

Chapter 228

SOLID WASTE

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[HISTORY: Adopted by the Village Board of the Village of Genoa City 10-8-1992 (§ 6-1-10 of the 1984 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Nuisances -- See Ch. 186.

Pollution -- See Ch. 200.

Property maintenance -- See Ch. 205.

Abandoned and junked vehicles -- See Ch. 261.

§ 228-1. Intent.

It is the intention of the Village of Genoa City to comply with state law and provide a refuse collection, recycling, and disposal service convenient for the residents of the Village as well as to provide for the health and safety of the Village's citizens, preserving the Village's appearance and protecting the environment.

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§ 228-2. Definitions.

For the purpose of this chapter, the following terms are defined:

APPROVED CONTAINER -- A contractor supplied 95 gallon cart

DUMPSTER -- A metal container commonly used to collect refuse in multifamily dwellings, commercial establishments, institutions, and industrial enterprises.

GARBAGE -- All types of organic refuse resulting from the preparation of food and all decayed or spoiled food products.

HAULER -- Either the refuse/trash or recyclable service provider contracted by the Village or privately which collects and removes solid waste and recyclables to a properly licensed landfill or recycling center. All such service providers must abide by preparation standards for recyclable materials. No hauler shall remove refuse which does not comply with the requirements of this chapter.

RECYCLABLE MATERIALS -- All identified materials recognized by the State of Wisconsin as recyclable shall be recycled in accordance with 1989 Wisconsin Act 335EN and Village ordinances.

REFUSE -- All non-recyclable inorganic material. It does not include leaves, brush, grass, trees, tree limbs, earth, stone, manure or other special waste defined in § 228-4. Construction/remodeling material may be collected if it is placed in approved containers, not to exceed a total of four containers.

RESIDENTIAL -- Includes all dwelling units and multifamily buildings of four units or fewer located within the corporate limits of the Village of Genoa City.

UNUSUAL, HEAVY, BULKY OR HAZARDOUS ITEMS --An item which cannot fit into the provided 95 gallon cart, should not be in excess of 1 yd. of material per week and must be manageable by one person. This definition does not include special waste as set forth in § 228-4.

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§ 228-3. Container requirements.

- A. Garbage cans will be provided by contractor. Garbage cans shall have lids and handles and may in no way have surfaces that may be harmful to the collector or others.
- B. Containers will be initially supplied by the Contractor. They remain the property of the Contractor and if lost or damaged must be replaced by the resident or property owner. The cost of replacement shall be determined by the Contractor.
- C. Apartment operators, commercial business, industries, manufacturers and institutions may place such containers as approved by haulers that comply with this chapter.

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§ 228-4. Special waste.

Refuse not collected as either garbage, refuse, or recyclable may be removed for a fee. To obtain such service the Village Clerk-Treasurer's office must be contacted.

- A. Exceptions are:
- (1) Tires, major appliances (including residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, oven, refrigerator, stove or microwave oven from which the capacitor has been removed), water heater, residential and commercial furnace, boiler, and dehumidifier. **[Amended 12-29-1994]** This will be picked up by contractor on an "On Call" basis.
- B. Construction material must be privately contracted. It is the responsibility of the contractor/builder to contact a licensed refuse hauler for such services. Said contractor must abide by this chapter.
- B. Grass clippings, leaves, brush, limbs, and other yard waste are to be disposed of by the property owner or resident.

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§ 228-5. Collection rules.

- A. All garbage shall be well drained, wrapped in paper and deposited in an approved container. All containers shall be kept closed with a tight-fitting cover and shall be vermin- and fly-proof and kept in a sanitary condition.
- B. Ashes shall be placed in a bag or box. They are not to be dumped loosely into garbage cans.
- C. Collection point. For properties with street access, all approved containers shall be placed at the curb near the driveway approach affording easy access to the collectors.
- D. No garbage/trash/recycling items may be placed at curbside more than 12 hours before collection day, and containers must be removed within 12 hours of collection day.
- E. The Village shall establish the day or days on which trash, garbage and recyclables will be collected. The Village may also establish days upon which yard waste will be collected. These dates will be published in the Village's official newspaper from time to time.

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§ 228-6. Curbside recycling program.

Curbside recycling will become mandatory January 1, 1993. Each resident, business, institution, and/or industry operating within the jurisdiction of the Village of Genoa City shall separate waste by dividing it into recyclables and non-recyclables.

- A. Preparation specifications for recyclable material may change from time to time and shall be set by the Village based on standards necessitated by marketability requirements. Changes in specifications shall be noticed by Class 1 notice.
- B. The following items are recyclable: aluminum, tin, plastic containers, newspapers, glass (clear, brown and green), corrugated cardboard, chipboard and paperboard, lead acid batteries, waste oil, copy paper, colored paper, computer paper, bimetal containers, magazines and other materials printed on similar paper, steel containers and such other materials specified in § 287.07(3) and (4), Wis. Stats. [**Amended 12-29-1994**]
- C. Recycling cans containing these items must be left at curbside every other week.
- D. The cost of the refuse collection, recycling, and disposal service shall be paid by special assessments against all users. Each residential unit subject to this chapter shall constitute a user for purposes of this assessment.
- E. Materials specified in § 287.07(3) and (4), Wis. Stats., which have been separated for recycling shall not be disposed of in a solid waste facility or burned in a solid waste treatment facility. [**Added 12-29-1994**]

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§ 228-7. Maximum volume; recycling procedures.

- A. Each residential unit, commercial business, industry, manufacturer or institution shall be entitled to place for collection each week a maximum volume equivalent to 95 gallon cart provided by contractor of refuse and/or garbage. Recycling collection every other week with maximum volume equivalent to 95 gallon cart provided by contractor of recyclable materials. Any owner of any property in the Village may contract privately with a hauler to collect excess volume of refuse.
- B. Apartment operators. Owners of residential units consisting of more than four units shall do all of the following to recycle the materials specified herein: [**Amended 12-29-1994**]
 - (1) Provide adequate, separate containers for the recyclable materials.
 - (2) Notify tenants in writing at the time of renting or leasing the dwelling and at least semiannually 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 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.

- C. Commercial and institutions. Commercial businesses, industries, manufacturers and institutions having volumes in excess of those maximums set forth herein must contract their refuse, garbage and recycling removal individually and shall do all of the following to recycle the materials specified herein: **[Amended 12-29-1994]**
- (1) Provide adequate, separate containers for the recyclable materials.
 - (2) Notify, in writing, at least semiannually, 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 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.
- D. Approved dumpsters must have lids which are hinged and rollers on the base to allow easy movement and be free from holes. An outside area shall be provided to accommodate dumpsters and so placed that desirable screening can be used to create an aesthetically acceptable refuse storage area.

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§ 228-8. Exceptions to curbside pickup.

- A. An exception to the responsibility for moving approved containers to the point of collection for reason of incapability of all members of a household shall be granted by the Chairperson of Safety and Licensing Committee upon application by any resident who shall be able to demonstrate such incapability. The Chairperson may require verification of such incapability by the applicant's personal physician.
- B. The owner of such residence shall authorize drive access to the collection vehicles and waive any claim for drive damage.

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§ 228-9. Collection of recyclables by unauthorized persons.

Persons shall not pilfer recyclables or disturb recyclables once those materials are placed for collection.

- A.** All recyclable materials placed for collection pursuant to this chapter shall thereupon become the property of the Village or the Village's authorized agent pursuant to the recycling plan approved by the Village. Only persons authorized by the Village shall collect recyclable materials once they have been placed for collection.
- B.** Any and each collection by unauthorized persons shall constitute a separate and distinct offense.

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§ 228-10. Inspections; citations. [Amended 12-29-1994]

- A.** For the purpose of ascertaining compliance with the provisions of this chapter, any authorized officer, employee or representative of the Village of Genoa City may inspect recyclable materials separated for recycling, post-consumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of residential dwellings having more than four residential units and nonresidential facilities and properties, and any records relating to recycling activities, which shall be confidential, when necessary, to protect proprietary information. No person may refuse access to any authorized officer, employee or authorized representative of the Village of Genoa City who requests access for purposes of inspection and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.
- B.** Any person who violates a provision of this chapter may be issued a citation by the Village of Genoa City 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 subsection.

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§ 228-11. Violations and penalties. [Amended 12-29-1994]

The following penalties re established for violations of this chapter:

- A.** First offense: a forfeiture of not less than \$10 nor more than \$50.

- B.** Second offense: a forfeiture of not less than \$50 nor more than \$200.
- C.** Each subsequent violation shall result in a forfeiture of not less than \$200 nor more than \$2,000.