

TOWN OF EDGEWATER
RECYCLING ORDINANCE
#2-94

RECYCLING ORDINANCE FOR THE TOWN OF EDGEWATER, SAWYER COUNTY,
WISCONSIN.

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. 159.11 Wis. Stats., and Chapter NR 544, Wis. Administrative Code.

This ordinance is adopted as authorized under 2. 159.09(3)(b), Wis. Stats., and the Town of Edgewater.

It is not intended by this ordinance to repeal, abrogate, annul impair or interfere with any existing rules, regulation, ordinances or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposed greater restrictions, the provisions of this ordinance shall apply.

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 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 standard 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.

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected.

The requirements of this ordinance apply to all persons within the Town of Edgewater, Sawyer County, Wisconsin.

The provisions of this ordinance shall be administered by the Town of Edgewater, Sawyer County, Wisconsin.

The provisions of this ordinance shall take effect on January 1, 1995.

For the purpose of this ordinance:

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1. "Bi-Metal container" means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.
2. "Container board" means corrugated paperboard used in the manufacture of shipping containers and related products.
3. "Foam polystyrene packaging" means 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 material shaped to hold and cushion the packaged article in a shipping container.
4. "HDPE" means high density polyethylene, labeled by the SPI Code #2.
5. "LDPE" means low density polyethylene, labeled by the SPI code #4.
6. "Magazines" means magazines and other materials printed on similar paper.
7. "Major appliance" means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boilers, dehumidifiers, water heaters or stove.
8. "Multiple-family dwelling" means a property containing 5 or more residential units, including those which are occupied seasonally.
9. "Newspaper" means a newspaper and other material printed on newsprint.
10. "Non-residential facilities and properties" means commercial, retail, industrial, institutional and governmental facilities and properties. This term does not include multiple family dwelling.
11. "Office paper" means high grade printing and writing papers from office 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.
12. "Other resins or multiple resins" means plastic resins labeled by the SPI code #7.

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13. "Person" includes any individual, corporation, partnership association, local governmental unit, as defined in s. 66.299(1)(a), Wis. Stats., state agency or authority or federal agency.

14. "PETE" means polyethylene terephthalate, labeled by the SPI code #1.

15. "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.

16. "Postconsumer waste" means solid waste other than solid waster generated in the production of goods, hazardous waste, as defined in s. 144.61(5), Wis Stats., waster from construction and demolition of structures, scrap automobiles or high-volume industrial waste, as defined in s. 144.44(7)(a)1., Wis Stats.

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

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

19. "PVC" means polysinyl chloride, labeled by the SPI code #3.

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

21. "Solid waste" has the meaning specified in s.144.01(15) Stats.

22. "Solid waste facility" has the meaning specified in s. 144.43(5), Wis. Stats.

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

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

Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and nonresidential facilities and properties shall separate the following materials from postconsumer waste:

1. Lead acid batteries
2. Major appliances
3. Waste Oil
4. Yard waste
5. Aluminum containers
6. Bi-metal containers
7. Corrugated paper or other container board
8. Foam polystyrene packaging
9. Glass containers
10. Magazines
11. Newspaper
12. Office paper
13. Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins.
14. Steel Containers
15. Waste tires

To the greatest extent practicable, the recyclable material separated in accordance with s. 1.11 shall be clean and free free of contaminants such as food or product residue, oil or grease, or other non-recyclable material, including but not limited to household, hazardous waste, medical waste, and agricultural chemical container. Recyclable materials shall be stored in a manner which protects them from wind rain and other inclement weather conditions.

Occupants of single family and 2 to 4 unit residences, multiple-family dwelling and non-residential facilities and properties shall manage lead acid batteries, major appliances, waste oil and yard waste as follows:

- (1) Lead acid batteries shall be returned to a retailer upon purchase of a new battery or taken to a qualified recycler.
- (2) Major appliances shall be returned to a retailer recycler.
- (3) Waste oil shall be brought to a qualified recycler.
- (4) Yard waste shall be composted on the site.

Except as otherwise directed by the Town of Edgewater, occupants of single family and 2 to 4 unit residences shall do the following for the preparation and collection of the separated materials specified in s. 1.11(5) through (15):

- (1) Aluminum containers shall be cleaned the labels removed and crushed.
- (2) Bi-metal containers shall be cleaned the labels removed and crushed.

- (3) Corrugated paper or other contain board shall be bundled with twine or in paper shopping bags.
- (4) Foam polystyrene shall be cleaned and labels removed.
- (5) Glass containers shall be separated, clear, brown and green, labels removed and cleaned.
- (6) Newspaper shall be bundled with twine or in paper shopping bags.
- (7) Office paper shall be bundled with twine or in paper shopping bags.
- (8) All types of rigid plastic containers (PETE, HDPE, PVC LDPE, PP AND PS) shall be cleaned, labels removed and crushed.
- (10) Steel containers shall be cleaned, labels removed and crushed.
- (11) Waste tires shall be returned to a retailer upon purchase of new tires or taken to a qualified recycler.

Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in s. 1.11(5) through (15):

- (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 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.

The requirements specified in the above do not apply to the owners or designated agents of multiple-family dwellings if the postconsumer waste generated within the dwelling is treated a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in s.11.11(5) through (15) from solid waste in as pure a form as is technically feasible.

Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the material specified in s. 1.11(5) through (15):

- (a) Provide adequate, separate containers for the recyclable materials.
- (b) Notify in writing at least semiannually, 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.

The requirements specified in the above 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 material specified in s.1.11(5) through (15) from solid waste in as pure a form as is technically feasible.

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 s.1.11(5) through (15) which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

For the purpose of ascertaining compliance with the provision of these ordinance, any authorized officer, employee or representative of the Town of Edgewater may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwelling 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 Town of Edgewater who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

Any person who violates a provision of these ordinance may be issued a citation by the Town of Edgewater 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.

Penalties for violates this ordinance may be assessed as follows:

(a) Any person to violated s.1.18 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.

(9)) Any person who violates a provision of this ordinance, except s.1.18, may be required to forfeit not less than \$10 nor more than \$1,000 for each violation.

This ordinance shall be in force from and after its passage and publication and recording according to law.

Passed by the Town of Edgewater, this 13th Day of December, 1994.

Lavern Willis
LAVERN WILLIS

Vernon O'Neil
VERN O'NEIL

Robert Ulbrich
ROBERT ULBRICH

Filed this 13th Day of December 1994.

Martha DeLong, Clerk
Martha DeLong, Clerk

TOWN OF EDGEWATER

BIRCHWOOD, WISCONSIN 54817

Recycling Ordinance 2-94
Amended 2/14/95

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Major Appliance - means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifiers, water heaters or stoves.



Robert Ulbrich - Supervisor



Vernon O'Neil - Supervisor

Filed this 14th day of February,
1995.



Martha DeLong, Clerk

TOWN OF EDGEWATER

BIRCHWOOD, WISCONSIN 54817

Recycling Ordinance 2-94
Amended 4/11/95

Page 4 #(4) Yard Waste

Yard waste shall be managed on site or taken to an approved
compost facility.

Lavern Willis

Lavern Willis, Chairman

Robert Ulbrich

Robert Ulbrich, Supervisor

Vernon O'Neil

Vernon O'Neil, Supervisor

Filed this 11th day of April, 1995

Martha DeLong, Clerk

Martha DeLong, Clerk