

## CHAPTER 65

### MANDATORY RECYCLING

65.01 Purpose. The purpose of this chapter is to promote recycling, composting, and resource recovery through the administration of an effective recycling program as defined in Wis. Stat. 287.11 and ch. NR 544 of the Wisconsin Administrative Code.

65.02 Separation of Recyclable Materials-Designation of Nonrecyclable Materials. Occupants of single-family and two- to four-unit residences; multiple-family dwellings; and commercial, retail, industrial, and governmental facilities shall separate the materials listed below from post-consumer waste.

- a. Lead acid batteries;
- b. Major appliances;
- c. Waste oil;
- d. Yard waste;
- e. Aluminum containers;
- f. Bimetal containers;
- g. Corrugated paper or other container board;
- h. Foam polystyrene packaging;
- i. Glass Containers;
- j. Magazines or other materials printed on similar paper;
- k. Newspapers or other materials printed on newsprint;
- l. Office paper;
- m. Plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins;
- n. Steel containers;
- o. Waste tires

All other post-consumer waste is designated as nonrecyclable and may be grouped together for purposes of disposal.

65.03 Preparation of Recyclable Materials. Residents and/or property owners shall have the option of disposing of recyclable materials at the Town Maintenance Site or through private agreement for pick up. Residents and/or property owners using the Town Maintenance Site shall do the following for the preparation for recycling of the separated materials specified in Section 65.02.

- a. Aluminum containers shall be rinsed clean and blue bagged. Flattening the containers is optional.
- b. Bimetal containers shall be rinsed clean and blue bagged. Flattening the containers is optional.
- c. Corrugated paper or other container board shall be flattened, and tied in bundles or stacked in paper bags.
- d. Foam polystyrene shall be rinsed clean and blue bagged. Flattening the containers is optional.
- e. Glass containers shall be rinsed clean and blue bagged; rings and lids thereon shall be removed and discarded.
- f. Magazines and slick newsprint shall be placed in brown grocery bags or tied with string.
- g. Newspaper shall be placed in brown grocery bags or tied with string.
- h. Office paper shall be placed in a rigid container not to exceed forty pounds in weight.
- i. Rigid plastic containers shall be rinsed and blue bagged.
- j. Steel containers shall be rinsed clean and blue bagged.

65.04 Care of Separated Recyclable Materials. To the greatest extent practicable, the recyclable materials separated in accordance with Section 65.03 shall be clean and kept free of contaminants such as food or product residue, oil, or grease, or other nonrecyclable

materials including, but not limited to, household hazardous waste, medical waste, and agricultural chemical containers.

65.05 Responsibilities of Owners or Designated Agents of Multi-Family Dwellings. Owners or designated agents of multiple-family dwelling shall do all of the following to recycle the materials specified in Sections 65.02 E through O:

- 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 semiannually 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 users, tenants, and occupants 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.

65.06 Responsibilities of Owners or Designated Agents of Nonresidential Facilities and Properties. Owners or designated agents of nonresidential facilities and properties shall do all of the following to recycle the materials specified in Sections 65.02 E through O:

- a. Notify in writing, at least semiannually, all users, tenants, and occupants of the properties about the established recycling program;
- b. 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;
- c. 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.

65.07 Management of Lead Acid Batteries, Waste Oil, Yard Waste, and Waste Tires. Occupants of single-family and two- to four-unit residences, multiple-family dwellings, and nonresidential facilities and properties shall manage lead acid batteries, major appliances, waste oil, yard waste, and waste tires as follows:

- a. Lead acid batteries shall be returned to a battery retailer for recycling.
- b. Waste oil may be disposed of at the Town Maintenance Site in rigid containers.
- c. Waste tires may be disposed of at the Town Maintenance Site for a fee determined by the Town Board. Fees for waste tire disposal must be prepaid before tires may be left at the site.
- d. Yard waste, such as Christmas trees and wreathes may be disposed of at the Town Maintenance Site. Persons having quantities of branches should contact the Maintenance Site or Town Office for scheduling onsite chipping. A per hour fee shall be set by the Town Board for onsite chipping.
- e. Special collection of yard waste consisting of grass or leaves may be requested by contacting the Maintenance Site or Town Office for scheduling a special pick up. A fee per bag shall be set by the Town Board for special collection. Bagged yard waste placed for special curbside collection shall not exceed thirty gallons in volume or forty pounds in weight.
- f. Waste tires may be taken by owners to Superior Services, 2905 Paine Avenue, Sheboygan, Wisconsin, or any other enterprise which accepts waste tires. Owners will be charged a fee for disposal.

65.08 Definitions. For the purpose of this chapter:

- "HDPE" means high density polyethylene, labeled by the SPI code No. 2.
- "LDPE" means low density polyethylene, labeled by the SPI code No. 4.

- “Magazines” means magazines and other materials printed on similar paper.
- “Major appliance” means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven (unless capacitor has been removed), oven, refrigerator, furnace, boiler, dehumidifier, water heater or stove.
- “Multiple-family dwelling” means a property containing five or more residential units, including those which are occupied seasonally.
- “Newspaper” means a newspaper and other materials printed on newsprint.
- “Non-residential facilities and properties” means commercial, retail, industrial, institutional, and governmental facilities and properties. This term does not include multiple-family dwellings.
- “Office paper” means high-grade printing and writing papers from offices in nonresidential 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.
- “PETE” means polyethylene terephthalate, labeled by the SPI code No. 1.
- “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.
- “Post-consumer waste” means solid waste other than solid waste generated in the production of goods, hazardous waste as defined in Wis. Stat. 144.61(5), waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste as defined in Wis. Stat. 144.44(7)(a)1.
- “PP” means polypropylene, labeled by the SPI code No. 5.
- “PS” means polypropylene, labeled by the SPI code No. 6.
- “PVC” means polyvinyl chloride, labeled by the SPI code No. 3.
- “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 bimetal containers.
- “Solid waste” has the meaning specified in WI Stat 144.01(15).
- “Solid waste facility” has the meaning specified in WI Stat 144.43(5).
- “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.
- “Waste tire” means a tire that is no longer suitable for its original purpose because of wear, damage, or defect.
- “Yard waste” means leaves, grass clippings and brush, including clean woody vegetative material no greater than four feet in length. This term does not include stumps, roots, or shrubs with intact root balls, trees, or shrubbery trunks or stumps.

65.09 Statutory Authority. The ordinance codified in this chapter is adopted as authorized under Wis. Stat ch. 287.

65.10 Abrogation and Greater Restrictions. It is not intended by this chapter 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 chapter imposes greater restrictions, the provisions of this chapter shall apply.

65.11 Interpretation. In their interpretation and application, the provisions of this chapter 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 any terms or requirement of this chapter may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this chapter is required by Wisconsin Statutes, or by a standard in ch. NR 544 of the Wisconsin Administrative Code, and where the chapter provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the ch. NR 544 standards in effect on the date of the adoption of the ordinance codified in this chapter or in effect on the date of the most recent text amendment to this chapter.

65.12 Administration. The provisions of this chapter shall be administered by the Town Board.

65.13 Enforcement-Violation-Penalty.

- a. The Town of Wilson maintenance supervisor, Town of Wilson staff, or Town Board members may inspect recyclable materials separated for recycling and post-consumer waste intended for disposal. No person may refuse access to any of the afore named who request access for purposes of inspection. No person may obstruct, hamper, or interfere with such inspection. The Town may refuse to accept waste from any person who refuses to sort waste. The Town may refuse to accept waste from any person who is not a resident of the township or who cannot provide proof of residency.
- b. Any person who violates a provision of this ordinance may be issued a citation by the Town to collect forfeitures. The issuance of a citation shall not preclude processing under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law shall not preclude the issuance of a citation under this paragraph.
- c. Any person who violates a provision of this ordinance may be required to forfeit not less than Fifty Dollars (\$50.00) nor more than One Thousand Dollars (\$1,000.00) for each violation. 65.14 Prohibitions on Disposal of Recyclable Materials Separated for Recycling. No person may dispose of in a solid waste facility or burn in a sold waste treatment facility any of the materials specified in Sections 65.02 E through O which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

65.15 No Dumping or Burying. It is unlawful for any person to dump or bury any post-consumer waste on any lands in the Town.

65.16 Nondisposable Materials. It is unlawful for any person to place for disposal any of the following wastes: hazardous and toxic wastes, chemicals, explosives, flammable liquids, paint, trees and stumps, construction debris, carcasses, or medical wastes (unless personal needles which shall be contained in cardboard to eliminate injury to handlers).

65.17 Collection Refusal Authorized. In addition to the penalty provisions hereof, any material not properly separated may be refused for collection at the Town Maintenance Site.

Effective Date. This ordinance shall take effect immediately upon enactment and publication as provided by WI Statutes.

Enacted this 7th day of May, 2001.  
Town of Wilson by Kenneth F. Sonntag, Chairman

This is to certify that the foregoing Ordinance was duly enacted by the Town Board of the Town of Wilson on the 7th day of May, 2001.

Catherine Conrad, Clerk

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