



MEMORANDUM OF LEGISLATION

DATE: February 2, 2024

TITLE: Prohibit Illegal Dumping

SPONSOR: Legislator David Tubiolo, Majority Leader Tyrae Woodson-Samuels

PURPOSE OR GENERAL IDEA OF BILL: To prohibit dumping of any kind including commercial and household waste upon any county owned street, lot, park, public place or other areas, public or privately owned. Such dumping would be punished with criminal and/or civil penalties. The law should be modeled after City of Yonkers Code Part VIII Chapter 91 Section 38.

INTENT: To enact a county-wide law that would prohibit the illegal dumping of any kind in areas not designated to receive such waste. This would inherently add a layer of environmental protection to county owned property and its resources.

JUSTIFICATION: Throughout the County there are many complaints of illegal dumping especially in our County Parks. While municipalities in Westchester County such as Yonkers and Greenburgh have illegal dumping laws, they do not capture County owned property and therefore the laws are unable to be enforced. This law would create a deterrent against such illegal dumping by creating a unique fine and penalty structure to specifically target this behavior.

An example of the need for a county-wide law can be seen through City of Yonkers Code Part VIII: Garbage, Landfills and Public Utilities, Chapter 91 Section 38 which addresses illegal dumping in the City of Yonkers by stating “ *It shall be unlawful for any person, his or her agent or employee or any person under his or her control to suffer or permit any dirt, sand, gravel, clay, loam, stone, rocks, rubble, building rubbish, sawdust, shavings or commercial or household waste, refuse, ashes, manure, garbage, rubbish or debris of any sort or any other organic or inorganic material or thing being transported in a dump truck or other vehicle to be dumped, deposited or otherwise disposed of in or upon any street, lot, park, public place or other area, whether publicly or privately owned.* ” However, the law is limited to areas that fall within the jurisdiction of the City of Yonkers. However, a county park within Yonkers, such as Tibbetts Brook Park, falls outside of the city’s enforcement. fails to capture county-owned property and parks that are within the city. This law would encompass county-owned property throughout Westchester, in every municipality.

PRESENT LAW: There is no county law that specifically prohibits illegal dumping.

FISCAL IMACT: TBD

cc: Marcello Figueroa, Legislative Director
Dylan Tragni, Chief of Staff