

CODE OF GENERAL ORDINANCES
TOWN OF GLENMORE
BROWN COUNTY, WISCONSIN

CHAPTER 15

RECYCLING

1. **PURPOSE.** 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, Wisconsin Stats., chapter NR544, Wis Administrative Code.
2. **STATUTORY AUTHORITY.** This ordinance is adopted as authorized under s. 159.09 (3) (b), Wis. Stats., and in accordance with the powers granted to the Town of Glenmore under the Wisconsin State Statutes.
3. **ABROGATION AND GREATER RESTRICTIONS.** It is not intended by this ordinance 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 ordinance imposes greater restrictions, the provisions of this ordinance shall apply.
4. **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 other 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, or 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.
5. **SEVERABILITY.** Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.
6. **APPLICABILITY.** The requirements of this ordinance apply to all persons within the Town of Glenmore.

7. **ADMINISTRATION.** The provisions of this ordinance shall be administered by the Town Board of the Town of Glenmore or their designated agent.
8. **EFFECTIVE DATE.** The provisions of this ordinance shall take effect on September 1, 1994
9. **DEFINITIONS.** For the purposes of this ordinance:
 1. “Bi-metal container” means a container for carbonated or malt beverages that is 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. “HDPE” means high density polyethylene plastic containers marked by the SPI code N. 2.
 4. “LDPE” means low density polyethylene plastic containers marked by the SPI code No. 4.
 5. “Magazines” means magazines and other materials printed on similar paper.
 6. “Major appliance” means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, stove, furnace, boiler, dehumidifier and water heater.
 7. “Mixed or other plastic resin types” means plastic containers marked by the SPI code No. 7.
 8. “Multiple-family dwelling” means a property containing five (5) or more residential units, including those which are occupied seasonally.
 9. “Newspaper” means a newspaper and other materials 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 dwellings.
 11. “Office paper” means high grade printing and writing papers from offices in non-residential 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. “Person” includes any individual, corporation, partnership, association, local governmental unit, as defined in x. 66.299(1) (a), Wis. Stats., state agency or authority or federal agency.
 13. “PETE” means polyethylene terephthalate plastic containers marked by the SPI code No. 1.

14. "Post consumer waste" means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in s. 166.41(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.
15. "PP" means polypropylene plastic containers marked by the SPI code No. 5.
16. "PS" means polystyrene plastic containers marked by the SPI code No. 6.
17. "PVC" means polyvinyl chloride plastic containers marked by the SPI code No. 3.
18. "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; newspapers; office paper; plastic containers, including those made of PETE, HDPE PVC LDPE, PP, PS, and mixed or other plastic resin types; steel containers; waste tires; and bi-metal containers.
19. "Solid waste" has the meaning specified in s. 144.01(15), Wis. Stats.
20. "Solid waste facility" has the meaning specified in s. 144.43(5), Wis. Stats.
21. "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.
22. "Waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
23. "Yard waste" means leaves, grass clipping, yard and garden debris and brush, including clean wood vegetative material no material no greater than 6 inches in diameter. This term does not include stumps, roots or shrubs with insect root balls.

1.11 SEPERATION OF RECYCLABLE MATERIALS. Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from post consumer waste:

1. Lead acid batteries
2. Major appliance
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 or other material printed on similar paper
11. Newspapers or other material printed on newsprint
12. Office paper
13. Plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS and mixed or other plastic resin types
14. Steel containers
15. Waste tires

1.12 SEPARATION REQUIREMENTS EXEMPTED. The separation requirements of s. 1.11 do not apply to the following:

1. Occupants of single family and 2 to 4 residences, multiple-family dwellings and non-residential facilities and properties that send their post consumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials specified in s. 1.11 from solid waste in as pure form as is technically feasible.

(2) Solid waste which is burned as a supplemental fuel or a facility if less than 30% of the heat input to the facility is derived from the solid waste burned as a supplemental fuel.

(3) A recyclable material specified in s. 1.11 for which a variance or exemption has been granted by the Department of Natural Resources under ss. 159.07(7) or 159.11(2m), Wis Stats., or sNR 544.14, Wis. Administrative Code.

1.13 CARE OF SEPERATED RECYCLABLE MATERIALS. To the greatest extent practicable, the recyclable materials separated in accordance with s. 1.11 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.

1.14 MANAGEMENT OF LEAD ACID BATTERIES, MAJOR APPLIANCES, WASTE OIL AND YARD WASTE. Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties shall manage lead acid batteries, major appliance, waste oil and yard waste as follows:

1. Lead acid batteries shall be returned at the point of purchase or replacement or delivered to the Town of Glenmore/Morrison Recycling Center. No broken batteries will be accepted.

2. Major appliances shall be delivered to the Town of Glenmore/Morrison Recycling Center. Included as a major appliance: air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, stove, furnace, boiler, dehumidifier, and water heater. Microwave ovens may be land filled if the capacitor has been removed.
3. Waste oil shall be delivered to the Town of Glenmore/Morrison Recycling Center in a covered container which does not leak and is not larger than five (5) gallons in size.
4. Yard waste shall be handled by the individual resident. Information on composting may be obtained from the Municipal Clerk.

1.15 PREPERATION AND COLLECTION OF RECYCLABLE MATERIALS. Except as otherwise directed by the Town Board of Glenmore or their designated agent, occupants of single family and 2 to 4 unit residences shall d the following for the preparation and collection of the separated materials specified in s. 1.11 (5) through (15)

1. Aluminum containers shall be rinsed and flattened
2. Bi-metal containers shall be rinsed and flattened
3. Corrugated paper or other container board shall be free of plastic liners, flattened and bundled.
4. Foam polystyrene packaging shall be handled according to variance. When variance is lifted, these recyclables will be collected.
5. Glass containers shall be cleaned, washed and color separated. No light bulbs, window panes, mirrors, etc. or broken glass will be accepted
6. Magazines or other materials printed on similar paper shall be bundled or in brown paper bags.
7. Newspapers or other materials printed on similar paper shall be bundled or in brown paper bags.
8. Office paper shall be bundled or in brown paper bags.
9. Plastic containers shall be prepared and collected as follows:
 - a. Plastic containers made of PETE, including soda bottles, shall be cleaned and flattened.
 - b. Plastic containers made of HDPE, including milk, laundry, bleach, fabric softener, etc., shall be cleaned and flattened
 - c. Plastic containers made of PVC, including #3, shall be cleaned.
 - d. Plastic containers made of LDPE, including #4, shall be cleaned

- e. Plastic containers made of PP, including #5, shall be cleaned
- f. Plastic containers made of PS, including #6, shall be cleaned.
- g. Plastic containers made of mixed or other plastic resin types, including #7, shall be cleaned

SPECIAL NOTE (c) to (g) have a variance until 1996. After variance is lifted these must be recycled.

- 10. Steel containers shall be cleaned, labels removed and flattened.
- 11. Waste tires shall be disposed of in the following manner: four (4) tires per residential household per year, eight (8) tires, two (2) of which can be tractor tires or the equivalent from farm and businesses per year will be accepted at the Town of Glenmore/Morrison Recycling Center. Remaining waste tires must be taken to the Brown County Landfill or turned in at point of replacement with the cost borne by the person disposing of the tires.

1.16 RESPONSIBILITIES OF OWNERS OR DESIGNATED AGENTS OF MULTIPLE-FAMILY DWELLINGS.

- 1. Owners or designated agents of multiple-family dwellings shall do all of the following for recycling the materials specified in 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 semi-annually 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.
- 2. The requirements specified in (1) do not apply to the owners or designated agents of multiple-family dwellings of the post consumer 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 s. 1.11(5) through (15) from solid waste in as pure a form as technically possible.

1.17 RESPONSIBILITIES OF OWNERS OR DESIGNATED AGENTS OF NON-RESIDENTIAL FACILITIES AND PROPERTIES.

- 1. Owners or designated agents of non-residential facilities and properties shall do all of the following for recycling the materials specified in s. 1.11 (5) through (15):

- a. Provide adequate, separate containers for the recyclable materials.
 - b. Notify in writing, at least semi-annually, 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.
2. The requirements specified in (1) do not apply to the owners or designated agents of non-residential facilities and properties if the post consumer 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 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 feasible.

1.18 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 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.

1.19 ENFORCEMENT.

Enforcement as specified in Chapter 14-PENALTIES AND ENFORCEMENT

HAULER LICENSING

Haulers who collect solid waste or recyclables in the Town of Glenmore shall obtain municipal and state permits, licenses and approvals prior to collecting any material in the Town of Glenmore.

- 1) **APPLICATION FOR LICENSE.** Applications may be obtained by contacting the Town Clerk of the Town of Glenmore. Applications must be made, in writing, prior to November 30th for the upcoming year. A photocopy of the previous year application will be accepted for renewal provided there are no changes to the information given. Annual license fee shall be included with each application. Licenses are in effect January 1 through December 31.
- 2) **COST OF LICENSE.** The fee for obtaining a license to haul solid waste and/ or recyclables in the Town of Glenmore shall be \$50.00 per year. License fees will not be pro-rated.

3) REPORTING REQUIREMENTS. The haulers operating in the Town of Glenmore are required to maintain records and provide an annual report, in writing, to the Town Clerk. The annual report, containing information of the period 1-1 to 12-31 of the previous year, shall be due January 10th of each year. This data shall also be available to the Town upon request.

The reports shall include the following information:

- a) Name, address, phone number and contact person of the business reporting.
- b) Amount of solid waste and/ or recyclables collected.
- c) Dates of collection.
- d) Final disposal location of solid waste, commingled recyclables and paper products.

Failure to report shall be cause for the Town of Glenmore to terminate any license granted to the hauler by the Town and \$500.00 fine.