

CHAPTER 4

Mandatory Recycling

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SEC. 6-4-1. TITLE.

This Chapter shall be known as the Recycling Ordinance for the Village of Prairie du Sac, Wisconsin.

SEC. 6-4-2. PURPOSE.

The purpose of this ordinance is to promote recycling and resource recovery through the administration of an effective recycling program as provided in S. 15911, Wis Stats., and Chapter NR 544 Wis. Administrative Code.

SEC. 6-4-3. 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 power granted by the Wisconsin Statutes. Where any 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.

SEC. 6-4-4. APPLICABILITY AND EFFECTIVE DATE.

The requirements of this ordinance apply to all persons within the Village of Prairie du Sac, effective January 1, 1995. Owners and managers of multiple family dwellings and non-residential facilities and builders and developers have additional requirements as specified in Sections 6-4-10, 6-4-11, and 6-4-12 below.

SEC. 6-4-5. ADMINISTRATION.

The provisions of this ordinance shall be administered by the Village Administrator and the Superintendent of Public Works.

SEC. 6-4-6. DEFINITIONS.

For the purpose of this ordinance:

- (a) "Bi-metal container" means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.
- (b) "Container board" means corrugated paper board used in the manufacturing of shipping containers and related products.
- (c) "Foam polystyrene packaging" means packaging made primarily from foam polystyrene that satisfies one of the following criteria:
 - (1) Is designed for serving food or beverages.
 - (2) Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
 - (3) Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.
- (d) "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.
- (e) "Multiple-family dwelling" means a property containing 5 or more residential units, including those which are occupied seasonally.
- (f) "Non-residential facilities and properties" means commercial, retail, industrial, institutional and governmental facilities and properties. This term does not include multiple family dwellings.
- (g) "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.
- (h) "Postconsumer waste" means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined s. 144.61(5), Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in s. 144.44(7)(a)1., Wis. Stats.
- (i) "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 (#1 through #7); steel containers; waste tires; and bi-metal containers.
- (j) "Solid waste" has the meaning specified in s. 144.01(15), Wis. Stats.
- (k) "Solid waste facility" has the meaning specified in s. 144.43(5), Wis. Stats.

- (l) “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.
- (m) “Yard waste” means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than six (6) inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

SEC. 6-4-7. MANDATORY SEPARATION OF RECYCLABLE MATERIALS.

All residents shall separate the following materials from solid waste:

- (a) Lead acid batteries
- (b) Major appliances
- (c) Waste oil
- (d) Yard waste
- (e) Aluminum containers
- (f) Bi-metal containers
- (g) Corrugated paper or other container board
- (h) Foam polystyrene packaging
- (i) Glass containers
- (j) Magazines
- (k) Newspaper
- (l) Office paper from businesses
- (m) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins (#1 through #7)
- (n) Steel containers
- (o) Waste tires

SEC. 6-4-8. PREPARATION AND COLLECTION OF RECYCLABLE MATERIALS.

To the greatest extent practicable, the recyclable materials separated in accordance with Sec. 6-4-8 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. Newspapers or magazines may be bundled and placed in transparent bags to protect them from moisture.

- (a) All recyclable materials shall be separated from other garbage and refuse, bagged separately from non-recyclable materials and placed for collection in accordance with the Village refuse collection and recycling schedule.
- (b) The Village Board and the village’s collector shall establish the time of collection of recyclable materials and the Village Administrator shall publish the collection schedule at least once in the spring and fall of each year, and whenever the schedule is changed.
- (c) All persons having recyclable materials shall place them in containers or water-tight bags or bundles as required by the ordinance at the required collection point not sooner than 24 hours prior to the regularly scheduled collection day and no person shall permit solid waste or containers holding solid waste to remain at the curb longer than 12 hours after collection time.

- (d) The following recyclables shall be rinsed clean, labels removed, and bagged in transparent plastic bags:
 - (1) Aluminum containers
 - (2) Bi-metal containers
 - (3) Glass containers
 - (4) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and containers made of other resins or multiple resins, (labeled #1-#7).
- (e) Cardboard shall be flattened and bundled separately, tied both ways.
- (f) Newspapers shall be bundled separately, and securely tied both ways in bundles not to exceed ten (10) inches in height. Separated newspapers shall not be placed in containers with solid waste. No newspapers, except newspapers rendered useless for recycling purposes (such as those that are soiled with food waste), shall be disposed of in any manner by any resident or business so as to result in disposal in a landfill.
- (g) Magazines shall be bundled separately and securely tied both ways in bundles not to exceed ten (10) inches in height.
- (h) Office paper and computer paper from businesses shall be separated from newsprint, glossy paper and other recyclables and shall be placed, bundled, in transparent plastic bags.

SEC. 6-4-9. LEAD ACID BATTERIES, MAJOR APPLIANCES, STEEL CONTAINERS, WASTE OIL AND YARD WASTE.

All residents shall dispose of lead acid batteries, major appliances, steel containers, waste oil and yard waste as follow:

- (a) Lead-acid batteries shall be disposed through a retailer of lead-acid batteries or may be taken to a site to be designated by the village.
- (b) Waste oil may be taken to a site to be designated by the village.
- (c) Major appliances and steel containers shall be placed at curbside in accordance with Village pick-up schedule and collected by the Village for disposal at a fee of ten (10) dollars per appliance.
- (d) Yard waste shall be bagged (except for leaves between October 1 and November 15) and placed at curbside, not in the gutter, in accordance with Village pick-up schedule and collected by the Village for disposal.

SEC. 6-4-10. MULTIPLE FAMILY DWELLINGS.

Owners or managers of multiple family dwellings in Prairie du Sac 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 of the recycling program upon move-in and semi-annually thereafter. Specifically, owners or managers must:

- (a) Provide adequate, separate containers outside and inside for the regular collection of recyclable materials. Recyclables shall not be placed in containers with solid waste.
- (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 and that recyclables are not to be placed in solid waste containers.
- (c) 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.

SEC. 6-4-11. NON-RESIDENTIAL FACILITIES AND PROPERTIES.

Owners or managers of non-residential facilities and properties shall do all of the following to recycle the materials specified in Sec. 6-4-7. Specifically, owners or managers must:

- (a) Provide adequate, separate containers for the recyclable materials.
- (b) Notify in writing, at least semi-annually, all users, lessees and occupants of the properties about the established recycling program.
- (c) Notify users, lessees, and occupants of reasons to reduce and recycle, which materials are collected, how to prepare materials in order to meet the processing requirements.

SEC. 6-4-12. DEVELOPERS AND BUILDERS; INSPECTION.

- (a) Any developer/builder who constructs a residential building with five (5) units or more, or an office or commercial building in the Village must make space considerations and accommodations for recycling within the building, in each apartment, on every floor, or in a central area within the building. Additionally, a structure for recyclables must be established on the grounds accessible to collection vehicles.
- (b) The building inspector shall have the responsibility of monitoring this requirement and the building inspector job description shall be amended to include the responsibility.

SEC. 6-4-13. PROHIBITED DISPOSAL OF RECYCLABLE MATERIALS.

No person may dispose of any of the materials specified in Sec. 6-4-7, which have been separated for recycling, in a solid waste disposal facility or burn them in a solid waste treatment facility.

SEC. 6-4-14. ENFORCEMENT.

The collector may refuse to pick up recyclables that do not conform to the requirements of this ordinance.

- (a) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized employee of the Village 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-
- (b) Any person who violates a provision of this ordinance may be issued a citation by the Village Administrator 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 Sec. 6-4-13 may be required to forfeit fifty (50.00) dollars for the first violation, two hundred (200.00) dollars for a second violation, and not more than two thousand (2000.00) dollars for a third or subsequent violation.
 - (2) Any person who violates a provision of this ordinance, except Sec. 6-4-13, may be required to forfeit not less than ten (10.00) dollars nor more than one thousand (1000.00) dollars for each violation.

History: Code of Ordinances, 1986. Title 6, Chapter 4 repealed and recreated. Ordinance No. 12, Series of 1994.