

## CHAPTER 7 SOLID WASTE COLLECTION

### Section 7.01 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

- (1) *Bi-metal container* means a container for carbonated or malt beverages that are made primarily of a combination of steel and aluminum.
- (2) *Brush* means trimmings from shrubs and trees that are 6" in diameter or less, but does not include brush or yard waste generated by a service contractor.
- (3) *Collectable recyclables* mean all plastic bottles and containers including: all food, beverage and household bottles, jars, jugs, dairy containers and lids, deli, bakery, produce containers and lids; all paper including: newspapers and inserts, magazines, books, catalogs, milk, juice and soup cartons, junk mail and office paper; all metal and glass including: aluminum bottles and cans, steel, tin and bi-metal cans, empty aerosol cans, food and beverage glass bottles and jars. The items listed as collectable recyclables in this definition may be modified by the Director of Public Works in accordance with the effective date of state law or applicable State Department of Natural Resources regulations or variances therefrom. The Director of Public Works shall be responsible for informing the public of all acceptable collectable recyclables.
- (4) *Collectable solid waste* means garbage, collectable recyclables, brush, and yard waste.
- (5) *Commercial or manufacturing source* means any private business enterprises, including, but not limited to, offices, stores, taverns, service stations, restaurants and similar businesses whether non-profit or profit making in nature, excluding hazardous, toxic, noxious or offensive waste, brush, yard waste, refuse or commercial debris.
- (6) *Compost site* means a public site prepared and operated by the city for the purpose of composting yard waste.
- (7) *Construction debris* means all waste resulting from building construction or demolition, alteration, or repair, including excavated material, remodeling, and other waste including, but not limited to, windows, doors, drywall, framing and roofing materials, flooring, carpeting, cabinets and counter tops, concrete, stone, masonry, rock, asphalt, sod, earth, dirt, and brick.
- (8) *Container board* means corrugated paperboard used in the manufacture of shipping containers and related products.
- (9) *Disposable bag and bag* mean a one-way disposable bag made of polyurethane or other plastic material with a securing twist tie consisting of a minimum of two-ply paper and minimum of 1½ mils thickness for plastic. Bags shall not exceed a volume capacity of 32 gallons or a weight of 50 pounds. Whenever the terms "disposable bag" and "bag" are used in this chapter, such words will mean disposable bag as described in this definition.
- (10) *Garbage* means miscellaneous waste material, excluding recyclables, including, but not limited to, discarded material resulting from handling, processing, storing, consumption of food, paper, metals,

rubber, wood, cloth, and litter. Garbage shall specifically exclude hazardous, offensive, noxious or toxic wastes, refuse, construction debris, yard waste or brush.

(11) *Hazardous and/or toxic waste* means waste materials or substances which, during normal storage in handling, may be a potential cause of harm, sickness or death, such as explosives, petroleum products, metal or pharmaceutical materials, batteries, waste paints, solvents, wood preservatives, sealers, adhesives, corrosive chemicals, poisonous or pathogenic substances, pesticides, chemicals, radioactive materials, toxic materials, and all other similar harmful substances, whether in solid, liquid or gaseous form.

(12) *Institutional source* means any institutional enterprise, including, but not limited to, county, state or federal government, churches, schools, hospitals, educational institutions, and fraternal organizations, excluding property owned or operated by the City of Wisconsin Rapids.

(13) *Landscape/lawn care operation* means all landscape, lawn care, nursery, tree service, or other business which provides landscape and lawn care services to others for a fee or other consideration. See also *service contractor*.

(14) *Magazines* means magazines and other materials printed on similar paper.

(15) *Major appliance* means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, stove, furnace, boiler, humidifier or water heater. Major appliances are considered refuse for purposes of this chapter. Microwave ovens which have had the capacitor removed shall not be considered major appliances.

(16) *Manufacturing source* means waste resulting from manufacturing or processes and operations, excluding hazardous, offensive, toxic or noxious wastes, refuse, yard waste, brush or construction debris.

(17) *Multiple-family source* means a property containing five or more dwelling units located within a structure or a complex of structures.

(18) *Newspaper* means a newspaper and other materials printed on newsprint.

(19) *Noxious and/or offensive waste* means those wastes that are unwholesome or have an unpleasant smell or are otherwise noxious and/or offensive, such as manure, filth, slop, carcasses, carrion meat, fish, entrails, hides and hide scrapings, paint, kerosene, oil or greasy substances, and objects that may cause injury to any person or animal or damage to vehicles such as barbed wire, briar thorns or similar materials. The term "manure" herein shall not include the excrement/fecal waste of domesticated animals allowed in residentially zoned parcels provided such excrement/fecal waste is properly packaged and disposed of so as to not leak, leach or spill into the garbage container.

(20) *Office paper* means high grade printing and writing papers from offices 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.

(21) *Patron* means any person producing any type of waste material covered by the regulations of this chapter. In the case of a firm or corporation, the term "patron" will be construed to mean the principal agent, office or employee responsible for the firm or corporation.

- (22) *Person* means any individual, corporation, partnership, association, educational institution, local governmental unit as defined in Wis. Stats. §66.0117(1)(a), state agency or authority, or federal agency.
- (23) *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.
- (24) *Polycart* means a reusable container specifically designed for automated collection and provided by the city. Polycarts are the property of the city and shall remain with the parcel address to which it is assigned by the city. Polycarts are specifically designated for garbage or collectable recyclable use.
- (25) *Postconsumer waste* means solid waste other than solid waste generated in the production of goods, hazardous waste as defined in Wis. Stats. §291.01 (including such amendments as may be made from time to time), waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste as defined in Wis. Stats. §289.01 (including such amendments as may be made from time to time).
- (26) *Private collection receptacle* means container(s) provided by a private garbage or recyclable collection hauler.
- (27) *Recyclable materials* means lead acid batteries; major appliances; waste oil; yard waste; and collectable recyclables as defined in this section.
- (28) *Refuse or rubbish* means miscellaneous waste material that is bulky or of such a size that will not fit in a polycart and as is not collected with garbage including, but not limited to, furniture, appliances, bicycles, exercise equipment, play equipment, and other household items, mattresses, screen/storm doors, swing sets, plumbing fixtures, ovens, washtubs, wheelbarrows, box springs, and similar items. Refuse or rubbish excludes construction debris, electronics such as televisions, stereos, microwaves, computers, cell phones, telephones systems, keyboards, servers, copiers, video equipment, business equipment, printers, and similar equipment. Refuse and rubbish also excludes air conditioners, dehumidifiers, freezers, refrigerators, water coolers, and others similar equipment containing Freon.
- (29) *Residential source* means a property containing one, two, three or four residential units, including those which are occupied seasonally.
- (30) *Service contractor* means a person, firm, entity or company which performs services for a property owner or occupant.
- (31) *Solid waste* means garbage, recyclables, brush, yard waste, refuse, construction debris; hazardous, toxic, offensive or noxious wastes.
- (32) *Solid waste facility* means as specified in Wis. Stats. § 289.01(35) including such amendments as may be made enacted from time to time.
- (33) *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, including incineration.
- (34) *Waste tire* means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
- (35) *Yard waste* means all materials originating in the yard and garden which are capable of natural decomposition, including leaves, grass clippings, and other vegetation but does not include any yard waste generated by a service contractor.

**Section 7.02 Collection Frequency.**

Garbage from a residential source shall be collected by the city once each week. Collectable recyclables from a residential source shall be collected once every two weeks.

**Section 7.03 Polycarts.**

**1. Initial Provision of Polycarts.**

The City shall initially provide a 96-gallon grey polycart for garbage and a 96-gallon green polycart for collectable recycling as follows:

- (a) The City will provide one polycart/collection service for garbage, and one polycart/collection service for collectable recyclables, per single family home.
- (b) The City will provide one polycart/collection service for garbage, and one polycart/collection service for collectable recyclables, to a duplex on a single lot.
- (c) The City will provide one polycart/collection service for garbage, and one polycart/collection service for collectable recyclables, to each unit of a zero-lot line duplex.
- (d) The City will provide one polycart/collection service for garbage, and one polycart/collection service for collectable recyclables, to a three-plex on a single lot.
- (e) The City will provide two polycarts/collection service for garbage, and two polycarts/collection service for collectable recyclables, to each four-plex on a single lot.
- (f) Prior to initial issuance of a polycart, property owners may request, in writing, a 48-gallon cart in lieu of a 96-gallon cart. If after initial delivery of a polycart, the property owner wishes to change cart size, the property owner must pay the fee for the new polycart.

**2. Extra Polycart Requests and Fees.**

- (a) Upon request and subject to the limitations below, duplex, three-plex, and four-plex property owners may request additional polycarts for garbage and collectable recycling. Property owners shall be charged for the additional polycarts, with such charges for carts to be set by resolution of the Council.

The maximum number of polycarts the City shall collect in a collection cycle shall be:

- (a) Single Family dwelling: 1 garbage, 1 recycling
- (b) Duplex on a single lot: 2 garbage, 2 recycling
- (c) Zero lot-line duplex, each unit: 1 garbage, 1 recycling
- (d) Three-plex on a single lot: 3 garbage, 3 recycling
- (e) Four-plex on a single lot: 4 garbage, 4 recycling

- (b) If a resident who paid for an additional cart moves to another area in the City and wishes to have a second cart at the new residence, the resident does not have to pay for the additional cart, provided the property owner gives the City notice of the move, and the property owner takes the second cart with them to the new residence.

**3. Care of Polycarts.**

- (a) Carts have an expected life of more than 10 years, and normal wear and tear damage to wheels or covers may be repaired by the City at no cost to the property owner at the discretion of the Public Works Superintendent.
- (b) Property owners are responsible for the care and protection of recycling carts provided by the City. Residents requiring a replacement cart will be responsible for the cost of said replacement. Residents requesting a change in size of cart shall return their existing cart and will be charged a replacement fee as set by the Council.
- (c) All polycarts shall be maintained in a good, clean and sanitary condition. Polycarts shall not be overloaded, bent, broken or otherwise maintained so as to prevent the cover from properly fitting thereon.

**4. Storage of Polycarts in between Collection Periods.**

- (a) Polycarts shall be stored in a garage or other permitted enclosure or outbuilding on the parcel, or when such garage or other permitted enclosure or outbuilding is not available or is impracticable for storage, polycarts may be stored along the side of primary and accessory structures in the side yard or rear yard. Polycarts may not be stored in the front yard or street yard, nor in that part of the side yard of a corner lot that is in front of a vertical line extending from the front facade of the structure.
- (b) Polycarts must be stored with the lids completely closed.
- (c) Polycarts shall not be stored near a furnace, grill or any other heat source.

**5. Location and Placement of Polycarts for Collection.**

- (a) Prior to the scheduled time of collection, polycarts shall be placed adjacent to the street adjacent to the residence such that it shall be apparent to the Public Works Superintendent which residence the polycart is assigned.
- (b) All garbage and collectable recyclables shall be placed in the proper polycart.
- (c) Polycarts shall be placed within 1 foot of the curb or edge of pavement with the wheels and handle closest to the house and 3 feet from another cart, object, or parked car.
- (d) Areas that have no terrace shall place their polycart at the house edge of the sidewalk.
- (e) Placement of polycarts will only be allowed within 24 hours prior to the scheduled time of collection, with required removal of containers within 24 hours after the scheduled collection.
- (f) All garbage and collectable recyclables shall be placed as required by this chapter by 6:00 a.m. on the designated collection day.

- (g) Collections may be made at the alley line where such parcels are served by an alley or adjacent to the sidewalk in designated downtown areas, subject to the consent and approval of the Public Works Superintendent.
- (h) Location of polycarts in winter. During winter months, polycarts shall be placed in the driveway apron or on an adjacent area to the curb line which has been shoveled free of snow. In cases where the Public Works Superintendent determines that collection would be best facilitated by allowing property owners to place polycarts at other accessible points, this subsection may be waived by the city. Polycarts shall not be placed on top of snow bank.

#### **Section 7.04 Preparation of Solid Waste for Collection Generally.**

All garbage and collectable recyclables placed for collection shall be prepared as provided under this section.

##### **1. Garbage**

All residential garbage must be placed inside the proper polycart; no garbage shall be placed outside the polycart for collection

##### **2. Collection of recyclables.**

Collectable recyclables shall be separated from garbage and other collectable solid waste and placed for collection in the proper polycart in conformity with this subsection.

- (a) Occupants of single to four unit residences shall separate collectable recyclables from garbage and other solid waste and shall keep the collectable recyclables clean and free of contaminants, such as produce 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 accordance with this chapter in a manner which protects them from wind, rain and other inclement weather, and shall be placed curbside for collection as provided in this chapter.

##### **3. General Rules**

- (a) The owner and/or the occupant of a residential source shall be responsible for the proper and sanitary storage of all garbage and collectable recyclables accumulated at the premises until collection.
- (b) The owner and/or the occupant of a residential source shall use sufficiently sized polycarts to adequately hold garbage or collectable recyclables accumulating between collections without overloading.
- (c) The owner and/or the occupant shall be responsible for the proper and sanitary storage of all other solid waste and recyclable material and shall be responsible for its disposal according to law.
- (d) Any solid waste not placed in accordance with the provisions of this ordinance may be rejected by the collector. Garbage or collectable recyclables or any other solid waste not

picked up on a scheduled pickup, must be removed within 24 hours of the time said waste was scheduled to be picked up. A property owner or tenant failing to remove said solid waste as outlined above shall be subject to a fine or forfeiture in accordance with this chapter.

- (e) Accumulation of waste. If the owner, occupant, or lessee of any premises shall neglect or refuse to clean up and remove from the premises any waste when ordered to do so by the county health department, the city building inspector or his/her designee, or the Public Works Superintendent or his/her designee, the owner, occupant or lessee shall be liable for the penalty provided for violation of this chapter. The waste may be collected by the Public Works Department and the entire cost so incurred shall be entered in the tax roll as a special charge against said parcel of land, and the same shall be collected in all respects like other special charges upon real estate under Wis. Stats. Sect. 66.0627.

**Section 7.05 Condominiums, Mobile Home Parks, Residences above Businesses.**

The City will not provide collectable recycling service or garbage service to residential properties physically located above commercial properties, to mobile home parks, or to condominiums.

**Section 7.06 Multifamily source.**

1. Garbage and collectable recyclables shall not be collected from any multifamily source. All owners or designated agents of multifamily dwellings shall be responsible for the proper and sanitary transportation of garbage and collectable recyclables generated from multifamily sources in compliance with all federal, state and local laws and regulations.
2. Owners or designated agents of multifamily dwellings and other areas where the city does not provide collectable recycling service or garbage service shall be responsible to:
  - a. Provide adequate separate containers for 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 programs;
  - c. Provide for the collection of materials separated from the solid waste by tenants and the delivery of the materials to a recycling material facility;
  - d. Notify tenants of the reasons to reduce and recycle solid waste, which includes materials collected, how to prepare the materials in order to meet the processing requirement, collection methods or sites, locations and hours of operation, and a contact person or company, including the name, address and telephone number.
  - e. The requirements of subsection (2) a, b, c and d of this section will not apply to the owners or designated agents of multiple-family dwellings if the postconsumer waste generated within the dwelling is treated at a processing facility licensed by the state department of natural resources which recovers

collectable recyclables from solid waste in as pure a form as is technically feasible.

**Section 7.07 Commercial, Institutional and Manufacturing Sources.**

1. Garbage and collectable recyclables shall not be collected from any commercial, institutional, or manufacturing sources. All owners or designated agents of commercial, institutional, and manufacturing sources shall be responsible for the proper and sanitary transportation of garbage and collectable recyclables generated from commercial, institutional, and manufacturing sources in compliance with all federal, state and local laws and regulations.
2. Responsibilities of owners or designated agents of commercial, institutional, and manufacturing parcels. Owners or designated agents of nonresidential facilities and properties shall:
  - a. Provide adequate, separate containers for recyclable material.
  - 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 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 site, locations and hours of operation, and a contact person or company, including a name, address and telephone number.
  - e. The requirements of subsection (2) a, b, c and d of this section do not apply to owners or designated agents of commercial, institutional and manufacturing parcels if the postconsumer waste generated within the facility or property is treated at a processing facility licensed by the state department of natural resources that recovers for recycling the collectable recyclables from solid waste in as pure a form as is technically feasible.

**Section 7.08 Enclosures for Private Collection Receptacles.**

1. All property upon which private collection receptacle(s) are stored which are not subject to refuse and recycle storage requirements under any site plan approval from the City Planning Commission, shall store such private collection receptacles in a garage or other permitted enclosure. When such garage or other permitted enclosure or outbuilding is not available, the private collection receptacle(s) shall be screened from view of any observer located at the property line or any public right-of-way. The receptacle shall be placed on a concrete pad in an easily accessible location for collection by haulers.

Concrete pads shall extend 1-1/2 feet beyond the container on all sides and be level. When located in a commercial zoning district, the enclosure must be made of brick, textured concrete masonry units, and/or wood. When located in an industrial zoning district, the enclosure must be made of brick, textured concrete masonry units, wood, and/or chain-link with slats. All private collection receptacles shall be stored with lids completely closed and away from all heat sources. All screening shall be properly maintained and in a good state of repair.

2. The building inspector or his/her designee shall have the authority to order that any exterior storage of garbage, recyclables, or refuse be enclosed in a structure if, in the building inspector's determination, the storage of such garbage, recyclables, or refuse is unsanitary or creates or tends to create a nuisance to public health or safety. Such enclosure shall meet the following requirements:
  - a. Use of such enclosure shall be limited to the storage of private collection receptacles; and
  - b. The enclosure shall be 100 percent impervious to sight; and
  - c. The enclosure shall be equipped with a gate, and both the gate and the enclosure shall be constructed of vinyl, brick, masonry or composite wood which matches the primary structure. Chain link fence with slats is not permitted.
  - d. The enclosure shall be at least one foot higher than the receptacle(s) but no higher than six feet. No refuse or recycle may be stored higher than the enclosure.
  - e. The refuse recycle storage area shall have a concrete pad.
  - f. Landscaping is required around screening walls wherever they abut a non-paved surface or a required landscape area.

#### **Section 7.09 Preparation of Brush and Yard Waste; Other Special Collections.**

1. Brush and yard waste may be collected during special collection periods as determined by the Public Works Committee and Council. When collected, brush and yard waste shall be prepared as follows:
  - (a) Brush shall be placed in stacks aligned perpendicular to the curb with the butt ends facing the street, and shall not obstruct either the street (and gutters) or sidewalk. Brush piles are limited to a pile size of 4' high, 6' wide, and 10' long. In areas where there are no sidewalks, brush shall be placed within four feet of the curb line and placed in stacks aligned perpendicular to the curb line and in such a manner as to not interfere with the flow of water in the gutters. Brush shall not be larger than 6' in diameter. The city will not collect logs, brush, or stumps generated by the clearing of land. Brush shall be placed curbside the Sunday prior to the week of pickup.

- (b) Yard waste and leaves shall be placed in 32 gallon kraft bags, placed within six feet of the curb line and in such a manner as not to interfere with the flow of water through the gutters nor to obstruct the sidewalk or street. Yard waste shall be placed curbside by the Sunday prior to the week of pickup.
- 2. The City may provide for the special collection of Christmas trees, storm damage, and other materials as determined by the Public Works Committee and Council.

**Section 7.10 Disposal of Hazardous and Other Non-Collectable Items.**

The following materials shall not be collected by the City and the owner and/or occupant of any premises shall be responsible for the proper disposal of such materials:

- (1) Televisions, electronics and computer equipment.
- (2) Fluorescent light bulbs and light ballasts.
- (3) Construction debris and concrete.
- (4) Propane tanks
- (5) Waste tires.
- (6) Batteries.
- (7) Wastes as identified in Section 7.12.
- (8) Postconsumer Waste

**Section 7.11 Authority to Direct the Disposal of Solid Waste.**

- 1. Disposal at the direction of the Public Works Superintendent. All solid waste, whether collected by the City pursuant to this chapter or collected privately, shall be disposed of as directed by the Public Works Superintendent or as otherwise provided by law. Solid waste shall not be buried on any premises within the city, and no person shall burn solid waste outdoors at any time within the city limits.
- 2. Solid waste on public streets. It shall be unlawful for any patron or person to deposit, throw, place or leave any solid waste upon any street, court, lane, park, sidewalk, alley, business, public enclosure, body of water, or other public place, or within or upon any private property or premises whether owned by, kept, or controlled by such person or not, unless the same shall be placed in containers as herein provided.
- 3. Disruption of collectable solid waste placed for collection unlawful. Except upon the direction of the Public Works Superintendent, no person shall upset or break open any bag or upset or remove the cover of any container or polycart placed in the manner provided for by this chapter for garbage or recyclable collection or otherwise remove the contents of any such receptacle in any street, alley or other public place.

4. Prohibitions on disposable recyclable materials separated for recycling. No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any collectable recyclables which have been separated for recycling.

#### **Section 7.12 Disposal of Certain Solid Wastes.**

1. *Disposal of animal offal and other offensive wastes.* Animal offal and other offensive waste, including dead animals, fish, fowl, manure and nightsoil may not be placed for collection by the City. It is the responsibility of the owner or possessor of such animals to dispose the waste in a sanitary manner. The excrement/fecal waste of domesticated animals allowed upon in residentially zoned parcels shall be allowed for municipal collection provided such excrement/fecal waste is properly packaged and disposed of so as to not leak, leach or spill into the polycart or overflow bag.
2. *Cinders and ashes.* Cinders and ashes or any smoldering embers shall not be placed for collection.
3. *Disposal of infectious material.* The removal of apparel, bedding or other refuse from homes or places where highly infectious or contagious diseases have prevailed shall be performed under the supervision and direction of the County Health Department. Such waste shall not be placed curbside for collection with normal garbage or collectable recyclables.
4. *Hazardous and/or toxic waste.* Placing or depositing any hazardous or toxic waste including, without limitation, explosive materials such as dynamite, dynamite caps, shotgun shells, rifle cartridges, gunpowder, gasoline or other similar material in a disposable bag, polycart, recyclable box or bundle for collection is prohibited.
5. *Questions concerning disposal.* When any patron is in doubt as to proper preparation, handling and disposal of any type of solid waste, he or she shall communicate with the Public Works Superintendent for information concerning handling and disposal.

#### **Section 7.13 Collection Regulation and Licenses**

- (1) No person, firm, or corporation shall engage in, exercise, or carry on a trade or business of picking up and hauling solid waste in the city of Wisconsin Rapids without first obtaining a license therefore, as provided herein, nor continue in such a business after such license has been revoked.
- (2) All vehicles used for the transportation of solid waste shall be of substantial construction and the body shall be water tight or of a design approved by the public works committee as acceptable for transporting solid waste. All vehicles used in the transportation of solid waste shall be constructed and loaded in such manner as to prevent the contents from blowing or falling from said vehicle while either moving or standing.
- (3) License fee and Number Issued. The yearly fee for any person, firm, or corporation engaging in the trade or business of picking up or hauling solid waste shall be as set by resolution of the Council. Said license shall expire on July 1 of each year, and no reduction shall be made in the fee for a period of

less than one year. Said fee shall be paid to the city treasurer prior to the issuance or renewal of any such license. Licenses for persons, clubs, or organizations engaged in transporting material to the compost center for residents shall be free of charge.

(4) Applications for the license required by this section shall be reviewed by and approved by the Public Works Committee. Application shall be made on forms furnished by the city clerk. The license may be issued by the city clerk upon approval of the applicant by the Public Works Committee and the filing of the necessary bond.

(5) Every person desiring a license required by this section shall, prior to the issuance thereof, enter into a bond to the City of Wisconsin Rapids with such sureties as may be approved by the Public Works Committee in a penal sum of \$200 conditioned for the observance of all ordinances of the City of Wisconsin Rapids now in force or hereafter passed regulating or pertaining to such business. Proof of insurance shall be required.

(6) The license issued pursuant to this section shall state the name of the licensee, and the fee, address of the place of business, type of business carried on, and the name or names of the bondsmen.

(7) No license shall be transferred from the licensee to any other person, firm, or corporation without the approval of the Public Works Committee.

(8) Failure to comply with the following operational rules and regulations will result in the revocation of the license to operate in the City of Wisconsin Rapids:

- (a) The licensee must be properly licensed by the Department of Natural Resources of the State of Wisconsin and must display a Wisconsin state permit/license number on his/her vehicle.
- (b) All containers placed at a commercial, industrial, governmental, institutional, or multi-family account of the licensee shall have the name of the licensee displayed on the containers.
- (c) Licensees shall be responsible for cleaning up any debris spilled, dumped, or blown from his/her collection vehicle while traveling or collecting within the city limits.
- (d) The licensee shall pay the city for depositing any solid waste in the landfill owned and operated by the city. The rate shall be determined by the Public Works Committee and Council.

(9) Commercial, institutional, manufacturing governmental, or industrial firms or agencies may transport solid waste generated by their own firm without a license, but may not engage in picking up or transporting the solid waste generated by another person without obtaining a license, regardless of whether or not there is a monetary exchange for the service.

#### **Section 7.14 Compost site regulations.**

1. The City may maintain compost sites for yard waste drop off. No bags or reusable containers may be disposed of at the compost site, other than plastic bags which may be deposited in the containers marked for same. Compost sites are for City residents,

and for other persons who live in a municipality who has an agreement with the City to provide compost services to that municipality, for a fee.

2. Persons transporting yard waste shall cover or otherwise contain the waste in such a manner as to prevent scattering or dumping of yard waste in transport.
3. The hours of operation of the compost site shall be published by the Department of Public Works.
4. Composted material may be available for City residents' use.
5. Yard waste from commercial operations is prohibited, except as may be allowed with a permit approved by the Department of Public Works.
6. Home composting is encouraged by the city. Bins, compost piles, etc., shall be located in a rear yard, screened from the view of neighbors' living areas, and maintained in a clean odor-free condition.
7. No compost materials shall be deposited at the compost drop-off sites or outside of the facility fence and/or gates except in the areas and/or containers designated for compost. Persons depositing unauthorized material or material in areas not specifically designated for compost material shall be subject to the penalties as provided in this ordinance.

#### **Section 7.15 City Demolition and Other Sites.**

1. Clean concrete, tree trunks, stumps, bituminous pavement, dirt, or sand may be deposited at sites as determined by the Public Works Superintendent. A charge as approved by the Public Works Committee may be made for the disposal of such material.
2. Any material resulting from the removal of trees, or brush larger than six inches in diameter, may be deposited at sites as specifically designated by the City.
3. It shall be unlawful for any person to disturb, remove, or carry away any material or property from any landfill or site owned or operated by the City without written approval of the Public Works Superintendent.
4. It shall be unlawful for any person not residing within the City of Wisconsin Rapids to deposit any waste at any City demolition site and further, it shall be unlawful for any person to deposit any such material generated outside of the corporate limits of the City in said city sites.

#### **Section 7.16 Enforcement Provisions and Penalties**

1. Enforcement by Public Works Department. For the purpose of ascertaining compliance with the provisions of this chapter in regard to recyclables, any authorized officer, employee or representative of the Public Works Department may inspect recyclable materials separated for recycling, solid waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings, and nonresidential 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 Public Works Department who requests access for purposes of inspection and who presents appropriate credentials. No person may obstruct, hamper or interfere with any such inspection. The Public Works Superintendent or his designee may issue citations for violations of this chapter.

2. If the owner, occupant or lessee of any premises shall neglect or refuse to clean up and remove from the premises any solid waste when ordered to do so by the City, the owner, occupant or lessee shall be liable for the penalty provided for violation of this chapter. The waste may be collected by the Public Works Department and the entire cost so incurred shall be entered in the tax roll as a special charge against said parcel of land, and the same shall be collected in all respects like other special charges upon real estate under Wis. Stats. Sect. 66.0627.
3. Should the accumulation occur on any street, alley or public thoroughfare, the waste may be collected by the Public Works Superintendent and the entire cost so incurred shall be entered in the tax roll as a special charge against said parcel of land, and the same shall be collected in all respects like other special charges upon real estate under Wis. Stats. Sect. 66.0627.
4. Failure to comply. The Public Works Superintendent may refuse to furnish collection service to any person not complying or refusing to comply with this chapter or the rules and regulations made by the Public Works Committee or other orders of the Public Works Superintendent or health department for the collection or disposal of solid wastes.
5. Prosecution. When services for collection of solid waste have been withdrawn by the Public Works Superintendent from any person for failure to comply with such rules and regulations resulting in the accumulation of Landfill Waste or other solid wastes on his premises, which is offensive or a public nuisance, that person may be prosecuted under any ordinance of the city regulating the same.
6. Penalty. Any person who violates the provisions of this ordinance or who refuses to obey any order issued under this ordinance shall be subject to a forfeiture collected by municipal citation. The issuance of the citation shall not preclude proceeding under any other ordinance or law relating to the same matter. Proceeding under any other ordinance or law relating to the same matter shall not preclude the issuance of a citation under this subsection. Penalties for violating this ordinance, except as specifically provided elsewhere in this ordinance, shall be \$25 for a first offense, \$50 for a second offense, and \$100 for each subsequent offense, together with the costs of the action. Upon default or refusal to pay such forfeiture, the person may be imprisoned for not more than 60 days or may have motor vehicle operating privileges revoked as provided by law. Each 24-hour period of violation, disobedience, omission, neglect or refusal to obey this ordinance or any order in accordance therewith shall be deemed a separate offense.