

Village of Colfax Solid Waste & Recycling Committee Meeting
Agenda and Notice of a Possible Quorum of Board Members of the Village of
Colfax and the Towns of Colfax, Otter Creek, Tainter and Grant
Tuesday, September 1st, 2020
7:00 p.m.
Colfax Fire Hall
407 County Rd M, Colfax, WI 54730

1. Call to Order
2. Roll Call – Towns of Colfax, Otter Creek, Tainter, Grant and Village of Colfax
3. Discuss the Dunn County Zoom meeting from Thursday, August 27th, 2020
 - a. Determine if municipalities want to participate in a Dunn County Operated facility for Non-Mandated Recycling only at the Menomonie Transfer Station.
 - b. Determine if municipalities want Dunn County to provide Responsible Unit (RU) Admin Services.
4. Review Request for Proposal (RFP) for Recycling and Solid Waste Hauling – Make adjustments
 - a. Terms of contracts
5. Review Compliance Assurance Agreement/Plan template – Make any adjustments
6. Review Ordinance template – Make any adjustments
 - a. Ordinance may not be able to be completed until we have decided on a hauler(s)
7. Compactors
 - a. Estimated Costs for Dunn County
 - b. Cost New in 2018 – see attached invoice from JWR
 - c. Any other Vendors
 - d. How many do we need?
 - i. Trash
 - ii. Plastics
 - iii. Cardboard
8. Non-Mandated Recycling Vendors
 - a. Tires
 - b. Batteries
 - c. Metal
 - d. Demolition Material
 - e. Electronics
 - f. Furniture
 - g. Paints
 - h. Oils
9. Charge for permits for any non-residents? – It might be too early to finalize this.
10. Cost per capita for each municipality – It might be too early to finalize this.
11. Hours of Operations Wednesday and Saturday.
 - a. Hours to consider
 - i. Wed. 2 pm to 6 pm Winter, Sat. 8am – 4 pm.
 - ii. Wed. 2 pm to 7 pm Summer, Sat. 8a – 4 pm.
12. Any other items for consideration
13. Adjournment

Any person who has a qualifying disability as defined by the American With Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format must contact: Lynn M. Niggemann, Administrator-Clerk-Treasurer's Office, 613 Main Street, Colfax, (715) 962-3311 by 2:00 p.m. the day prior to the meeting so that any necessary arrangements can be made to accommodate each request.

It is possible that members of and possibly a quorum of members of the governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information - no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

Solid Waste and Recycling Committee Meeting

Date of Meeting: August 18, 2020

Municipal Attendance:

1. Grant
2. Red Cedar
3. Town of Colfax
4. Town of Tainter
5. Otter Creek
6. Village of Colfax

Discussion topics:

The highlighted questions should be discussion points for our next meeting.

- Main committee members should consist AT LEAST the chairpersons of each board and may elect one other for substitute in case of absence
- Committees will be open to all public and any board member.
- Contract Terms for Vendors
 - 1, 2, 3- or 5-year contract?
- Cost will be per capita for each municipality
- Permits will be mailed out by each municipality
 - What fee should non-residents be charged?
- Hours of Operations: Wednesday and Saturday
 - Wed. 2-6pm Winter, Sat. 8-4pm?
 - Wed. 2-7pm Summer, Sat. 8-4pm?
- Purchase of compactors:
 - Buy the 2 existing ones from Dunn County and investigate getting a 3rd to crush recyclables and 4th possible to crush cardboard (Look for vendor cost)
- Appropriate Ordinance has been passed by the Village of Colfax Board 8/24/20
- Create template for RFP's for haulers from the solid waste and recycling site.
- Create a compliance Assurance Plan
- Decide what data and the sources for the Annual report out procedure
- Find Vendors for:
 - Tires
 - Batteries
 - Metal
 - Demolition Material
 - Electronics
 - Furniture
 - Paints/Oils

Appropriate Ordinance has been passed by the Village of Colfax Board 8/24/20

VILLAGE OF COLFAX
COMPLIANCE ASSURANCE PLAN

Purpose: This policy will establish standard guidelines that will lead to compliance with the Village of New Auburn's recycling ordinance.

The Governing Board is responsible for enforcing the Village of Colfax's recycling ordinance. The Village of Colfax's staff and personnel shall follow the guidelines identified in this Compliance Assurance Plan in response to issues associated with recycling and solid waste. This plan is intended to meet the requirements of s. NR 544.04(9g), Wis. Adm. Code as well as the Village of Colfax's recycling ordinance.

Example 1:

Problem: Property found to have no methods for recycling in place.

Compliance Strategy:

1st Response: Village Clerk/Treasurer or designee shall send a letter to property owner reminding them of the requirement to comply with local recycling ordinances. Other educational materials will also be provided as needed.

2nd Response: Village Clerk/Treasurer or designee shall send a letter to property owner giving them 30 days to comply with local recycling ordinances. Copy of letter shall be sent to the Village of Colfax Police Department.

After 30 days has passed Village of Colfax's staff shall inspect property to determine if property is in compliance with ordinance. If found to be non-compliant, Colfax Police Department will issue the property owner a citation per code

Example 2:

Problem: Unacceptable materials found mixed with recyclables.

Compliance Strategy: Recycling dumpsite employee shall notify resident of the problem and verbally outline to them the correct procedure.

Continue occurrences shall result in letter issued by the Village Clerk/Treasurer or designee. If compliance is not achieved the Colfax Police Department shall issue a citation per code.

Example 3:

Problem: Recyclable materials found in trash.

Compliance Strategy: Recycling dumpsite employee shall notify resident of the problem and verbally outline to them the correct procedure.

Continue occurrences shall result in letter issued by the Village Clerk/Treasurer or designee. If compliance is not achieved the Colfax Police Department shall issue a citation per code.

Please refer to the following matrix for additional help with different recycling problems.

Residential Recycling Program

Type of Problem	Drop-off site attendant rejects materials	Provide educational materials	Verbal Warning	Designated official issues warning letter	Issue Citation	Other
Trash found mixed with recyclables	X	X	X	X	X	
Recyclables found in trash	X	X	X	X	X	
Resident is not recycling	X	X	X	X	X	
Hauler mixes separated recyclables with trash			X	X	X	X

Multi-Family Apartments & Business Recycling Program							
Type of Problem	Provide owner or operator with educational materials	Perform side visit to offer suggestions for improvement	Require facility to obtain adequate receptacles	Verbal Warning	Designated official issues warning letter	Issue Citation	Other
No recycling receptacles available	X	X	X	X	X	X	
High level of contamination in dumpsters	X	X		X	X	X	
Not all required materials are being recycled	X	X		X	X	X	
Hauler mixes separated recyclables with trash				X	X	X	X

7.02

RECYCLING ORDINANCE

- (1) **TITLE.** Recycling Ordinance for the Village of New Auburn.
- (2) **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 § 287, Wis. Stats., and Ch. NR 544, Wis. Adm. Code.
- (3) **STATUTORY AUTHORITY.** This Ordinance is adopted as authorized under § 287.09, Wis. Stats.
- (4) **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.
- (5) **INTERPRETATION.** In their interpretation and application, the sections 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 statute. Where any terms or requirements of this Ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a section of this Ordinance is required by statute or by a standard in Wis. Admin. Code ch. NR 544 and where the provision is unclear, the provision shall be interpreted in light of the statute and the Wis. Admin. Code ch. NR 544 standards in effect on the date of the adoption of the Ordinance from which this Ordinance is derived or in effect on the date of the most recent text amendment to this Ordinance.
- (6) **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.
- (7) **APPLICABILITY.** The requirements of this Ordinance apply to all persons within the Village of New Auburn.
- (8) **ADMINISTRATION.** The provisions of this Ordinance shall be administered by the Village of New Auburn and other authorized employees and representatives given administrative duties by the Village Board.
- (9) **EFFECTIVE DATE.** The provisions of this Ordinance shall take place effect on the 24th day of August, 2007.

(10) **DEFINITIONS.** The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(A) **"Bimetal 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 paperboard used in the manufacture of shipping containers and related products.

(C) **"Drop-off site"** means the site designated by the Village Board from time to time for drop-off of recyclables.

(D) **"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.

(E) **"HDPE"** means high density polyethylene, labeled by the SPI Code #2.

(F) **"LDPE"** means low density polyethylene, labeled by the SPI Code #4.

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

(H) **"Major appliance"** means a residential or commercial air conditioner, clothes dryer, clothes washer, computer and computer components, dishwasher, freezer, oven, refrigerator or stove; residential and commercial furnaces, boilers, dehumidifiers and water heaters; and allowing the disposal of microwaves if the capacitor has been removed.

(I) **"Multiple-family dwelling"** means a property containing five or more residential units, including those which are occupied seasonally.

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

(K) **"Nonresidential facilities and properties"** means commercial, retail, industrial, institutional, and governmental facilities and properties. This term does not include multiple-family dwellings.

(L) **"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.

(M) **"Other resins or multiple resins"** means plastic resins labeled by the SPI Code #7.

(N) **"Person"** includes any individual, corporation, partnership, association, local governmental unit as defined in Wis. Stats. § 66.0131(1) (a), state agency or authority or federal agency.

(O) **"PETE"** means polyethylene terephthalate, labeled by the SPI Code #1.

(P) **"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.

(Q) **"Postconsumer waste"** means solid waste other than solid waste generated in the production of goods, hazardous waste as defined in Wis. Stats. § 291.01(7), waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in Wis. Stats. § 289.01(17).

(R) **"PP"** means polypropylene, labeled by the SPI Code #5.

(S) **"PS"** means polystyrene, labeled by the SPI Code #6.

(T) **"PVC"** means polyvinyl chloride, labeled by the SPI Code #3.

(U) **"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; steel containers; waste tires; and bimetal containers.

(V) **"Solid waste"** has the meaning specified in Wis. Stats. § 289.01(33).

(W) **"Solid waste facility"** has the meaning specified in Wis. Stats. § 289.01(35).

(X) **"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.

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

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

(11) SEPARATION OF RECYCLABLE MATERIALS. Occupants of single-family and two- to four-unit residences, multiple-family dwellings and nonresidential facilities and properties shall separate the following materials from postconsumer waste:

- (A) Lead acid batteries.
- (B) Major appliances.
- (C) Waste oil.
- (D) Yard waste.
- (E) Aluminum containers.
- (F) Bimetal containers.
- (G) Corrugated paper or other container board.
- (H) Foam polystyrene packaging.
- (I) Glass containers.
- (J) Magazines.
- (K) Newspapers.
- (L) Office paper.
- (M) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins.
- (N) Steel containers.
- (O) Waste tires.

(12) SEPARATION REQUIREMENTS EXEMPTED. The separation requirements of Section 7.02(11) do not apply to the following:

(A) Occupants of single-family and two- to four-unit residences, multiple-family dwellings and nonresidential facilities and properties that send their postconsumer waste to a processing facility licensed by the state department

of natural resources that recovers the materials specified in Section 7.02(11) from solid waste in as pure a form as is technically feasible.

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

(C) A recyclable material specified in Section 7.02(11) (A) through (O) for which a variance has been granted by the Department of Natural Resources under Wis. Stats. § 287.11(2m) or Wis. Admin. Code § NR 544.14.

(13) CARE OF SEPARATED RECYCLABLE MATERIALS. To the greatest extent practicable, the recyclable materials separated in accordance with Section 7.02(11) shall be clean and kept free of contaminants such as food or product residue, oil, grease or other nonrecyclable 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.

(14) MANAGEMENT OF LEAD ACID BATTERIES, MAJOR APPLIANCES, WASTE OIL AND YARD WASTE. Occupants of single-family and two- to four-unit residences, multiple-family dwellings and nonresidential facilities and properties shall manage lead acid batteries, major appliances, waste oil and yard waste as follows:

(A) Lead acid batteries shall be taken to the Village's authorized collection site or taken to a waste processing and recycling facility.

(B) Major appliances shall be taken to a waste processing and recycling facility.

(C) Waste oil shall be taken to the Village's authorized collection site or taken to a waste processing and recycling facility.

(D) Yard waste shall be placed curbside for pickup by the Village.

(15) PREPARATION AND DELIVERY OF RECYCLABLE MATERIALS.

Except as otherwise directed by the Village of New Auburn, occupants of single-family and two- to four-unit residences shall do the following for the preparation and delivery of the separated materials specified in Section 7.02(11)(E) through (O):

(A) Aluminum containers, steel, and bi-metal containers shall be clean and labels removed, and delivered to the Village's drop-off site or taken to a recycling facility.

(B) Corrugated paper or other container board shall be flattened, and delivered to the Village's drop-off site or taken to a recycling facility.

(C) Foam polystyrene packaging shall not be recycled now but will be when markets become available.

(D) Glass containers shall be clean and unbroken and delivered to the Village's drop-off site or taken to a recycling facility.

(E) Magazines, newspapers, office paper and junk mail shall be tied or bundled, kept dry, and delivered to the Village's drop-off site or taken to a recycling facility.

(F) Rigid plastic containers shall be prepared and collected as follows:

(1). Plastic containers made of PETE, only pop and liquor bottles, shall be clean, and delivered to the Village's drop-off site or taken to a recycling facility.

(2). Plastic containers made from HDPE, including milk bottles, shall be clean and delivered to the Village's drop-off site or taken to a recycling facility.

(3). The following shall be collected when markets become available: plastic containers made of PVC, plastic containers made of LDPE, plastic containers made with PP, plastic containers made of PS, and plastic containers made of other resins or multiple resins.

(G) Waste tires shall be disposed of by delivering them to a recycling service under contract with the Village or delivering them to a county-wide tire recycling program and are subject to the charges currently approved by the Village under any recycling services contract or as may be charged by the County.

(16) RESPONSIBILITIES OF OWNERS OR DESIGNATED AGENTS OF MULTIPLE-FAMILY DWELLINGS.

(A) Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in Section 7.02(11) (E) through (O):

(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 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.

(B) The requirements specified in subsection (a) of this section do 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 that recovers for recycling the materials specified in Section 11 (E) through (O) from solid waste in as pure a form as is technically feasible.

(17) RESPONSIBILITIES OF OWNERS OR DESIGNATED AGENTS OF NON-RESIDENTIAL FACILITIES AND PROPERTIES.

(A) Owners or designated agents of nonresidential facilities and properties shall do all of the following to recycle the materials specified in Section 7.02(11) (E) through (O):

(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 delivery of the materials to a recycling facility.

(4) Notify users, tenants and occupants of reasons to reduce and recycle; 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.

(B) The requirements specified in subsection (a) of this section do not apply to the owners or designated agents of nonresidential facilities if the

postconsumer waste generated within the dwelling is treated at a processing facility licensed by the state department of natural resources that recovers for recycling the materials specified in Section 11 (E) through (O) from solid waste in as pure a form as is technically feasible.

(18) PROHIBITIONS ON DISPOSAL OF RECYCLABLE MATERIALS SEPERATED FOR RECYCLING. 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 Section 11 (E) through (O) which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

(19) EDUCATIONAL PROGRAMS. The Village Board shall coordinate and develop the educational programs necessary to implement this Village recycling Ordinance.

(20) COMPLIANCE ASSURANCE PLAN. The Village has adopted the Compliance Assurance Plan set forth at Appendix R.

(21) LARGE OUTDOOR EVENTS.

(A) Organizers and sponsors of outdoor events and owners of the real estate where outdoor events are held, with 20 or more persons attending, including but not limited to fairs, concerns, contests, sports events, shows, performances, reunions, social or business gatherings, with or without charge, on private or public property, where food or beverage is served shall, to the extent reasonably possible, provide an adequate number of clearly identified containers for recycling the materials set forth in 7.02 (11) (E) through (O).

(B) As soon as practicable after the event is completed, all recyclable materials shall be delivered by the organizer, sponsor, or real estate owner of his designee, to the local recycling center designated to receive same.

(C) To the extent reasonably possible, attendees of all such events shall deposit said materials to the provided containers; no such materials shall be placed or disposed of in a garbage or refuse container. All deposited material shall be clean and free of food particles.

(22) PARKS, WAYSIDES, BALLFIELDS, AND RECREATION AREAS

(A) All municipally owned or operated parks, waysides, ballfields, and recreational areas shall, to the extent reasonably possible have clearly identified containers for recycling the materials set forth in 7.02. (11) (E) through (O). These material products shall be regularly removed and delivered to the local recycling center designated to receive same.

(B) No person shall deposit to such containers any other materials and shall deposit to said containers only materials that are reasonably clean and free of food particles and other debris.

(23) **ADDITIONS/EXEMPTIONS.** The Village Board reserves the right to designate additional solid waste materials as recyclable or currently collected materials as no longer recyclable in accordance with state law and to either add or delete them from any collection services provided by the municipality or its contractors. The municipality shall provide written notice to its service recipients of this declaration.

(24) **COLLECTION SCHEDULE.** The Village shall establish the yard waste collection schedule and the Clerk/Treasurer shall provide written notice of the collection schedule at least once each year or at any time when the collection schedule is changed.

(25) **SPECIAL MATERIALS.** Materials such as couches and bulky items shall be specially arranged with a licensed garbage hauler.

(26) **CONSTRUCTION MATERIALS.** For construction materials from remodeling or construction, arrangements are to be made by the individual with a licensed hauler.

(27) **RIGHT TO REJECT MATERIALS.** The drop-off site attendant or hauler has the right to reject or leave at the curb any recyclable material that is not prepared according to the specifications in this Ordinance or in educational materials or instructions provided by the contractor or Village to the service recipients. Materials may also be refused if not separated from solid waste and placed in the proper container. In such cases, the hauler or attendant shall notify the generator of the materials about the reasons for rejecting the items either in writing or verbally. The hauler shall also keep a list of such occurrences and provide it to the Village within a month of the occurrence.

(28) **HAULER LICENSING.** Haulers who collect solid waste or recyclables in the Village of New Auburn for disposal, storage, treatment, processing, or marketing shall obtain and maintain all necessary municipal and state permits, license and approvals prior to collecting any materials in the Village of New Auburn.

(29) Reserved for Future Use

(30) Reserved for Future Use

(31) Reserved for Future Use

(32) ENFORCEMENT.

(A) For the purpose of ascertaining compliance with this Ordinance, any authorized officer, employee or representative of the Village of New Auburn 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 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 Village of New Auburn who requests access for purpose of inspection and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

(B) Any person who violates this Ordinance may be issued a citation by the Village of New Auburn. 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.

(C) Any person who violates Section 7.02 (18) may be required to forfeit \$50.00 for a first violation, \$200.00 for a second violation, and no more than \$2,000.00 for a third or subsequent violation.

(D) Any person who violates a provision of this Ordinance, except Section 7.02 (18), may be required to forfeit not less than \$10.00 nor more than \$1,000.00 for each violation.

(33) 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.

DNR
Provide
Sample

Sample Responsible Unit Recycling Ordinance

Created by the Wisconsin Department of Natural Resources; revised 10-2019

PLEASE NOTE – The following model contains the recycling requirements that must be in your recycling ordinance to have an effective recycling program as required by s. 287.11, Wis. Stats. Your municipality may want to include other provisions such as: hauler licensing, processing facilities, right to reject material, reporting requirements, anti-scavenging or unlawful removal of recyclables, no dumping, nondisposable materials, recyclables or garbage from outside of municipality, establish citation fees, ownership of recyclables and refuse, exemptions, specials materials, solid waste rules, electronic waste rules, etc.

1.01 Title. Recycling Ordinance for _____

1.02 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. 287.11, Wis. Stats., and Chapter NR 544, Wis. Administrative Code.

1.03 Statutory Authority. This ordinance is adopted as authorized under s. 287.09(3)(b), Wis. Stats., and _____.

1.04 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.

1.05 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, 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.

1.06 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.

1.07 Applicability. The requirements of this ordinance apply to all persons within _____

1.08 Administration. The provisions of this ordinance shall be administered by

1.09 Effective Date. The provisions of this ordinance shall take effect on

1.10 Definitions. For the purpose of this ordinance:

- 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 materials shaped to hold and cushion the packaged article in a shipping container.
- 4) "Glass Container" means a glass bottle, jar or other packaging container used to contain a product that is the subject of a retail sale and does not include ceramic cups, dishes, oven ware, plate glass, safety and window glass, heat resistant glass such as pyrex, lead based glass such as crystal, or TV tubes.
- 5) "HDPE" means high density polyethylene, labeled by the SPI code # 2.
- 6) "LDPE" means low density polyethylene, labeled by the SPI code # 4.
- 7) "Magazines" means magazines and other materials printed on similar paper.
- 8) "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.
- 9) "Multiple-family dwelling" means a property containing 5 or more residential units, including those which are occupied seasonally.
- 10) "Newspaper" means a newspaper and other materials printed on newsprint.
- 11) "Non-residential facilities and properties" means commercial, retail, industrial, institutional and government facilities and properties. This term does not include multiple family dwellings.
- 12) "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.
- 13) "Other resins or multiple resins" mean plastic resins labeled by the SPI code # 7.
- 14) "Person" includes any individual, corporation, partnership, association, local government unit, as defined in s. 66.0131(1)(a), Wis. Stats., state agency or authority or federal agency.
- 15) "PETE" or "PET" means polyethylene terephthalate, labeled by the SPI code # 1.

- 16) "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.
- 17) "Postconsumer waste" means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in s. 291.01(7) Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in s. 289.01(17)., Wis. Stats.
- 18) "PP" means polypropylene, labeled by the SPI code # 5.
- 19) "PS" means polystyrene, labeled by the SPI code # 6.
- 20) "PVC" means polyvinyl chloride, labeled by the SPI code # 3.
- 21) "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; steel containers; waste tires; and bi-metal containers.
- 22) "Solid waste" has the meaning specified in s. 289.01(33), Wis. Stats.
- 23) "Solid waste facility" has the meaning specified in s. 289.01(35), Wis. Stats.
- 24) "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.
- 25) "Waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
- 26) "Yard waste" means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

1.11 Separation 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 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

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 unit residences, multiple-family dwellings and non-residential facilities and properties that send their postconsumer 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 a form as is technically feasible.
- 2) Solid waste which is burned as a supplement fuel at a facility if less than 30 % of the heat input to the facility is derived from the solid waste burned as supplement fuel.
- 3) A recyclable material specified in s. 1.11(5) through (15) for which a variance has been granted by the Department of Natural Resources under s. 287.11(2m), Wis. Stats., or s. NR 544.14, Wis. Administrative Code.

1.13 Care of Separated 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 appliances, waste oil, and yard waste as follows:

1) Lead acid batteries shall be

2) Major appliances shall be

3) Waste oil shall be

4) Yard waste shall be

1.15 Preparation and Collection of Recyclable Materials. Except as otherwise directed by _____, 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

- 2) Bi-metal containers shall be

- 3) Corrugated paper or other container board shall be

- 4) Foam polystyrene packaging shall be

- 5) Glass containers shall be

- 6) Magazines shall be

- 7) Newspaper shall be

- 8) Office paper shall be

- 9) Rigid plastic containers shall be prepared and collected as follows:
 - a) Plastic containers made of PETE, including _____, shall be

 - b) Plastic containers made of HDPE, including _____, shall be

 - c) Plastic containers made of PVC, including _____, shall be

 - d) Plastic containers made of LDPE, including _____, shall be

 - e) Plastic containers made of PP, including _____, shall be

 - f) Plastic containers made of PS, including _____, shall be

 - g) Plastic containers made of other resins or multiple resins, including
_____, shall be

- 10) Steel containers shall be

- 11) Waste tires shall be

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 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 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 if the postconsumer 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 is technically feasible.

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 to recycle 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 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 materials specified in s. 1.11 (5) through (15) from solid waste in as pure a form as is technically feasible.

1.18 Prohibitions on Disposal of 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 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.

- 1) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of

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-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

who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

- 2) Any person who violates a provision of this ordinance may be issued a citation by _____ 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.
- 3) Penalties for violating this ordinance may be assessed as follows:
- (a) Any person who violates s. 1.18 may be required to forfeit \$50 for a first violation, \$200 for a second violation, and not more than \$2000 for a third or subsequent violation.
 - (b) Any person who violates a provision of this ordinance, except s. 1.18, may be required to forfeit not less than \$10 or more than \$1000 for each violation.

ORDINANCE NO. 94-103

WASTE CONTROL ORDINANCE

Ordinance No. 91-10 and No. 91-11 are hereby repealed and recreated as follows:

SECTION 1 - DEFINITIONS

1.1 "Collection Stations" means the County owned transfer station in which Solid Waste and Recyclable Materials are concentrated for subsequent transport. The Collection Stations are named after the following municipalities in which they are located within proximity to: Villages of Boyceville, Colfax, Elk Mound, and Ridgeland; and the Townships of Dunn and Rock Creek.

1.2 "Corrugated Cardboard" means corrugated paperboard used in the manufacture of shipping containers and related products. The term does not include cereal boxes, egg cartons, pizza boxes, waxed or glossy cardboard, or 12-pack beverage containers, or like containers.

1.3 "County" means the County of Dunn, a State of Wisconsin quasi-municipal corporation, or any department or representative who is authorized by this ordinance or by the Dunn County Solid Waste & Recycling Management Board to represent the County in the administration or enforcement of this Ordinance.

1.4 "County Sponsored Curbside Collection" means a system for collecting and transporting Recyclable Materials for processing and marketing which the County has contracted for with a licensed Hauler.

1.5 "County Collection Facilities" shall mean the County owned Collection Stations and the Transfer Station & Recycling Center.

1.6 "Curbside Collection" means a system for collecting Recyclable Materials from residential properties, including from the curb, alley, backyard or roadside, and for transporting the materials for processing and marketing by a licensed Hauler authorized to conduct business in Dunn County.

1.7 "Demolition Waste" means waste resulting from the demolition of buildings, roads, and other man-made structures, including but not limited to, materials such as concrete, brick, bituminous, untreated wood, masonry, glass, rock, and plastic building parts. Demolition debris does not include asbestos waste.

1.8 "Dumping" means the discharge, deposit, injection, spilling, leaking, or placing of any Solid Waste into or on any land or water so that the waste or any constituent thereof may enter the environment or discharged into any water, including ground water.

1.9 "Garbage" means discarded material resulting from the handling, processing, storage, preparation, serving, and consumption of food.

1.10 "Glass Containers" means only empty clear, brown and green glass bottles or jars; the term does not include other non-glass items such as plate glass, ceramics, light bulbs, or like materials.

1.11 "Hauler" means any person who owns, operates, or leases vehicles licensed with the County to collect or transport Solid Waste and/or Recyclable Materials from residential, commercial, or industrial properties.

1.12 "Hazardous Waste" means that waste as defined by 144.62 (2), Wisconsin Statutes.

1.13 "Litter" means any un-containerized Solid Waste, Garbage, Refuse, and Yard Waste deposited other than in a proper receptacle which tends to create a danger to the health, safety, and welfare or impair the environment.

1.14 "Littering" means the depositing of Litter or allowing Litter to be deposited on any property except in authorized waste receptacles. Littering includes discharge of Litter from vehicles or spillage from Litter containers.

1.15 "Magazines" means Magazines made from paper stock which have a shiny appearance and other materials printed on similar paper; the term does not include catalogs, phone, or Magazines printed on from newsprint stock paper.

1.16 "Major Appliance" shall mean a residential or commercial air conditioners, clothes washers and dryer, dishwasher, hot water heaters, residential furnaces, garbage disposal, trash compactors, conventional and microwave ovens, ranges and stoves, dehumidifiers, refrigerators, freezers, and other devices that may be added to the definition consistent with changes in State Statues.

1.17 "Metal Containers" mean empty aluminum, bi-metal, tin or steel food and beverage containers.

1.18 "Mixed Paper" means any paper grade which is not defined as Corrugated Cardboard; Magazines; Newspapers; and Office Paper. The term does not include paper food packaging; carbon paper forms; restroom or cafeteria paper waste or non-paper items.

1.19 "Multiple-family dwelling" means a property containing 5 or more residential units, including those which are occupied seasonally.

1.20 "Newspaper" means a Newspaper and other materials printed on Newspaper.

1.21 "Office Paper" means high grade printing and writing papers from offices in non-residential facilities and properties.

1.22 "Person" means any human being, any municipality or other governmental or political subdivision or other public agency, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, or any other legal entity.

1.23 "Plastic Containers" means HDPE (high density polyethylene) and PETE (polyethylene terephthalate) plastic bottles which have a pourable neck. The term does not include caps, rings, or bottles that have contained household hazardous waste, used motor oil, or other plastic containers.

1.24 "Recyclable Materials" include, but is not limited to Corrugated Cardboard; Glass Containers; Magazines; Office Paper; Mixed Paper, Newspaper; Metal Containers; and Plastic Containers as defined in this Ordinance.

1.25 "Recycling Containers" shall mean the plastic Recycling Containers purchased by the County given to residents within municipalities in which County Sponsored Curbside Collection occurs for the sole purpose of containing Recyclable Materials for subsequent collection.

1.26 "Refuse" means putrescible and non-putrescible discarded waste including Garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleaning, and market and industrial Solid Waste, and including municipal treatment wastes which does not contain free moisture.

1.27 "Responsible Unit" shall mean the County Solid Waste Management System that has been established under s. 59.07 (135), that is designated under s. 159.09 (1).

1.28 "Solid Waste" means Garbage, Refuse, Litter, Demolition Waste, and sludge. Except where specified otherwise, it includes elements of a waste stream which have been separated for recycling purposes. It does not include Hazardous Waste, animal waste, earthen fill, boulders and rock.

1.29 "Tipping Fee" means the per ton fee charged by the County for a person to dispose of solid waste and/or recyclable materials at a County Collection Facility.

1.30 "Solid Waste Department" means the Dunn County Solid Waste Department.

1.31 "Transfer Station & Recycling Center" means the County owned facility, located at State Highway 29 & 390th Street in the Township of Menomonie in which Solid Waste and Recyclable Materials from collection vehicles is concentrated for subsequent transport.

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

SECTION 2 - ORDINANCE DEFINED

2.1 Purpose

This document has been adopted by the Dunn County Board of Supervisors to protect public health and conserve natural resources by regulating Solid Waste and Recycling management activities in the Dunn County Responsible Units.

2.2 Abrogation and Greater Restrictions

It is not the intent of 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. If a local requirement is more restrictive than the requirement found in this Ordinance, the local requirement will supersede the County requirement.

2.3 Interpretation

The provisions of this Ordinance shall be held to 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 Wisconsin Administrative Code, the Ordinance provision shall be interpreted in light of the Wisconsin Statutes and the Wisconsin Administrative Code in effect at the time of interpretation.

2.4 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.

SECTION 3 - APPLICABILITY

3.1 Dunn County Designated as Responsible Unit

This Ordinance shall be in effect and enforced in those Dunn County municipalities in which the local unit of government has, pursuant to s. 159.09 (1) (b), Wis. Stats., designated Dunn County as the Responsible Unit by contract, pursuant to s. 66.30, Wis. Stats.

The Solid Waste control provisions of this Ordinance shall apply throughout the County pursuant to sec. 59.07 (135), Wis. Stats.

3.2 Municipalities Retaining Responsible Unit Status

The Recycling provisions of this Ordinance shall not apply or be enforced in those municipalities in Dunn County which retain their own Responsible Unit designation and authority.

SECTION 4 - AUTHORITY TO INSPECT FOR COMPLIANCE

4.1 Inspection for Compliance

The Solid Waste Department shall have the authority inspect Solid Waste and Recycling storage, transportation, and disposal activities, equipment and facilities to ensure that the requirements established in this Ordinance are being met. Department staff shall have the authority to investigate complaints and pursue the necessary enforcement activities if the requirements established in this Ordinance are not being met.

SECTION 5 - SOLID WASTE RESTRICTIONS AND PROHIBITIONS

5.1 Landfill and Dumping Grounds

It shall be unlawful for any person to bury any Solid Waste or Recyclables on any property. No private or unlicensed commercial sanitary landfills, dumping grounds, or unlicensed disposal sites shall be permitted.

5.2 Solid Waste From Outside of the Responsible Unit

It shall be unlawful for any person to place, deposit, or cause to be deposited, for collection by the County or County's contractor, any Solid Waste at any County Collection Facilities that is not generated within the limits of the Dunn County Responsible Unit, without prior written authorization from the County and payment of all applicable tipping and user fees.

5.3 Owner and Occupant Obligation to Properly Dispose of Waste

It shall be the duty of any person owning or occupying any property to maintain the premises in a reasonably clean and orderly manner. It is unlawful for any person to accumulate, permit or cause to accumulate any Solid Waste, which constitutes, or may create, an unsanitary or unsightly condition or a health or fire hazard. It shall be the duty of said person owning or occupying said premises or lands to insure that all Solid Waste or Litter shall be picked up and properly disposed of.

Failure to maintain the premises free of Litter and Solid Waste from whatever source by the property owner and occupant within 24 hours after notification is a violation of this Ordinance. This section shall not apply to Recyclable Materials placed out for collection in the manner prescribed for collection provided the Recyclable Materials remain on said premises no longer than 24 hours prior to collection.

5.4 Responsibility for Collection of Waste

No person shall allow any Solid Waste to remain uncollected beyond the date provided for its collection or removal, or in any way to allow any waste container to remain properly unemptied for longer than 14 days. Exempt from this section of the Ordinance is the storage of Recyclable Materials that have been separated for recycling purposes.

5.5 Littering

No person shall deposit Solid Waste, Litter, Garbage, Refuse or Yard Waste on any property, roadway, right-of-way or in the waste receptacles belonging to others except in parks and waysides where the disposal of an item is immediately incidental to the use of said park or wayside or unless the receptacle is expressly authorized, and appropriately labeled as such, for public use.

5.6 Retrieval of Litter

Any Litter which contains the name or other identification of the generator thereof shall be retrieved by the generator within 24 hours after receiving notification. Failure of the generator to timely retrieve and properly dispose of said Litter is a violation of this Ordinance.

5.7 Authority to Remove Waste

Dunn County may remove or cause to be removed, all Litter and Solid Waste not deposited in waste receptacles and existence of which is a violation of this Ordinance. Law enforcement agencies, or their designees, of Dunn County, shall have the authority to enter upon the private or public premises to remove said unlawful Litter or Solid Waste, and as a substitute for and in addition to forfeiture or injunction, the County may commence civil actions for damages to recoup any and all costs of cleanup, together with the enforcement costs and fees (including attorney's fees) incurred in relation thereto.

5.8 Disposal of Hazardous Waste

No person shall deposit Hazardous Waste upon any property, roadway, right-of way, or waste container belonging to others. Hazardous Waste shall be properly disposed of only in accordance with applicable Wisconsin Statutes.

SECTION 6 - SOLID WASTE STORAGE REQUIREMENTS

6.1 Storage Containers

The owner or occupant of any dwelling shall supply an adequate amount of containers of sufficient capacity for the temporary storage of Solid Waste for disposal.

All Solid Waste shall be placed in durable leak-proof storage container constructed with rust and impact resistant materials with fitted covers. The property owner or occupant is responsible for maintaining containers in a neat, clean, sanitary, and leak-resistant condition. If the container is supplied by a Hauler, the Hauler shall ensure that the container conforms to the requirements of this Ordinance.

The owner or occupant of any property shall be responsible for promptly picking up and properly disposing of any Litter or Solid Waste scattered by wind, rodents, or other animals.

6.2 Use of Clear Plastic Bags Required for Solid Waste Storage

All Solid Waste which have been placed in bags must use strong, durable clear plastic bags with proper ties or closure to resist insect or animal entry. The purpose of clear bags is to reveal any Recyclable Materials which may have mixed with Solid Waste intended for disposal.

6.3 Illegal Storage of Refuse & Recyclables

No person shall store Solid Waste, Recyclables or storage containers at locations other than permitted by this Ordinance. No person shall place storage containers at the curb more than 24 hours before the day of collection or fail to remove any storage container or uncollected Solid Waste within 12 hours after the day of collection.

6.4 Interference with Solid Waste Collection Containers

No person other than the occupant, tenant, owner or designated agent of the property, or Hauler licensed by the County, or a County employee authorized by the Solid Waste and Recycling Management Board, shall deposit any materials in any collection container, or shall remove, scavenge, displace, injure, deface, destroy, uncover, or disturb such containers or their contents.

SECTION 7- DEMOLITION WASTE MANAGEMENT

7.1 Demolition Waste Disposal

No person shall place, deposit, or cause to deposit any Demolition Waste with Solid Waste intended for disposal, except in very small amounts wherein the Demolition Waste would remain inconspicuous from other waste with which it is mixed with. All Demolition Waste must be separated from Solid Waste and be treated at a processing facility that recovers materials for the purposes of recycling, in as pure a form as is technically feasible, or landfilled at a licensed facility permitted to dispose of Demolition Waste.

Exempt from this section is concrete, brick, sheetrock, bituminous, rock and untreated lumber.

7.2 Disposal of Concrete, Brick, Bituminous, and Rock

Any person with concrete, brick, bituminous, rock and untreated lumber generated on their own property may bury these materials on their own property by properly abandoning the pit area being used for the disposal of said materials by covering the pit area completely with at least two feet of soil.

SECTION 8 - OPEN BURNING RESTRICTIONS

8.1 Open Burning of Solid Waste and Recyclable Materials is Prohibited

It shall be unlawful for any person to burn Hazardous Waste, Solid Waste or Recyclable Materials. This includes the open burning of wet combustible rubbish, Garbage, oily substances, asphalt, and plastic or rubber products. No facility for the disposal of Solid Waste, including burn barrels, shall be constructed, established, continued, maintained, or operated after January 1, 1995.

Exempt from this Ordinance is the burning of Yard Waste and untreated wood.

8.2 Open Burning of Yard Waste and Untreated Wood

Any person with Yard Waste and untreated wood generated on their own property may burn these materials on their own property by doing all of the following, unless local regulation prohibit open burning altogether:

1. Properly notify and receive approval, including any necessary permits, from the governing local municipality and fire department.
2. Conduct all allowed open burning of Yard Waste and untreated wood in a safe pollution free manner, when wind and weather conditions are such as to minimize adverse effects and in conformance with local and state fire protection regulations.

The use of burn barrels for the open burning of Yard Waste and untreated wood shall be prohibited.

SECTION 9- RECYCLING REQUIREMENTS

9.1 Mandatory Source Separation of Recyclable Materials

No person shall place, deposit, or cause to deposit any Recyclable Material with Solid Waste intended for disposal. All Recyclable Materials must be separated from Solid Waste for the purposes of recycling. The County Collection Facilities shall not be obligated to accept any Solid Waste from any person who has failed to separate Recyclable Materials from Solid Waste or have not prepared their Recyclable Materials to the specifications promoted by the County.

The person responsible for initially placing those materials for collection shall be responsible for removing those materials from the Solid Waste and/or preparing them to the appropriate specifications to ensure that the material is recycled.

9.2 County Sponsored Curbside Collection Container Requirement

All owners or occupants of any dwelling within a municipality receiving County Sponsored Curbside Collection must use the Recycling Container purchased by the County for the sole purpose of containing Recyclable Materials in order to participate in the recycling program.

Residents may purchase Recycling Containers from the County to replace those containers lost or stolen or may purchase additional containers to store their Recyclable Material if it is found that one container is not sufficient. The cost of the container will equal the price paid by the County for the container. Residents with who have a Recycling Container that has been damaged due to normal usage, may replace their containers at no cost by trading the damaged container with a new one.

No person shall use the Recycling Container for any other use except the storing of recyclable items prior to collection.

9.3 Recycling Container Set-Out Location and Duration

Except as otherwise specifically directed or authorized by the Solid Waste Department, Recycling Containers that have been placed out for the purpose of recycling shall be placed at the curbside, adjacent to the premises owned or occupied by the person. Residents with collection service in rural areas without a curbside must place their containers on the edge of the shoulder of the public roadway furthest from the road as possible.

Recyclable Materials shall be placed out for collection no later than 6:00 a.m. on the designated collection day established and published by the County. Recycling Containers shall not be placed out for collection more than 24 hours prior to collection, and shall be removed within 12 hours following collection.

9.4 Interference with Recycling Containers

No person other than the occupant, tenant, owner or designated agent of the property, or Hauler licensed by the County, or a County employee authorized by the Solid Waste and Recycling Management Board, shall deposit any materials in any Recycling Container, or remove, displace, injure, deface, destroy, uncover, or disturb such containers or their contents. Recyclable Materials placed out for collection shall become the property of the County.

SECTION 10 - MULTI-FAMILY RECYCLING REQUIREMENTS

The owners or designated agents of Multiple-Family Dwellings shall do all of the following unless Solid Waste generated in those properties is treated at a processing facility that recovers Recyclable Materials for recycling from the Solid Waste in as pure a form as is technically feasible:

1. Provide adequate, containers to separate out Recyclable Materials from Solid Waste for the purpose of recycling.
2. Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the recycling program that has been established.
3. Provide for the collection of Recyclable Materials separated from the Solid Waste by the tenants and the delivery of the Recyclable Materials to a recycling facility.
4. Notify tenants of the reasons to reduce and recycle Solid Waste, which materials are collected, how to prepare Recyclable 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 phone number.

SECTION 11 - NON-RESIDENTIAL RECYCLING REQUIREMENTS

The owners or designated agents of non-residential facilities and properties shall do all of the following unless Solid Waste generated in those properties is treated at a processing facility that recovers Recyclable Materials for recycling from the Solid Waste in as pure a form as is technically feasible:

1. Provide adequate, containers to separate out Recyclable Materials from Solid Waste for the purpose of recycling.
2. Notify in writing, at least semi-annually, all users, tenants, employees and occupants of the properties about the recycling program that has been established.
3. Provide for the collection of Recyclable Materials separated from the Solid Waste by the users, tenants and occupants and the delivery of the Recyclable Materials to a recycling facility.
4. Notify users, tenants and occupants of reasons to reduce and recycle, which materials are collected, how to prepare Recyclable Materials in order to meet the processing requirements of the recycling program, collection methods or sites, locations and hours of operation, and a contact person or company, including a name, address and phone number.

SECTION 12 - RECYCLING AT SPECIAL EVENTS

All organizers and sponsors of special events and owners of the property where said events are held, when 20 or more persons attend at any given time, including but not limited to weddings, fairs, concerts, contests, sports events, shows, performances, reunions, social or business gatherings, with or without charge, on private or public property, where food or beverage is served shall do all of the following unless Solid Waste generated in those properties is treated

at a processing facility that recovers Recyclable Materials for recycling from the Solid Waste in as pure a form as is technically feasible:

1. Provide adequate, separate containers to separate Recyclable Materials from Solid Waste for the purpose of recycling.
2. Provide for the collection of Recyclable Materials separated from the Solid Waste by the users and the delivery of the Recyclable Materials to a recycling facility.

SECTION 13 - RECYCLING AT PARKS, WAYSIDES, AND RECREATIONAL AREAS

All municipally or privately owned or operated parks, waysides, ballfields and recreational areas shall do all of the following, unless Solid Waste generated in those properties is treated at a processing facility that recovers Recyclable Materials for recycling from the Solid Waste in as pure a form as is technically feasible:

1. Provide adequate, separate containers to separate Recyclable Materials from Solid Waste for the purpose of recycling.
2. Provide for the collection of Recyclable Materials separated from the Solid Waste by the users and the delivery of the Recyclable Materials to a recycling facility.

SECTION 14 - REGULATION FOR USE OF COUNTY COLLECTION FACILITIES

14.1 Permitted Users

Only residents within the County Responsible Unit shall be privileged to use any of the County Collection Facilities for the disposal of municipal Solid Waste. All Solid Waste must originate within the limits of the Responsible Unit.

Use of the County Collection Facilities shall be for residential use only. No person, business, institution or industry shall place, deposit, or cause to deposit any Solid Waste at any County Collection Facilities, without prior approval of the County and payment of a tipping fee for use of the facility.

14.2 Permit Required

No person shall place, deposit, or cause to be deposited, for collection any Solid Waste at any County Collection Facility without first having obtained a current year Dunn County Collection Site Permit.

SECTION 15 - VIOLATIONS

Any person who violates, neglects, or refuses to comply with any provision of this ordinance shall be subject to a forfeiture of not less than \$100 and not more than \$2,000 plus the costs of prosecution for each violation. Each day a violation exists shall be a separate offense.

OFFERED BY THE SOLID WASTE &
RECYCLING MANAGEMENT BOARD:

Edward Ferber, Chairman

Richard Johnson

Wayne Whitney

Nicholas Loechler

Henry Berg

Darrell Kistner

Gustave Fehr

Donald Heit

Dennis Kropp

FISCAL NOTE:

No fiscal impact.

ACCEPTED ON: _____

PUBLISHED ON: _____

ATTEST:

Lorraine Hartung
County Clerk



PO Box 356
 Johnson Creek, WI 53038-0356
 Voice: (920) 541-7083
 Fax: (920) 699-2847

INVOICE

Invoice Number: 12192
 Invoice Date: Feb 14, 2018
 Page: 1

Bill To:
DUNN COUNTY SOLID WASTE 390 RED CEDAR ST, SUITE C MENOMONIE, WI 54751

Ship to:
DUNN COUNTY SOLID WASTE 3900 Hwy 29 MENOMONIE, WI 54751

Customer ID		Customer PO	Payment Terms	
D038		2000007253	Net 15 Days	
Quantity	Item	Description	Unit Price	Amount
10.00		refurbished Sebright 5060 Compactors	7,900.00	79,000.00
10.00		Guide rails	295.00	2,950.00
		Installation of 10 compactors, training and freight to job site		12,580.00
10.00		Pressure gauge on 15' hose mounted	190.00	1,900.00
10.00		Extreme Cold weather Hydraulic Oil	480.00	4,800.00
10.00		Double-sided side-feed doghouses with 60" sides, 16" rear side flared, including interlocks, 42"X42" doors	2,950.00	29,500.00
10.00		Convert compactors to single phase	3,945.00	39,450.00
11.00		40 cubic yard standard duty octagon Receiver container with cable lift and diaper tarp	6,464.00	71,104.00
6.00		Freight from factory to job site	300.00	1,800.00
10.00		Credit for 10 Nedland Compactors and Power units with 10-40 yard containers hauled away	1,200.00	-12,000.00

A service charge of 1.5% per month will be assessed on amounts due and owing over 30 days from date of invoice.

Please remit payment to:

JWR, Inc.
 PO Box 356
 Johnson Creek WI 53038-0356

Subtotal	231,084.00
Sales Tax	
Total Invoice Amount	231,084.00
Payment/Credit Applied	
TOTAL	231,084.00

Solutions & Technology for a Greener tomorrow



WHAT TO RECYCLE IN WISCONSIN

In Wisconsin, you cannot put many recyclable or compostable items in the trash. Wisconsin's recycling law bans the landfilling or incineration of these materials to conserve valuable resources and landfill space. These disposal bans apply everywhere in Wisconsin, including in homes, businesses, schools, institutions and at special events.

Many local recycling programs and drop-off centers accept additional materials for recycling, so check with your local program or recycling hauler for a complete list of what can be recycled.

- [Local recycling program contacts](#)

RECYCLABLE MATERIALS BANNED FROM DISPOSAL IN WISCONSIN

[Download a flier \(PDF\)](#) with the full list of materials banned from landfills and incinerator disposal.

PAPER, CARDBOARD AND CONTAINERS

- Aluminum containers
- Bi-metal containers (i.e. containers made from a combination of steel and aluminum)
- Corrugated cardboard or other containerboard
- Glass containers
- Magazines and other materials printed on similar paper
- Newspapers and other materials printed on newsprint
- Office paper
- Plastic containers #1 and #2 - milk jugs, laundry detergent bottles, soda and water bottles, etc.
- Steel containers (tin cans)

ADDITIONAL MATERIALS

- [Electronics](#)
- [Lead acid batteries](#)
- Major appliances
 - [Large Appliance Recycling Guide \(PDF\)](#)
 - [Focus on Energy appliance recycling program \(exit DNR\)](#)
- [Used oil filters](#)
- [Waste oil](#), except when incinerated with energy recovery
- [Waste tires](#) (except when incinerated with energy recovery)
- Yard waste, including grass clippings, leaves, yard and garden debris and brush under 6 inches in diameter*
 - *Yard waste may go to an approved compost facility or be incinerated with energy recovery. Brush may be burned at licensed woodburning facilities if reasonable alternatives are not available.
 - [Composting in Wisconsin](#) has more information on managing yard waste and other compostable materials.

Wisconsin's recycling law also bans the following materials from disposal, but the DNR allows them to be landfilled or incinerated because there are not yet adequate recycling markets.

- Foam polystyrene packaging (for serving food or beverages), loose particles intended for packing (e.g. packing peanuts), or rigid foam shaped to hold and cushion a packaged item.
- Plastic containers #3 through #7. Many communities now accept some of these types of plastics, so check with your local recycling program or recycling hauler to find out if you can include them in your recycling.

WHAT NOT TO PUT IN YOUR RECYCLING BIN OR CART

The following items cause significant problems at recycling facilities and should not be placed curbside in a bin or cart. Many of these items can be recycled at drop-off locations.

Item	How to safely recycle/dispose
Loose plastic bags, film or wrap	<u>Reducing, reusing and recycling plastic bags and wrap</u>
Batteries	<u>Proper handling of used batteries</u>
Cords, hoses, light strings, ropes and wires	<ul style="list-style-type: none"> • For cords and light strings, check with local drop-off sites or <u>electronics collection sites</u> to see whether they accept these items. • Wires can be dropped off at scrap metal collectors. • Place hoses and ropes in the trash.
Needles/sharps (this includes sharps placed in a plastic container)	<u>Managing household medical sharps</u>
Propane cylinders	For larger models, check with local distributors to swap your tank. Smaller 'disposal' models might be accepted at local scrap metal collections when empty.
Textiles	Check with nonprofit organizations like Goodwill or St. Vincent de Paul; many will accept textiles for recycling as well as reuse

RESOURCES FOR RECYCLING OTHER MATERIALS

The Wisconsin Recycling Markets Directory, (exit DNR) provides information about outlets for recycling various materials in Wisconsin. Users can search by material/item type, view information about recyclers and suggest additional recyclers to include in the listing.

The following resources are for specific material types.

- Agricultural plastics and pesticide containers
- Fishing line
- Household and agricultural hazardous waste
- Light bulbs

BREAKING DOWN PLASTICS RECYCLING

Many types of plastic containers can be recycled in curbside recycling bins/carts or at drop-off locations. With the wide variety of plastic products we use today, however, it can be confusing to figure out what's recyclable. Some product packaging has clear recycling instructions, but not all. National Public Radio has produced an interactive guide to help you figure out what to recycle and what is a problem for the materials recovery facility (MRF) that processes your recyclables.

- Plastics: What's recyclable, what becomes trash - and why, (exit DNR)

EXCEPTIONS FOR LOCAL RECYCLING RESPONSIBLE UNITS

The bans on paper, cardboard and containers do not apply to small amounts of the banned material mixed in with garbage being collected, treated and disposed of by a responsible unit (RU) with an effective recycling program. Even a good recycling program will not capture 100 percent of all potential recyclables, and some materials are unable to be recycled because of contamination. Examples include plastic jugs used for waste oil collection or newspapers used for cleaning. There are also exceptions for emergencies, unintentionally contaminated materials, the approved beneficial reuse of a material within a landfill, and certain plastics if recycling is not feasible.

RUs in two grandfathered waste-to-energy incinerator areas (La Crosse and Barron counties) are allowed to send recyclable paper (including newspaper, magazines and cardboard) and plastics to waste-to-energy incinerators, although local ordinances in those areas may require paper and plastic items to be recycled.

Wisconsin Recycles



The following items are banned from landfills and incinerators statewide and should be reused, recycled or composted.

Containers

- #1 and #2 plastic bottles and jars
- Aluminum containers
- Bi-metal cans
- Glass containers
- Steel (tin) cans

Paper and Cardboard

- Corrugated cardboard
- Magazines, catalogs, and other materials on similar paper
- Newspaper and newsprint materials
- Office paper

Yard Materials

- Grass clippings
- Debris and brush under 6" in diameter
- Leaves

Vehicle Items

- Lead-acid vehicle batteries
- Tires *
- Used oil filters
- Waste oils *

*These items may be burned in a solid waste treatment facility with energy recovery.

Appliances

- Air conditioners
- Boilers
- Clothes dryers
- Clothes washers
- Dehumidifiers
- Dishwashers
- Freezers
- Furnaces
- Microwaves
- Ovens
- Refrigerators
- Stoves
- Water heaters

Electronics

- Cell phones
- Computers – desktop, laptop, netbook, tablet
- Computer monitors
- Computer keyboards and mice
- Computer scanners
- Computer speakers
- Desktop printers (including those that fax and scan)
- DVD players, VCRs, DVRs and all other video players
- External hard drives
- Fax machines
- Flash drives/USBs
- Other items that plug into a computer
- Televisions

Why ban items from the landfill and incinerator?

The items on this list are made of materials that can be reused in new products. Some also have toxic components that we do not want in our groundwater, air or soil. Recycling and composting allow landfills to last longer, provide markets with valuable reusable materials, create jobs, and prevent pollution.

Why not ban more materials?

Corrugated cardboard is banned while waxed cardboard is not. Some things with plugs, like computers, are banned, while others, like toasters, are not. Why? Current bans cover some of the most easily reusable or most toxic materials on the market today. Eventually more items may be added to this list as new recycling markets develop or the types of materials we throw away change.

Some communities go above and beyond what is required by state law. Check with your local government or recycling service provider to find out what additional materials are accepted for recycling in your area. For more information about Wisconsin's recycling program, search "recycle" at dnr.wi.gov. Wisconsin's recycling requirements apply to everyone in the state at all residences and places of work or play.



Wisconsin Department of Natural Resources
Bureau of Waste and Materials Management

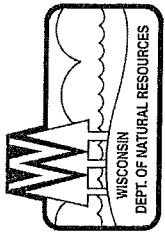
P.O. Box 7921, Madison, WI 53707 • (608) 266-2111
DNRWasteMaterials@wisconsin.gov

The Wisconsin Department of Natural Resources provides equal opportunity in its employment, programs, services and functions, under an Affirmative Action Plan. If you have any questions, please write to Equal Opportunity Office, Department of Interior, Washington, D.C. 20240.

This publication is available in alternative format (large print, Braille, audiotape etc.) upon request. Please call (608) 266-2111 for more information.

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Waste & Materials Management

List of Self-Certified MRFs

8/7/2020 10:49:34 AM

FID	MRF Name	County	Address	City	State	Zip	Contact First Name	Contact Last Name	Phone
241640190	A1 RECYCLING INC	Milwaukee	2101 W Morgan Ave	Milwaukee	WI	53221-1534	John	Pena	
420003100	ARONSON RECYCLING CO	Fond du Lac	513 Fond du Lac St	Waupun	WI	53963-1559	Steven	Aronson	(920) 324-2209
252074570	ASDA ENTERPRISES INC /Andy's Recycling	Racine	6320 McHenry St	Burlington	WI	53105-8786	Andrew	Naber	
408007490	Advanced Disposal Services (Chilton)	Calumet	2905 Paine Ave	Sheboygan	WI	53081-6428	Timothy	Mueller	(920) 371-5439
113273930	Advanced Disposal Services (Waunakee)	Dane	300 Raemisch Rd	Waunakee	WI	53597	Robert	Fisker	(608) 251-7878
267171410	American Metal & Paper Recycling	Washington	7651 Offen Ln	Kewaskum	WI	53040-9348	DENNIS	FECHTER	(262) 334-9542
399124110	Badgerland Disposal						Dustin	Reynolds	(608) 580-0580
603049040	Barron County Waste to Energy and Recycling Facility	Barron	585 10 1/2 Ave	Almena	WI	54805-9527	Ray	Zeman	(715) 637-6890
341070290	City of Milwaukee	Milwaukee	841 N Broadway Rm 620	Milwaukee	WI	53202-3613	Samantha	Longshore	(414) 286-2334
999824980	County of Adams	Adams	1420 State Road 21	Friendship	WI	53934-9522	Christine	Miller	(608) 339-9178
111065020	County of Columbia	Columbia	W7465 State Road 16	Pardeeville	WI	53954-8744	GREG	KAMINSKI	(608) 742-6651
744009640	County of Oneida	Oneida	PO Box 695	Rhineland	WI	54501-0695	Lisa	Jolin	(715) 282-4945
663038310	County of Vernon	Vernon	S3705 County Road LF	VIROQUA	WI	54665	Stacie	Sanborn	(608) 634-2900
399059760	DITTMER RECYCLING INC		1755 Radford Rd	Dubuque	IA	52002-2532	Shelley	Atchison	(563) 583-3381
399103980	Dem-Con Companies		13020 Dem Con Dr	Shakopee	MN	55379-7200	Alan	Phillips	(952) 224-7139

Waste & Materials Management

List of Self-Certified MRFs



399076040	Dick's Sanitation Service	8812 215th St W	Lakeville	MN	55044-8352	Mike	Robinson	(952) 469-9863
617050170	Dunn County Transfer Station and Recycling Center	E3900 State Road 29	Menomonie	WI	54751	Morgan	Gerik	(715) 232-4017
764161530	EAGLE WASTE & RECYCLING INC	701 Recycling Way	Eagle River	WI	54521	Alan	Albee	(715) 477-0077
399128070	Eureka Recycling	2828 Kennedy St NE	Minneapolis	MN	55413-2808	Miriam	Holsinger	(612) 455-9123
656110620	Glenwood City Recycling Center	221 Water St	Glenwood City	WI	54013	Sharon	Rosenow	(715) 265-4227
632138540	Green Circle Recycling LLC	2850 Larson St	La Crosse	WI	54603-1829	Mathias	Harter	(608) 782-9159
399118610	Groot Industries	1759 Elmhurst Rd	Elk Grove Village	IL	60007-5924	Javier	Erazo	(773) 569-3010
998062230	Hiltopper Refuse & Recycling Service Inc	W6833 Industrial Blvd	Onalaska	WI	54650-9215	Kyle	Knudtson	(608) 783-6727 ext. 112
998062230	Hiltopper Refuse & Recycling Service Inc	W6836 Industrial Blvd	Onalaska	WI	54650	Kyle	Knudtson	(608) 783-6727 ext. 112
252255190	JOHNS DISPOSAL SERVICE INC - FRANKSVILLE	7311 Omega Cir	Franksville	WI	53216	Sarah	Jongefjes	(262) 473-4700
128045170	JOHNS DISPOSAL SERVICE INC - WHITEWATER	7311 Omega Cir	Franksville	WI	53216	Sarah	Jongefjes	(262) 473-4700
154050930	Janesville Recycling Center	340 Black Bridge Rd	Janesville	WI	53545-0707	John	Pena	
113264140	Madison Recycling Center	2200 Fish Hatchery Rd	Madison	WI	53713-2434	John	Pena	
436107210	Manitowoc County Recycling Center	3000 Basswood Rd	Manitowoc	WI	54221	Jon	Reisenbuchler	(920) 683-5031
445157790	Outagamie County Dept of Solid Waste/Recycling	1419 Holland Rd	Appleton	WI	54911-8985	Gregory	Parins	(920) 832-5004
313001920	PELLITTERI WASTE SYSTEMS INC	7035 Raywood Rd	Monona	WI	53713	Nick	Gleck	(608) 225-0357

Waste & Materials Management

List of Self-Certified MRFs



471157390	Paper Valley Recycling Center	Winnebago	1420 Earl St	Menasha	WI	54952-1417	John	Pena	
648056640	Pierce County Solid Waste	Pierce	707 N Maple St	Ellsworth	WI	54011	Steven	Meistrom	(715) 273-3092 ext. 6849
649073590	Polk County Recycling	Polk	100 Polk County Plz Ste 10	Balsam Lake	WI	54810-9097	Emil	Norby	(715) 485-8723
750112000	Portage County Material Recovery Facility	Portage	600 Moore Rd	Plover	WI	54467-3148	Amanda	Haffele	(715) 345-5970
399025990	Republic Services (Inver Grove Heights)		2795 117th St E	Inver Grove Heights	MIN	55077-5925	Joshua	Henkemeyer	(651) 829-6550
265181510	Strategic Materials Inc.	Walworth	1849 Hobbs Dr	Delavan	WI	53115-2028	Jason	Plummer	(262) 581-7132
399059320	TENNIS ROLL OFF LLC		720 4th St	St Paul Park	MIN	55071	Willie	Tennis	(651) 402-9000
114125990	Town of Ashippun Recycling Center	Dodge	W 2522 Oak St	Ashippun	WI	53003	Michelle	Liesener	(920) 474-4781
802023420	Town of La Pointe	Ashland	346 Big Bay Rd	La Pointe	WI	54850	Theodore	Pallas	(715) 747-5715
999830920	Tri-M Sanitary Commission	Ashland	415 Olson Rd	Mellen	WI	54546-9012	Don	Toldness	(715) 274-3591
998268150	Tri-R Project	Trempealeau	W20298 State Road 121	Whitehall	WI	54773-9685	Kathy	Palahniuk	(715) 538-9106 ext. 5010
662030050	Village of Strum	Trempealeau	320 Birch St	Strum	WI	54770	Michelle	Loken	(715) 695-3601
267183730	Waste Management - Germantown	Washington	W132N10487 Grant Dr	Germantown	WI	53022	John	Schultz	(262) 250-8742
399101010	Waste Management Recycle America - Twin Cities		1800 Broadway St NE	Minneapolis	MN	55413-2607	Joshua	Allen	(952) 656-5050
469094120	Waupaca Cnty Processing & Transfer	Waupaca	811 Harding St	Waupaca	WI	54981-2012	Taylor	Sorenson	(715) 258-6240

* Identifies a single commodity MRF that is exempted from self-certification.

**Contract Agreement Designating Village of Colfax as the
Responsible Unit for Recycling**

This agreement is entered into by and between the Village of Dunn, hereinafter designated as "Village" and the Town of _____, a local Municipality executing this agreement, hereinafter designated as "Municipality".

ARTICLE I

Purpose

The purpose of this agreement is to designate by contract, pursuant to Section 66.30 of Wisconsin Statutes, Village of Colfax as the responsible unit, under Section 159.09 (1) (d) of Wisconsin statutes for the Municipality. Furthermore, this agreement establishes the responsibility of the Village and the Municipality to fulfill the requirements of 1989 Wisconsin Act 335 in developing, implementing, and operating an effective recycling program to manage recyclable materials.

ARTICLE II

I. Term

The term of this agreement shall be for a period of five (5) years commencing on the date this agreement is executed.

II. Renewal of Agreement

The term of this agreement shall be renewed for an additional term of five (5) years, and shall continue to renew for successive five (5) year terms, unless either party at least 90 days prior to the expiration of the terms or renewal gives written notice to the other party of its intent not to renew.

III. Withdrawal Option

Notwithstanding the above, the Municipality shall have the option to withdraw from this contract and establish itself as a responsible unit upon one hundred twenty (120) days' notice to Village. This option to withdraw shall only be effective upon a majority vote of the governing body of the Municipality executing this agreement.

IV. Other Terms

Termination or withdrawal from this agreement shall not result in the refund of any payments made or assigned to the Village by the Municipality.

ARTICLE III

I. Responsible Unit Designation

The Municipality hereby agrees to designate the Village as the responsible unit, for developing and implementing an effective recycling program pursuant to Wis. stats. 159.09. The Village hereby accepts such designation and agrees to assume the duties of responsible unit as provided in Chapter 159, Wis. stats.

II. Amendment

The Village and the Municipality agree that this initial agreement shall be further amended and/or supplemented as agreed upon in writing by both parties, so as to implement the Village's effective recycling program to and for the benefit of the parties, and so as to comply with Chapter 159 as now in force and effect or as hereafter amended.

ARTICLE IV

I. Duties and Responsibilities of the Village

The Village as the designated responsible unit for the Municipality during the term of this agreement hereby agrees to do the following:

- A. Develop, implement and operate an effective recycling program for recyclable materials generated within the Municipality, in

Duties and Responsibilities of the Village (cont.)

cooperation with the Municipality, in compliance with the terms, conditions, obligations, requirements and priorities as set forth under Chapter 159 Wis. stats. The Village recycling program shall include:

1. A public education component to inform residents, persons, and business entities within the region of the reasons to recycle, and all prohibitions on land disposal and incineration as set forth under 159.07 Wis. stats.
2. A requirement by creation of appropriate Village and/or Municipality ordinance(s), that the occupants of single family residences, buildings containing two or more dwelling units and commercial, retail, industrial, and governmental facilities in the region either separate the materials identified in 159.07 Wis. stats. from post-consumer waste generated in the region or treat post-consumer waste at a facility that will recover those materials from solid waste in as pure a form as it is technically feasible, except that this paragraph does not apply to post-consumer waste burned at a Resource Recovery Facility as described in Sec. 159.07 (7)(b,g), Wis. stats.
3. A requirement by creation of appropriate Village and/or Municipality ordinance(s), that owners of buildings that contain five or more dwelling units in the region do all of the following if post-consumer waste generated in those buildings is not treated at a facility that will separate the materials identified in 159.07 Wis. stats from that post-consumer waste.
 - a. Provide adequate, separate containers for the effective recycling program established under this program.
 - b. Notifying tenants at the time of renting or leasing the dwelling and semi-annually thereafter of the effective recycling program established under this paragraph.
 - c. Provide for the collection of recyclable materials separated from solid waste by the owners/tenants and the delivery of the recyclable materials to a Village designated recycling location(s).
4. A requirement by creation of appropriate Village and/or Municipality ordinance(s), that industrial and governmental facilities in the region do all of the following if post-consumer waste generated in those buildings is not treated at a facility that will separate the materials identified in 159.07 Wis. stats. from that post-consumer waste:
 - a. Provide adequate, separate containers for the effective recycling program established under this subparagraph.
 - b. Regularly notify all users and occupants of the facilities of the effective recycling program established under this paragraph.
 - c. Provide for the collection of recyclable materials separated from solid wastes by the users and occupants and the delivery of the recyclable materials to a Village designated recycling location(s).
 - d. Implementation of a system for collecting from single family residences in the region, any materials separated pursuant to the effective recycling program pursuant to this subparagraph.

Duties and Responsibilities of the Village (cont.)

5. Implementation of a system for the processing and marketing of recyclable materials collected by the responsible unit or by Municipalities located within the responsible unit area/region.
 6. Implementation of prohibition(s) on disposing of, in a solid waste disposal facility, any material identified in 159.07 Wis. stats that is separated for recycling as part of the effective recycling program.
 7. Provisions to be implemented for the management of post-consumer wastes that is not separated for recycling or recovery under the effective recycling program, consistent with the highest feasible priority under Sec. 159.07(12) Wis. stats.
 8. Procurement of equipment (if necessary) or means necessary to implement the effective recycling program, including contracts for service, staff, supplies and equipment from vendors.
 9. A reasonable effort through the implementation of the effective recycling program to reduce to the maximum extent feasible the amount, by weight, of each material specified in 159.07 Wis. stats. that is generated as solid waste within the region and disposed of in a solid waste disposal facility or converted into fuel or burned without energy recovery in a solid waste treatment facility.
 10. Provide information as requested regarding the status and planning of the effective recycling program to the "Municipality".
 11. Other provisions to be implemented as established by the Department of Natural Resources.
 12. Provide adequate enforcement of the program established above.
- B. Submit to the Wisconsin Department of Natural Resources on or before January 1, 1993, a report setting forth how the Village intends to implement the effective recycling program, the report shall specify, at a minimum, the following:
1. Whether the Village or any other person, firm or entity, as designated by the Village will implement a component of the program.
 2. The policies procedures or processes that the Village intends to use to separate, collect, store, process, and market recyclable materials and to educate the public on the effective recycling program.
 3. The procedures or processes that the Village intends to use to manage the recyclable materials that are not separated for recovering or recycling.
 4. A schedule for the implementation of the effective recycling program.
- C. The Village will maintain a collection system for recyclables which shall consist of the placement of collection boxes and/or curbside pick-up.
1. The Village will maintain a collection system for recyclables in the following areas:
 - a. Incorporated Areas
 - (1) The Village will be responsible for the placement of suitable collection containers at convenient locations to be determined by the Recycling Advisory Board. The Village will provide containers

Which will allow sufficient capacity for the collection of recyclable materials and will be responsible for the cost and maintenance of the said containers? The Village shall be responsible for the pick-up and transportation of recyclable materials on a schedule which minimizes overfilling, waste and litter.

- (2) The Village in agreement with the Municipality will provide, or will contract for service, a collection system for recyclables which shall consist of curbside pick-up in all incorporated areas existing as of January 1, 1992 and any non-incorporated areas as deemed necessary by the Recycling Advisory Board. If the revenue from the recycling program is insufficient, the balance of the revenue necessary to operate a curbside program will be recovered by a per capita assessment to the Municipality participating in the curbside program.

b. Non-Incorporated Areas

- (1) The Village shall be responsible for the placement of suitable collection containers throughout the Village as determined by the Recycling Advisory Board. The Village will provide containers which will allow sufficient capacity for the collection of recyclable materials and will be responsible for the cost and maintenance of the said containers. The Village shall be responsible for the pick-up and transportation of recyclable materials on a schedule which minimizes overfilling waste and litter.

2. In the event that the Village and Municipality cannot agree on the location or citing of recycling containers, that issue shall be subject to the Wisconsin Arbitration Act. Only the Municipality where the container is located or in a Municipality that the container is intended to serve can request arbitration on the container in question. The expenses for arbitration shall be shared equally and there shall be no appeal of the arbitrator's decision. Prior to the matter being referred to arbitration both the Municipality and Village shall appoint non-elected representatives to attempt to reconcile the differences.

II. Duties and Responsibilities of the Municipality

- A. The Municipality hereinafter, agrees to pass any and all rules, regulations and/or ordinances, requiring that all recyclable materials be placed in containers provided by the Village, and that all containerized recyclable materials be directed for delivery only to the Village designated recycling location(s). The Village shall not forbid or restrict any existing aluminum can or newspaper recycling activities by service organizations.
- B. The Municipality shall not deliver to the designated recycling location(s), and the Village shall not be obligated to accept, any recyclable material which (a) is mixed or commingled with garbage,

Duties and Responsibilities of the Municipality (cont.)

trash or other waste or (b) paper materials which are mixed or commingled with glass, cans, plastic, batteries or appliances. In the event that the Village rejects any such load it will be the responsibility of the said Municipality to dispose of such material in a lawful manner.

- C. Municipalities who have spent expedited grant monies for recycling related expenditures must document to the Village, where the monies were spent.

ARTICLE V

Funding

All revenues from the recycling program shall be kept in a separate recycling account, apart from the general fund of the Village. To offset the cost of operating the recycling program, the Village will receive the following revenues:

- A. The Village as designated responsible unit by contract for the Municipality shall be entitled to receive all monies or other assets distributed by the state of Wisconsin, directly or indirectly, to or for the benefit of the Municipality as a result of 1989 Wisconsin Act 335 within thirty (30) days of the receipt of such money or assets by the Municipality.
- B. Any monies or assets received by the local Municipality prior to the signature of this agreement shall be paid to the Village within thirty (30) days of the signature of this agreement unless the local Municipality utilized those monies for recycling-related expenditures and completes a report to the Department of Natural Resources (DNR) documenting where the monies were spent.
- C. The Village shall receive the financial assistance from responsible units under 1989 Wisconsin Act 335, including the grants under Sec. 159.23 Wis. stats.
- D. The Village shall have the right to receive any and all revenues from the sale of recyclable materials processed through the recycling program under this agreement.
- E. Any other grant of aid program monies available to the Village.
- F. If the revenue from the above sources is insufficient, the balance of the revenue necessary to operate the Village's responsibility under this agreement will be recovered by an assessment to each participating Municipality in an amount to be adjusted annually. The amount of the annual assessment and the date which the assessment is due shall be determined by the Recycling Advisory Board and must receive approval from the Village Board of Supervisors. The Village shall use all other revenues to reduce or eliminate the need for annual assessment.

ARTICLE VI

Recycling Advisory Board

A Recycling Advisory Board shall be created to coordinate and supervise recycling efforts within the Village and to provide recommendations to implement an effective and efficient recycling program.

- A. Number, Appointment, and Term of Board Members
 - 1. The Recycling Advisory Board shall consist of eight (8) members. The Recycling Advisory Board shall be composed of two (2) members appointed by the Chairman of the Village Board; two (2) elected officials from different townships appointed

by the Village of Colfax Towns Association; one(1) elected official from a village determined by the Village Presidents; and three

(3) representatives appointed by the Chair from the Municipality.

2. Members of the Recycling Advisory Board representing the villages and the townships must be elected officials of a Municipality that has entered into this agreement. A Municipality or organization shall have the right to appoint a member or members to the Recycling Advisory Board only so long as they remain entered into this agreement with the Village. Members shall be appointed for a term designated by the appointing entity, provided such term shall not exceed two (2) years.
 3. The Chairperson of the Village Solid Waste Committee shall serve as the Chairperson of the Recycling Advisory Board. A vice-chairman shall be determined by the Recycling Advisory Board and shall perform the duties of the chairman during any absence of the chairman.
 4. The Recycling Advisory Board shall be agents of Village of Colfax. Cost of operating the Recycling Advisory Board shall be paid by the Village as part of the recycling program.
- B. Removal, Resignation, and Vacancies of Board Members
1. A Board member shall be removed from office in the event the entity appointing such member terminates this agreement with the Village. A Board member may resign at any time by notifying the Board in writing of such resignation. Any vacancy in the Recycling Advisory Board shall be filled by appointment by the entity responsible for appointing such Board member.
 2. A Board member shall be removed from office at a regular or special meeting of the Board upon receipt of written notice from the entity which appointed such member indicating that such member no longer represents such entity. A member may be removed from office by two-thirds vote of the Recycling Advisory Board, if in the opinion of such members, there is not adequate participation in the affairs of the Recycling Advisory Board by such member, or if other cause exists for removal
- G. Meetings of the Recycling Advisory Board
1. The Recycling Advisory Board shall meet quarterly of each year and shall be held at such time and place as the Board members may designate. Special meetings of the Advisory Board may be held at any-time on the call of the chairman. The presence of the majority of the Recycling Advisory Board shall constitute a quorum at any regular or special meeting of the Board for the transaction of all and any business.

ARTICLE VII

Asset Disposition on Termination

At the end of the term of this agreement, all equipment purchased by the Village during this agreement shall be the property of the Village and shall be disposed of in a manner determined by the Recycling Board of Directors subject approval of the Village Board of Supervisors.

SIGNATURE PAGE FOR CONTRACT AGREEMENT
DESIGNATING VILLAGE OF COLFAX AS THE RESPONSIBLE
UNIT FOR RECYCLING

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives dated and signed this _____ day of _____ ,

VILLAGE OF COLFAX

TOWN OF OTTER CREEK

By: _____

By: _____

Scott Gunnufson
Village of Colfax, President

ATTEST:

ATTEST:

Lynn Niggemann, Village Clerk

Clerk Name, Municipality

SAMPLE