated basis in accordance with the duration of the Docking Permit, but shall have no other remedy or claim against the Village.

## RECREATION COMMITTEE

- 4) All Docking Permits issued by the Village shall be subject to modification by any additional rules and regulations imposed upon Docking Permits by the Village Board of Trustees, provided that such regulations do not increase the Docking Permit fee and do not preclude docking upon days set forth in the Docking Permit.
  - 5) Removal of Unauthorized Vessels. Any Vessels Docked in violation of this section shall be removed by the owner or person in charge thereof on order of the Village Code Enforcement Officer and/or the Cold Spring Police Department. The order shall be delivered to a person of suitable age and discretion on board the Vessel or, if the Vessel is unoccupied, by affixing a copy to the Vessel. If the Vessel is not promptly removed after delivery of an order to do so, the Village of Cold Spring Officer in Charge or a designated agent may have the Vessel removed at the expense of the owner of the Vessel.
- F. Penalty. In addition to any other civil or criminal remedies available to the Village, a violation of any provision of this chapter shall be punishable by a fine of up to \$1,000 per each violation. Each day of violation shall be deemed a new violation.

### **§27-14. Enforcement**

Compliance with Chapter 27 will be the responsibility of the Events Coordinator, the Code Enforcement Officer, and/or the Cold Spring Police Department.

## RECREATION COMMITTEE

### Chapter 27

## RECREATION COMMITTEE

**SECTION 1. Title.** This local law, adopted by the Village Board of Trustees on [INSERT DATE] as L.L. No. \_\_, shall be known as the “Amendments to Chapter 27 (Recreation Commission)”.

**SECTION 2. Authority.** New York State General Municipal Law §243 and New York State Village Law §4-412.

**SECTION 3. History of Amendments.** Chapter 27, first adopted by the Board of Trustees of the Village of Cold Spring 11-25- 75 as L.L. No. 2-1975, and periodically updated by the Village Board of Trustees, shall be repealed in its entirety and replaced with a new Chapter 27, Recreation Committee, as follows:

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**§ 27-3. Legislative Intent**

**§ 27-4. Composition**

**§ 27-5. Terms of Office of Members**

**§ 27-6. Powers of Committee**

**§ 27-7. Reservation of Powers**

**§ 27-8. Responsibilities of Committee**

**§ 27-9. Event Coordinator**

**§ 27-10. Events**

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**GENERAL REFERENCES**

**Chapter 45, Dogs**

**Chapter 83, Parades**

**§ 27-1. Establishment.**

There is hereby established the Recreation Committee of the Village of Cold Spring in accordance with the provisions of §243 of the General Municipal Law.

**§ 27-2. Definitions**

**APPLICANT** Any person, entity, or organization seeking to use a Village Park for an Event

**DOCK or DOCKING** any non-emergency connection, made by tying up or otherwise mooring to the Village's Municipal Dock or anchoring within one hundred (100 feet) of the Village Dock and using the same as a landing point.

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**EVENT APPLICATION** the instructions, checklist and paperwork used to request permission to use Village Parks for all categories of events to be attended by ten (10) or more people.

**EVENT COORDINATOR** A part-time position hired by the Village Board of Trustees to review and make recommendations to the Village Board of Trustees regarding Ticketed and Unticketed Event Applications; and coordinate Events in Village Parks. The Event Coordinator reports to the Village Clerk and the Village Board of Trustees and shall coordinate with the Recreation Committee, when needed.

**EVENT, PRIVATE** an event not open to the General Public, but only to the invitees of the sponsoring individual or entity; may be Ticketed or Unticketed.

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## RECREATION COMMITTEE

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VILLAGE DOCK the waterfront mooring facility located in Waterfront Park on the Hudson River in Cold Spring, New York

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### **§ 27-3. Legislative Intent.**

The Board of Trustees has established the Recreation Committee to provide the Board of Trustees with input and advice in the development and adoption of policies regarding the use, operation and maintenance of Village Parks. The Board of Trustees has continued to exercise financial control and managerial oversight of Village Parks. The Board of Trustees wishes to adopt this chapter to clarify the authority of the Recreation Commission, establish the responsibilities of the Village's Event Coordinator and set forth basic operational rules for the Village Parks.

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- B. The Mayor, with the approval of the Board of Trustees, shall designate one (1) of the members of the Committee to be Chairperson, and in the absence of such a designation, the Committee shall select a Chairperson from amongst its members. The Committee shall annually designate additional officers as needed.

### **§ 27-5. Terms of Office of Members.**

Members shall be appointed by the Mayor and Board of Trustees for a five (5) year term. The term shall commence on the date of the appointment. In the event a vacancy occurs during the term of a member of the Recreation Committee, the Mayor shall make an interim appointment to complete the unexpired term of such member.



**§ 27-6. Powers of Recreation Committee.**

The following powers are hereby delegated to the Recreation Committee:

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- C. As requested by the Board of Trustees, make recommendations for Ticketed Events and Non-Ticketed Events for approval, approval with conditions or denial by the Village Board of Trustees.

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- C. The power to approve, approve conditionally or decline permit requests for Ticketed Events and Non-Ticketed Events.
- D. The power to approve Village-wide events including, but not limited to, Holiday Tree Lighting and Community Day.
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**§ 27-8. Responsibilities of Committee.**

The following responsibilities are hereby delegated to the Recreation Committee by the Village Board of Trustees:

- A. Provide monthly minutes and status reports to the Village Board of Trustees.
- B. Prepare an annual budget for submission to the Village Treasurer and approval

## RECREATION COMMITTEE

by the Board of Trustees.

- C. Propose to the Board of Trustees for approval, approval with conditions, or declination facility improvements in Village Parks; and coordinate improvements with Village staff and vendors.
- D. Propose to the Village Board of Trustees programming in Village Parks tailored to the recreational interests of Village residents; manage and oversee programming.
- E. As requested by the Mayor and/or the Village Board of Trustees, propose modifications to and/or recommendations for Ticketed and Non-Ticketed Event Applications.
- F. When requested by the Mayor and/or the Village Board of Trustees, communicate with the Haldane Central School District and/or other entities to discuss use of Village Parks and make any recommendations to the Board of Trustees for approval, approval with conditions, or denial of such arrangements.
- G. With approval of the Village Board of Trustees, coordinate the annual holiday tree lighting with Village Departments. Coordinate installation and removal of holiday decorations at the Bandstand.
- H. With approval of the Village Board of Trustees, coordinate Village-wide events, including, but not limited to Holiday Tree Lighting and Community Day.
- I. Work with The Friends of Philipstown Recreation or a similarly-constituted 501(c)(3) to solicit and/or accept funds on behalf of the Village that will be used toward Recreation Committee and/or Village-sponsored events in Village Parks.

### **§27-9. Event Coordinator.**

Event Coordinator responsibilities include:

- A. Ensure Event Applications are complete prior to submission for approval to the Village Board of Trustees, including whether required non-Village permits (eg Board of Health, New York State Liquor Authority) are being secured and/or have been secured by Applicant.
- B. Recommend to the Village Board of Trustees the approval, approval with conditions, or denial of complete Event Applications. Secure advisory opinion of Recreation Commission if requested by the Board of Trustees.
- C. Communicate with Applicants to confirm their understanding of rules and

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regulations as documented in applications.

- D. Unlock gates/doors and, after consultation with the Officer in Charge of the Cold Spring Police Department, set up cones to block off parking or divert traffic as appropriate.
- E. Coordinate with Applicant for deliveries.
- F. Coordinate with other Village departments as needed.
- G. Be onsite for the set-up, and breakdown. When warranted by event logistics, be on site for the duration of an event.
- H. Post signage at the appropriate venue when there is a Private Event.
- I. Review the condition of the Village Park after use and notify the Village Clerk of any concerns.
- J. Prepare a brief event summary following the Event identifying positive and negative feedback, as well as areas of improvement.
- K. Attend Recreation Committee meetings to record minutes; work with Recreation Commission for minute approvals and the Village Clerk to post minutes on the Village website.

### **§27-10. Events.**

The use of all Village Parks must be requested by a Permit Application and have the advance approval of the Village Board of Trustees and, if deemed necessary, an advisory recommendation from the Recreation Commission.

- A. All Public Events and/or Private Events where more than ten (10) people are expected to attend require a permit issued by the Village Board of Trustees.
- B. Applications for Ticketed Events must be received at least eight (8) weeks prior to the proposed event date.
- C. Applications for Unticketed Events must be received at least four (4) weeks prior to the proposed event date.

### **§27-11. Village Parks, Hours of Operation, and Rules.**

- A. Hours of Operation
  - 1) Mayor's Park and Pavilion: Dawn to Dusk

## RECREATION COMMITTEE

- 2) McConville Park/Tots Park: Dawn to Dusk
  - 3) Waterfront Park: Dawn to 11:00pm
  - 4) Enforcement of this provision is by the Village of Cold Spring Police Department.
- B. General Rules
- 1) No bathing or swimming
  - 2) No campfires or other open flames
  - 3) No barbecuing outside of designated barbeque structures
  - 4) No open containers or consumption of alcohol without permit
  - 5) No smoking or vaping of any kind.
  - 6) Events attended by more than 10 people require permits issued by the Village Board of Trustees
- C. Dogs in Village Parks [See also Village Code Chapter 45, Dogs]
- 1) Dogs must be on a leash no longer than six (6) feet in McConville Park/Tots Park and Waterfront Park
  - 2) Dogs may be off-leash only in designated areas of Mayor's Park only with a permit issued by the Village Clerk
  - 3) Dogs may not be on sports fields in Mayor's Park, on or off-leash
  - 4) As in all areas of the Village, dog owners are responsible for cleaning up all dog waste in Village Parks and appropriately disposing of it in appropriate garbage receptacles.
  - 5) Enforcement of this provision is by the Town of Philipstown Dog Control Officer and the Village of Cold Spring Police Department.

### **§27-12 Management of Dockside Park**

Dockside Park is owned and regulated by New York State Parks and Recreation and managed by the Village of Cold Spring under a separate contract. The contract, rules, regulations, and event permit processes for Dockside Park are contained within separate documents and applications, available on the Village website and from the Village Clerk. Approvals, approvals with conditions and denial of Event Permits within Dockside are at the discretion of the Village Board of Trustees. The Trustees may seek advisory opinion on Dockside event applications from the Recreation Committee and/or the Event Coordinator.

### **§27-13. Docking of Vessels at the Village of Cold Spring Municipal Dock**

Docking of Vessels at the Village Dock shall be permitted only upon grant of a special permit called a "Docking Permit" from the Village Board of Trustees.

- A. Upon written application, the Village Board of Trustees may issue a Docking Permit allowing a Vessel to Dock at the Village Dock. In determining whether or not to issue a Docking Permit, the Village Board of Trustees shall take into

consideration the following:

- 1) the availability of Docking space and the number of other Vessels which will be Docked at the Village Dock during the day or days for which the Docking Permit is sought
  - 2) whether the presence of the Vessel at the Village Dock presents any hazards to public health, safety and welfare or would otherwise be detrimental to use and enjoyment of Waterfront Park.
- B. Docking Fees. A Docking Fee will be charged to all commercial and private Vessels requesting to Dock at the Village's Municipal Dock. The Docking Fees are determined by resolution of the Village Board of Trustees and recorded in the Village's Fee Schedule. The Board of Trustees has the authority to waive Docking Fees at its discretion.
- C. Restrictions. All Docking Permits shall be subject to the following restrictions:
- 1) All Docking Permits shall be valid only for the dates and times approved by the Village Board of Trustees.
  - 2) Docking permits are non-transferable, and shall be issued for the exclusive use of the Docking Permit holder for a specific Vessel, for specific set dates and times.
- D. Prohibited activities. The following activities are prohibited for Vessels Docked at the Village's Municipal Dock:
- 1) Cleaning of Vessels below the waterline.
  - 2) Sandblasting, power sanding and painting of Vessels.
  - 3) Dumping, discharging or placing any oil, garbage, sewage, waste or refuse matter of any kind into the Hudson River or any Village waters.
  - 4) Docking overnight, except by express permission extended by the Village Board of Trustees as part of the Docking Permit.
- E. Modification or Revocation of Docking Permits.
- 1) All Docking Permits may be revoked by the Village Board at any time for cause, including but not limited to, engaging in prohibited activity.
  - 2) In the event that a Docking Permit is revoked for cause, then the applicant shall not be entitled to a return of any portion of the Docking Fee paid to the Village.
  - 3) In the event that a Docking Permit is revoked without cause, the applicant shall be entitled to remittance of a portion of the Docking Fee paid to the Village on a pro-rated basis in accordance with the duration of the Docking Permit, but shall have no other remedy or claim against the Village.



## RECREATION COMMITTEE

- 4) All Docking Permits issued by the Village shall be subject to modification by any additional rules and regulations imposed upon Docking Permits by the Village Board of Trustees, provided that such regulations do not increase the Docking Permit fee and do not preclude docking upon days set forth in the Docking Permit.
  - 5) Removal of Unauthorized Vessels. Any Vessels Docked in violation of this section shall be removed by the owner or person in charge thereof on order of the Village Code Enforcement Officer and/or the Cold Spring Police Department. The order shall be delivered to a person of suitable age and discretion on board the Vessel or, if the Vessel is unoccupied, by affixing a copy to the Vessel. If the Vessel is not promptly removed after delivery of an order to do so, the Village of Cold Spring Officer in Charge or a designated agent may have the Vessel removed at the expense of the owner of the Vessel.
- F. Penalty. In addition to any other civil or criminal remedies available to the Village, a violation of any provision of this chapter shall be punishable by a fine of up to \$1,000 per each violation. Each day of violation shall be deemed a new violation.

### **§27-14. Enforcement**

Compliance with Chapter 27 will be the responsibility of the Events Coordinator, the Code Enforcement Officer, and/or the Cold Spring Police Department.