

5.10 COLLECTION OF GARBAGE, REFUSE AND RECYCLING

(Cr. March 7, 1994; Am. June 3, 1998, Am. April 11, 2023).

A. Every residence, residential unit, place of business, industry, commerce or other place providing goods or services of any type shall cooperate in the collection of garbage and recycling, by performing according to this section. ~~However, i~~ Industrial and commercial establishments may contract with any licensed collector of their choice, at their sole expense, and will not be billed by the Village of Ridgeway.

B. Definitions. As used in this section, the following terms shall mean:

1) **COLLECTION.** The pickup and collecting of all garbage and refuse which is deposited in standard containers or which is securely tied in bundles of appropriate size and weight and set at or near the curb or street edge at single or double dwellings within the corporate limits of the municipality. Collection shall also include the transporting of such garbage and refuse to a sanitary landfill licenses and approved by the State Department of Natural Resources.

2) **COLLECTOR.** The person or person specifically authorized by the Village board to collect garbage, rubbish and recyclable materials and dispose of the same.

3) **COMMERCIAL** A business operating wholly or partly within the municipality boundaries and all residences or houses having more than 2 families occupying it and all single dwelling units more than 3 boarders or roomers living there being wholly or partly within the municipality boundaries.

4) **DISPOSAL.** Disposal of any material collected or brought to the sanitary landfill site, such disposal to be done in accordance with all village, county, state and federal regulations.

5) **DWELLING OR DWELLING UNIT.** A separate dwelling place or residence with a kitchen housing one or two families.

6) **INDUSTRIAL.** A manufacturing operation or its equivalent operating wholly or partly within the municipality boundaries.

7) STANDARD GARBAGE OR REFUSE CONTAINER. A can or container of not more than 30 gallons capacity which has a tight filling lid and which is waterproof or a plastic garbage bag of suitable strength and not to exceed the same size and capacity. Contractor shall not be obligated to pick or to employ bundles or containers weighing over 50 pounds each.

8) "Bi-metal container" means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.

9) “Container board” means corrugated paperboard used in the manufacture of shipping containers and related products.

10) “Foam polystyrene packaging” means packaging made primarily from foam polystyrene that satisfies one of the following criteria:

11) Is designed for serving food or beverages.

12) Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.

13) Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.

14) “Glass Container” means a glass bottle, jar or other packaging container used to contain a product that is the subject of a retail sale and does not include ceramic cups, dishes, oven ware, plate glass, safety and window glass, heat resistant glass such as pyrex, lead based glass such as crystal, or TV tubes.

15) “HDPE” means high density polyethylene, labeled by the SPI code # 2.

16) “LDPE” means low density polyethylene, labeled by the SPI code # 4.

17) “Magazines” means magazines and other materials printed on similar paper.

18) “Major appliance” means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater or stove.

19) “Multiple-family dwelling” means a property containing 5 or more residential units, including those which are occupied seasonally.

20) “Newspaper” means a newspaper and other materials printed on newsprint.

21) “Non-residential facilities and properties” means commercial, retail, industrial, institutional and government facilities and properties. This term does not include multiple family dwellings.

22) “Office paper” means high grade printing and writing papers from offices in non-residential facilities and properties. Printed white ledger and computer printout are examples of office paper generally accepted as high grade. This term does not include industrial process waste.

23) “Other resins or multiple resins” mean plastic resins labeled by the SPI code # 7.

24) “Person” includes any individual, corporation, partnership, association, local government unit, as defined in s. 66.0131(1)(a), Wis. Stats., state agency or authority or federal agency.

25) “PETE” or “PET” means polyethylene terephthalate, labeled by the SPI code # 1.

26) “Plastic container” means an individual, separate, rigid plastic bottle, can, jar or carton, except for a blister pack, that is originally used to contain a product that is the subject of a retail sale.

27) “Postconsumer waste” means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in s. 291.01(7) Wis.

Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in s. 289.01(17)., Wis. Stats.

28) "PP" means polypropylene, labeled by the SPI code # 5.

29) "PS" means polystyrene, labeled by the SPI code # 6.

30) "PVC" means polyvinyl chloride, labeled by the SPI code # 3.

31) "Recyclable materials" includes lead acid batteries; major appliances; waste oil; yard waste; aluminum containers; corrugated paper or other container board; foam polystyrene packaging; glass containers; magazines; newspaper; office paper; rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins; steel containers; waste tires; and bi-metal containers.

32) "Solid waste" has the meaning specified in s. 289.01(33), Wis. Stats.

33) "Solid waste facility" has the meaning specified in s. 289.01(35), Wis.

Stats.

34) "Solid waste treatment" means any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. "Treatment" includes incineration.

35) "Waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.

7)36) "Yard waste" means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

A-C. Curb Pickup. All containers and bundles shall be at the curb or near the street edge for collection by the contractor not more than 24 hours on the day designated by the contractor for collection.

B-D. Recycling. All recycling materials shall be separated from other garbage. ~~Garbage shall be picked up every Friday. Recycling shall be picked up every other Friday.~~

1) The purpose of this ordinance is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in s. 287.11, Wis. Stats., and Chapter NR 544, Wis. Administrative Code.

2) This ordinance is adopted as authorized under Section 287.09(3)(b), of the Wisconsin Statutes and the Village of Ridgeway.

3) **Abrogation and Greater Restrictions.** It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with any existing rules, regulations, ordinances or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall apply.

4) **Interpretation.** In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where terms or requirements of this

ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in Chapter NR 544, Wis. Administrative Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the Chapter NR 544 standards in effect on the date of the adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance.

- E. Severability.** Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.
- F. Applicability.** The requirements of this ordinance apply to all persons, entities, and waste generating activities within the Village of Ridgeway.
- G. Administration.** The provisions of this ordinance shall be administered by The Clerk of the Village of Ridgeway.
- H. Effective Date.** The provisions of this ordinance shall take effect upon passing and posting as required by law.
- I. Separation of Recyclable Materials.** Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from postconsumer waste: Lead acid batteries, Major appliances, Waste oil, Yard waste, Aluminum containers, Bi-metal containers, Corrugated paper or other container board, Foam polystyrene packaging, Glass containers, Magazines, Newspaper, Office paper, Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins, Steel containers, Waste tires
- J. Separation Requirements Exempted.** The separation requirements of section I do not apply to the following:
- 1) Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties that send their postconsumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials specified in s. 1.11 from solid waste in as pure a form as is technically feasible.
 - 2) Solid waste which is burned as a supplement fuel at a facility if less than 30 % of the heat input to the facility is derived from the solid waste burned as supplement fuel.
 - 3) A recyclable material specified in s. 1.11(5) through (15) for which a variance has been granted by the Department of Natural Resources under s. 287.11(2m), Wis. Stats., or s. NR 544.14, Wis. Administrative Code.
- K. Care of Separated Recyclable Materials.** To the greatest extent practicable, the recyclable materials separated in accordance with Section I shall be clean, and kept free of contaminants such as food or product residue, oil or grease, or other non-recyclable materials, including but not limited to household hazardous waste, medical waste, and agricultural chemical containers. Recyclable materials shall be stored in a manner

which protects them from wind, rain, and other inclement weather conditions.

L. Management of Lead Acid Batteries, Major Appliances, Waste Oil and Yard Waste. Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties shall manage lead acid batteries, major appliances, waste oil, and yard waste by disposing at an approved facility.

M. Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings.

1) Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in Section I:

- a) Provide adequate, separate containers for the recyclable materials.
- b) Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program.
- c) Provide for the collection of the materials separated from the solid waste by the tenants and the delivery of the materials to a recycling facility.
- d) Notify tenants of reasons to reduce and recycle solid waste, which materials are collected, how to prepare the materials in order to meet the processing requirements, collection methods or sites, locations and hours of operation, and a contact person or company, including a name, address and telephone number.

2) The requirements specified in 1) do not apply to the owners or designated agents of multiple-family dwellings if the postconsumer waste generated within the dwelling is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in section I from solid waste in as pure a form as is technically feasible.

N. Responsibilities of Owners or Designated Agents of Non-Residential Facilities and Properties.

1) Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in Section I:

- a) Provide adequate, separate containers for the recyclable materials.
- b) Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.
- c) Provide for the collection of the materials separated from the solid waste by the users, tenants and occupants and the delivery of the materials to a recycling facility.

d) Notify users, tenants and occupants of reasons to reduce and recycle, which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or sites, locations and hours of operation, and a contact person or company, including a name, address and telephone number.

O. The requirements specified in 1) do not apply to the owners or designated agents of non-residential facilities and properties if the postconsumer waste generated within the facility or property is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in section I from solid waste in as pure a form as is technically feasible.

P. Prohibitions on Disposal of Recyclable Materials Separated for Recycling. No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any of the materials specified in section I which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

E-Q. Branches and Tree Cuttings. Branches, limbs and tree cuttings from trees, shrubs and brush, not exceeding 3" in diameter nor more than 5' in length, shall be placed curbside for pickup ~~every the first~~ Monday of the months of April through November by Village ~~Maintenance~~ Public Works personnel.

D-R. Seasonal Leaves and Lawn Raking. Leaves and yard refuse shall be bagged or ~~placed in a container~~ and placed curbside for pickup by Village ~~Maintenance~~ Public Works personnel. Pickup will be on ~~each the first~~ Monday of the months of April through November. Village personnel may refuse to remove any yard refuse not placed in a proper container.

E-S. Rules and Regulations Published. All rules and regulations from time to time adopted by the Village Board and pertaining to the collections and disposal of garbage, rubbish and recyclable material shall take effect upon publication in the manner of an ordinance.

F-T. Refusal of Service. The collector may refuse to furnish collection service to any person who fails or refuses to comply with any provision of this section or any rule or regulation in furtherance hereof.

G-U. Established Fees. The Village shall establish fees for residential recipients for the payment of collection services for solid waste and recycled material. Fees shall be assessed on a household basis. Billing will be done on a monthly basis and charged as a separate item on each eligible property's ~~owner/renter's~~ water and sewer bill. Industrial and commercial operations shall contract for their own collection of refuse and recycled material, and shall be responsible for one hundred percent (100%) of all fees.

~~H.V.~~ Unpaid or Delinquent Garbage/Refuse Fees. Any unpaid Village of Ridgeway garbage or ~~refuse-recycling~~ fees for the billing periods shall be placed on the next regular tax roll by the Village Clerk as a special assessment against the property. All such charges, whether incurred by the renters or owners of the eligible property, shall be the responsibility of the owner of the real estate involved and shall be charged back as set forth previously against such real estate.

~~I.W.~~ Users Excluded. Garbage and refuse collection service shall not be provided by the Village to ~~the following users~~ Industrial or Commercial Users:

~~(a) Industrial users.~~

~~(b) Commercial users.~~

~~J.X.~~ Collection Schedule. The Village shall establish the time of collection of solid waste and recyclable material and the clerk shall publish notice of the collection schedule at least once in the spring and fall of each year and at any time when the collection schedule is changed.

~~K.Y.~~ Specified Containers. Solid waste shall be placed for collection in bags or cans not to exceed 50 pounds per container nor more than 32 gallons capacity, which has a ~~tight fitting~~ tight-fitting lid and which is waterproof; or a plastic bag of suitable strength. All refuse that is contained in a container, including dumpsters must be able to have the lid closed. If the dumpster lid cannot be kept closed at all times, the dumpster must be contained in a fenced in area. Recycled material shall be placed as herein required at the specified collection point not sooner than 24 hours prior to the regularly scheduled collection time or be allowed to remain at the curb longer than 12 hours thereafter.

~~L.Z.~~ Placement of Recyclable and Solid Waste for Collection. Except as otherwise specially directed or authorized by the Village Board, solid waste and recycling containers shall be placed at the curb, adjacent to the premises owned or occupied by the person, of the street designated in the published collection schedule for collection. Materials shall be placed out for collections according to the scheduled days established and published by the Village.

~~AA.~~ Special Materials. Residents shall contact the hauler when they have ~~couches or bulky~~ items and to make arrangements for collection. ~~will be made.~~

~~M.BB.~~ Construction material from household remodeling or repair shall be disposed of in a dumpster obtained and contracted for by the property

~~owner. The individual must contract with the hauler themselves for said dumpster.~~

~~N.~~ CC. Penalties. Except as otherwise provided, the penalty for violation of any provision of this chapter shall be a penalty as provided in this code under ~~section Chapter~~ 12.03. A separate offense shall be deemed committed on each day on which a violation occurs or continues to occur.

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