

Chapter 334

SOLID WASTE

[HISTORY: Adopted by the Village Board of the Village of Spring Green 2-12-2003 (§§ 12.04 to 12.06 of the Village Code). Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances — See Ch. 278.

ARTICLE I General Regulations

§ 334-1. Burn and compost center.

- A. A special municipal burn and compost center is hereby designated in and upon the following described real estate in Sauk County, State of Wisconsin: all that part of the southwest quarter of the southeast quarter (SW 1/4 - SE 1/4) and the south half of the southwest quarter (S 1/2 - SW 1/4) of Section 12, Township 8 North of Range 3 East, lying south of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company's right-of-way.
- B. The burn and compost center will not be open to the public except as may be specially authorized by the Village Board.
- C. The burn and compost center will accept only yard waste and clean wood, such as trees and tree branches, originating within the Village of Spring Green or the Town of Spring Green.
- D. Any person who shall violate any provision of this section shall be subject to a forfeiture of not less than \$20 nor more than \$300.¹

§ 334-2. Dumping prohibited. ²

- A. No garbage, debris, waste or refuse shall be dumped, thrown, dropped or deposited by any person upon any street, sidewalk, walkway, alley, park or other public or private land or place within the Village of Spring Green unless the same shall be placed in suitable containers.
- B. Any person violating this section shall be subject to a forfeiture of not less than \$20 nor more than \$300.³

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

2. Editor's Note: See also Ch. 342, Streets and Sidewalks, § 342-8, Dumping or burning of waste materials.

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

ARTICLE II Recycling

§ 334-3. Title.

This article shall be known as the "Recycling Ordinance for the Village of Spring Green."

§ 334-4. Purpose.

The purpose of this article is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in Ch. 287, Wis. Stats., and Chapter NR 544 of the Wisconsin Administrative Code.

§ 334-5. Statutory authority.

This article is authorized under Chs. 61 and 66 and § 287.09(3)(b), Wis. Stats.

§ 334-6. Abrogation and greater restrictions.

It is not intended by this article 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 article imposes greater restrictions, the provisions of this article shall apply.

§ 334-7. Interpretation.

In their interpretation and application, the provisions of this article shall be held to be minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this article may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this article is required by Wisconsin Statutes or by Chapter NR 544 of the Wisconsin Administrative Code, the provision shall be interpreted consistent with the Wisconsin Statutes and Chapter NR 544 in effect at the time of the adoption of this article or in effect at the time of the most recent amendment to this article.

§ 334-8. Applicability.

The requirements of this article apply to all persons within the Village of Spring Green.

§ 334-9. Administration.

The Village Board of the Village of Spring Green shall administer the provisions of this article.

§ 334-10. Definitions.

For purposes of this article, the following terms shall have the meaning indicated:

BIMETAL CONTAINER — A container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.

CONTAINER BOARD — Corrugated paperboard used in the manufacture of shipping containers and related products.

FOAM POLYSTYRENE PACKAGING — Packaging made primarily from foam polystyrene that satisfies one of the following criteria:

- A. Is designed for serving food or beverages.
- B. Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
- C. Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.

GLASS CONTAINER — 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.

HDPE — High-density polyethylene, labeled by the SPI Code No. 2.

LDPE — Low-density polyethylene, labeled by the SPI Code No. 4.

MAGAZINES — Magazines and other printed matter on similar paper.

MAJOR APPLIANCE — A residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator or stove.

MULTIPLE-FAMILY DWELLING — A property containing five or more residential units, including those that are occupied seasonally.

NEWSPAPER — A newspaper and printed matter on newsprint.

NONRESIDENTIAL FACILITIES AND PROPERTIES — Commercial, retail, industrial and governmental facilities and properties and does not include multiple-family dwellings.

OFFICE PAPER — High-grade printing and writing papers from offices in nonresidential facilities and properties. Printed white ledger paper and computer printout paper are examples of office paper generally accepted as high grade. The term does not include industrial process waste.

OTHER RESINS or MULTIPLE RESINS — Plastic resins labeled by the SPI Code No. 7.

PERSON — Includes any individual, corporation, partnership, association or local governmental unit, as defined in § 66.0131(1)(a), Wis. Stats., state agency or authority or federal agency.

PETE or PET — Polyethylene terephthalate, labeled by the SPI Code No. 1.

PLASTIC CONTAINER — Any 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 — Solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in Ch. 291, Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in § 289.01(17), Wis. Stats.

PP — Polypropylene, labeled by the SPI Code No. 5.

PS — Polystyrene labeled by the SPI Code No. 6.

PVC — 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, or other resins or multiple resins, steel containers, waste tires and bimetal containers.

SOLID WASTE — Has the meaning specified in § 289.01(33), Wis. Stats.

SOLID WASTE FACILITY — Has the meaning specified in § 289.01(35), Wis. Stats.

SOLID WASTE TREATMENT — Has the meaning specified in § 289.01(39), Wis. Stats.

WASTE TIRE — A tire that is no longer suitable for its original purpose because of wear, damage or defect.

YARD WASTE — Leaves, grass clippings, yard and garden debris and brush, including clean woody vegetation material no greater than six inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

§ 334-11. Separation of recyclable materials.

To the extent required by law, occupants of single-family and two-to-four-unit residences, multiple-family dwellings and nonresidential facilities and properties shall separate the following materials 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.
- K. Newspaper.
- L. Office paper.
- M. Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or

multiple resins.

N. Steel containers.

O. Waste tires.

§ 334-12. Exceptions.

The separation requirements of § 334-11 do not apply to the following:

- A. Occupants of single-family and two-to-four-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 for recycling the materials specified in § 334-11 from solid waste in as pure a form as is technically feasible.
- B. Solid waste which is burned as a supplemental fuel at a facility if less than 30% of the heat input to the facility is derived from the solid waste burned as supplemental fuel.
- C. A recyclable material specified in § 344-11 E through O for which a variance has been granted by the Department of Natural Resources under § 287.11(2m), Wis. Stats., or § NR 544.14 of the Wisconsin Administrative Code.

§ 334-13. Care of separated recyclable materials.

To the greatest extent practicable, the recyclable materials separated in accordance with § 334-11 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. Recyclable materials shall be stored in a manner that protects them from wind, rain, and other inclement weather conditions.

§ 334-14. Lead acid batteries, major appliances, waste oil and yard waste.

Occupants of single-family and two-to-four-unit residences, multiple-family dwellings and non-residential facilities and properties shall manage lead acid batteries, major appliances, waste oil, and yard waste as follows:

- A. Lead acid batteries shall be placed at the curb on the day designated for collection.
- B. Major appliances shall be recycled at retailers which sell appliances, at scrap metal operations or at other available locations which accept appliances for recycling.
- B. Waste oil may be placed at the curb on the day designated for collection in a sealed container not to exceed five gallons.
- C. Yard waste shall be taken to the Village of Spring Green recycling and burn center during open hours.

§ 334-15. Preparation and collection of recyclable materials.

Except as otherwise provided herein or directed by the Village Board of the Village of Spring Green, occupants of single-family and two- to four-unit residences shall do the following for the

preparation and collection of the separated materials specified in § 334-11E through O:

- A. Aluminum, bimetal, glass, steel and rigid plastic containers (PETE or HDPE) shall be rinsed free of product residue and shall be placed at the curb on the day designated for collection in the recyclable materials bin or be delivered to the Village of Spring Green recycling center during open hours.
- B. Corrugated paper or other container board, magazines and newspaper shall be free of debris, flattened, stacked and tied and placed at the curb on the day designated for collection or be delivered to the Village of Spring Green recycling center during open hours.
- C. Office paper shall be placed at the curb on the day designated for collection in a sealed clear bag.
- D. Waste tires shall be taken to the Sauk County Solid Waste Disposal Site.

§ 334-16. Multiple-family dwellings.

- A. Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in § 334-11 E through O:
 - (1) Provide adequate, separate containers for the recyclable program established in compliance with the ordinance. The number of recycling containers shall equal or be greater than the number of trash containers and at least one of the following shall be met:
 - (a) The minimum total volume of recycling container space is equal to twenty gallons per week per dwelling unit.
 - (b) The ratio of trash container volume to recycling container volume is at most 2:1.
 - (c) An alternative method that does not result in the overflow of recycling container during the time period between collection of materials and delivery to a recycling facility.
 - (2) Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program.
 - (3) 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.
 - (4) Notify tenants which materials are collected, how to prepare the materials in order to meet the processing requirements, collection methods or sites, and locations of drop-off collection sites to recycle materials not collected on-site.
- B. The requirements specified in Subsection A 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 §334-11 E through O from solid waste in as pure a form as is technically feasible.

§ 334-17. Nonresidential facilities and properties.

- A. Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in §334-11 E through O:
- (1) Provide adequate, separate containers for the recycling program established under this section. The total volume of recycling containers shall be sufficient to avoid overflow during the time period between collection of materials and delivery to a recycling facility.
 - (2) Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.
 - (3) 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.
 - (4) Notify users, tenants and occupants which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or sites, and locations of drop-off collection sites to recycle materials not collected on-site.
- B. The requirements specified in Subsection A 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 §334-11 E through O from solid waste in as pure a form as is technically feasible.

§ 334-18. Prohibitions on disposal of recyclable materials.

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 §334-11 E through O that have been separated for recycling, except that waste tires may be burned for energy recovery in a solid waste treatment facility.

§ 334-19. Enforcement.

- A. For the purpose of ascertaining compliance with the provisions of this article, any authorized officer, employee or representative of the Village of Spring Green authorized by the Village Board may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and non-residential facilities and properties, and any records relating to recycling activities, which shall be kept confidential when necessary to protect proprietary information. No person may refuse access to any authorized officer, employee or authorized representative of the Village of Spring Green who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.
- B. In addition to any other available remedies, any person who violates a provision of this article may be issued a citation by the Village of Spring Green to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law

relating to the same or any other matter shall not preclude the issuance of a citation under this paragraph.

C. Penalties for violating this ordinance may be assessed as follows:

- (1) Any person who violates §334-18 may be required to forfeit \$50 for a first violation, \$200 for a second violation, and not more than \$2,000 for a third or subsequent violation.
- (2) Any person who violates a provision of this article, except §334-18, may be required to forfeit not less than \$10 or more than \$1,000 for each violation.