

STATE OF WISCONSIN TOWN OF EAGLE WAUKESHA COUNTY

ORDINANCE NO. 21-09

AN ORDINANCE TO REGULATE RECYCLING AND SOLID WASTE

The Town Board of Eagle enacts as follows:

SECTION 1

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

(a) "Approved Containers" each residential household unit will receive one (1) wheeled 95-gallon container for solid waste and one (1) wheeled 95-gallon container for recyclables or 65-gallon containers to residents who request them. All containers will remain the property of Contractor.

(b) "Bulk Items" means furniture (sofa, recliner, tables, chairs, etc), mattresses, electronics waste (TV's, computers, monitors, peripherals, speakers, etc.), miscellaneous (grills, water heaters, etc), batteries (car batteries, tools, alkaline, sealed, etc.), waste oil (contained in a labeled 1 gallon or less sealed container/jug, appliances (ovens, washers, dryers, refrigerators, etc. (freon or non-freon), tires (off rim – limit 2 per month, 8 per year)

(c) "Collector" means the person or persons specifically authorized by the Town Board to collect garbage, rubbish and recyclable materials and dispose of the same.

(d) "Corrugated" means two-ply cardboard used in shipping and packaging containers.

(e) "Garbage" includes all organic kitchen waste that attends the storage, preparation, use, cooking or serving of food.

(f) "Hazardous Waste" means any substance that can catch fire, can react or explode when mixed with another substance, or is corrosive or toxic. Such substances include but are not limited to chemicals, solvents, fertilizers, acids and caustics, poisons, herbicides, pesticides, insecticides, lead-based paints, liquid paints, and wood preservatives.

(g) "Household Unit" shall mean all residential dwelling units up to four units within the town such that a single-family dwelling shall be counted as one household unit, a two-family dwelling shall be counted as two household units and so on. (i) "Multi-family dwelling" means a property containing five or more residential units.

(h) "Infectious Waste" means biological and medical waste which is a medium for communicating disease or illness. Such supplies, human and animal body waste, dead animals, and contaminated substances or materials such as food, water, or clothing.

(i) "Mixed Paper" means paper other than newspapers, including books, magazines, catalogs, phone books, office paper, junk mail, cereal boxes, and similar material.

(j) "Non-recyclable Materials" means all materials not defined as recyclable materials under paragraph (l), below.

(k) "Non-residential Facilities and Properties" means commercial, retail, industrial, and institutional and governmental facilities and properties. This term does not include multi family or residential family dwellings. Businesses and industries shall not be included in contract.

(l) "Recyclable Material" means mixed paper, (corrugated and other container board), magazines, advertising circulars (junk mail), office paper, steel containers, newspaper, clear, brown and green container glass, aluminum and tin (bi-metal) containers, and plastic containers #1 through #7

(m) "Scrap Metal Products" means heavy objects made of metal, including but not limited to iron and steel objects and large metal appliances such as air conditioners, clothes washers and dryers, dishwashers, freezers, microwaves, ovens, refrigerators, furnaces, boilers, dehumidifiers, water heaters and stoves.

(n) "Solid Waste" means all garbage and rubbish as defined in this ordinance.

(o) "Yard Waste" refers to grass clippings, leaves, branches, soil, etc. A yard waste drop off will be held twice per year as indicated in the contract. Yard waste cannot be placed in the trash container.

SECTION 2

Required Separation of Recyclables from Solid Waste.

The owner or occupant of each residence, residential unit, place of business, industry, institution, or other place providing foods or services of any type shall cooperate in the recycling of recyclable material by performing the following:

- (a) All recyclable material shall be separated from other solid waste. Recyclable materials shall be placed in the appropriate recycling container for collection in the same manner as regular solid waste according to the collection schedule. Recyclables shall not be placed in containers with solid waste.
- (b) Newspaper and mixed paper shall be placed in the appropriate recycling container and placed at the curb on the designated collection date for collection. Bundled or separate newspapers shall not be placed in containers with solid waste. No newspapers or mixed paper, except contaminated paper or paper otherwise rendered useless for recycling purposes shall be disposed of with solid waste.
- (c) Bulk item service is provided monthly for items that do not fit in your approved container. Each home is allowed three bulk items or two tires off the rim per month on the designated collection date. No hazardous goods, yard waste or fluorescent light bulbs allowed. See Section 1 (b) Bulk Items” definition.
- (d) Owners of multi-family dwellings must provide separate containers for regular collection of recyclables outside and wherever practicable within each apartment, on every floor or in a central area , and must notify tenants upon move-in and semi-annually thereafter of reasons to reduce and recycle solid waste, which materials are collected, how to prepared recyclable 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 phone number. Recyclables shall not be placed in containers with solid waste.
- (e) Owners of non-residential facilities must provide separate containers for recyclable materials and regular collection of those containers, must notify all users of these facilities semi-annually thereafter of reasons to reduce and recycle solid waste, which materials are collected , how to prepare recyclable 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 phone number.

(f) All non-residential facilities and multi-family dwellings shall have on file with the Town a description of their individual recycling programs. The Town may conduct annual audits and inspections to ensure compliance with the recycling ordinance.

SECTION 3

Residential Collection Schedule.

(a) The Town Board and Town 's collector shall establish the time of collection of solid waste, including recyclable materials, and the Town shall publish the collection schedule at least once in the spring and fall of each year and, in addition, at any time the collection schedule is changed.

(b) Solid waste containers and recycling containers shall be placed at the required collection point not earlier than 4 p.m. of the day before the regularly scheduled collection, excepting unusual circumstances, and not later than 6:00am of the collection day. No person shall permit solid waste or containers thereof to accumulate or remain at the curb line after 7:00pm of the regularly scheduled collection time.

SECTION 4

Placing Solid Waste for Residential Collection.

(a) Except as otherwise specifically directed or authorized by the Town under (b), solid waste and recycling containers from all residential premises shall be placed three (3) feet from the pavement of the road. In addition, solid waste containers and recycling containers shall be placed three (3) feet apart.

(b) The Town may direct or authorize placing solid waste and recycling containers in a manner different from that provided herein in order to facilitate a more reasonable mode of collection from particular premises.

SECTION 5

Preparation of Solid Waste for Residential Collection.

All solid waste and recycling materials must be inside of the containers provided. Waste or bags outside of containers will not be taken.

SECTION 6

Solid Waste and Recyclable Material Not to be Deposited in any Other Place or Manner.

(a) No person shall place any solid waste or recyclable material on any street, alley, sidewalk, or other public or private property unless the same shall be placed in containers for collection at the times and in the manner as herein provided.

(b) No person shall place for collection any solid waste or recyclable material adjacent to road right-of-way or on any premises not owned or occupied by such person or dispose of waste or recyclable material at any unauthorized site.

SECTION 7

Items Prohibited from Pick-Up by the Collector.

No person shall dump, deposit or place at the road right of way or public alley for collection or for any other purpose any of the following:

(a) Construction and/or demolition materials, such as stone concrete, drywall material, lumber, roofing materials, earth, or sod;

(b) Bulk items not manageable by one person, see Section 1, (b) "Bulk Items" definition.

(c) Tree stumps, roots, and shrubs with intact root balls over 8 inches in diameter and/or greater than 40 pounds.

(d) Hazardous, toxic, or infectious waste, see Section 1, (f) "Hazardous Waste" definition.

(e) Yard waste; residents are required to dispose of their own yard waste with exception to the two annual drop offs offered by the Town.

SECTION 8

Public Information and Education Program.

The Town Board shall conduct an ongoing public information, consumer and youth education program concerning local and state recycling and waste reduction efforts.

SECTION 9

Prohibited Disposal of Recyclables.

No items which have been separated for recycling shall be disposed of in a solid waste disposal facility or burned in a solid waste treatment facility.

SECTION 10

Violations and Enforcement.

(a) Any person, owner, occupant, corporation, person in charge or operator who violates any provision of this ordinance shall, upon conviction, forfeit not less than \$25 nor more than \$250, plus penalty assessment and costs of prosecution or 10 days in the County Jail for failure to pay. \$50 shall be the minimum deposit required. After notification of violation, violation must be corrected by subsequent pickup day or incident shall be deemed as a separate offense.

(b) The Town's collector shall, from time to time, inspect garbage, rubbish and recyclables for compliance with this ordinance and shall notify the Town's authorized representative of violations.

(c) The Town Board authorizes the Town Attorney to issue citations for violations.

(d) The Town's collector shall refuse to pick up any solid waste containing recyclable material not separately contained or bundled as provided in this section.

SECTION 11

This ordinance supersedes and replaces all prior ordinances regarding garbage collection and recycling.

Introduced by Supervisor Mommaerts and seconded by Supervisor Schneider at a regular meeting of the Eagle Town Board this 15th day of December, 2021.

APPROVED

TOWN OF EAGLE

By: *Donald Malek*

Donald Malek
Town Chairman

ATTEST:

Lynn Pepper

Lynn Pepper, Clerk/Treasurer

Ayes 5

Noes 0

Absent 0

12/15/21