

Chapter 344
SOLID WASTE

ARTICLE I
Recycling

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[HISTORY: Adopted by the Village Board of the Village of Lyndon Station as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Open burning — See Ch. 170.
Littering — See Ch. 283.

Brush, grass and weeds — See Ch. 296, Art. I.

ARTICLE I
Recycling

[Adopted 1-1-1995 by Ord. No. 83]

§ 344-1. Recycling required.

- A. It shall be unlawful for the owner or occupant of any residence, residential unit, place of business or other facility which generates garbage or refuse of any type to dispose of that garbage or refuse in a manner which does not comply with this article. All refuse shall be disposed of in plastic bags, where applicable, which shall be furnished at a cost to be determined by the Village Board. All recyclable material shall be separated from other garbage and refuse, shall be clean and kept free of contamination, shall be grouped together and shall be placed for collection in the same manner as regular garbage collection occurs in the Village of Lyndon Station.
- B. In the event that pickup charges are not paid by the occupant of a residence, multifamily residence or place of business, the owner or designated agent of a multifamily dwelling and/or nonresidential facility shall be liable for those charges.

§ 344-2. Recyclable materials.

The type of recyclable materials which are covered by this article shall periodically be reviewed by the Village Board and shall be made available through the Village Clerk's office.

The Board shall also promulgate rules and regulations with respect to sorting and packaging of recyclables where applicable. 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. Glass. Clean, remove caps and separate by color (green, brown and clear). Window glass should be separated from other glass.
- B. Tin and steel cans and containers. Clean, cut out both ends, flatten and remove labels.
- C. Bimetal containers. Clean, cut out both ends, flatten and remove labels.
- D. Newspapers. Tie in twelve-inch bundles with heavy cord or baler twine with a four-way cross.
- E. Cardboard. Flatten and tie in bundles no larger than four feet by four feet by eight inches. Waxed cardboard should be separated from other cardboard.
- F. Magazines, catalogs and other gloss paper. Tie in twelve-inch bundles with heavy cord or baler twine, four-way cross or boxed and tied.
- G. Plastics. All rigid plastic containers, including those made of PETE (No. 1), HDPE (No. 2), PVC (No. 3), LDPE (No. 4), PP (No. 5), PS (No. 6), and other resins or multiple resins (No. 7) must be separated, cleaned and placed in authorized garbage bags for collection.
- H. Aluminum cans. Separate from other aluminum and rinse clean.
- I. Hard aluminum. Clean and stack trays, pie plates, etc.
- J. Spray cans. Remove plastic tops.
- K. Feed sacks (lined) and all other nonspecified paper and burlap. Each item should be separated, tied and bundled.
- L. Computer paper and office paper. Bundled in no more than twelve-inch-thick bundles and separated from all other paper.
- M. Yard refuse. Must be bundled in bundles of no more than 30 pounds with dimensions of no more than 16 inches by 16 inches by three feet.
- N. Lead acid batteries. To be directed by recycling pamphlet.¹
- O. Tires. To be directed by recycling pamphlet.²
- P. Major appliances. Any residential or commercial air conditioner, furnace, boiler, dehumidifier, water heater, clothes dryer, clothes washer, dishwasher, freezer (door removed), microwave oven (capacitor removed), oven, stove or refrigerator (door removed) will be directed by the recycling pamphlet.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- Q. Waste oil. To be directed by the recycling pamphlet.
- R. Foam polystyrene packaging. To be directed by the recycling pamphlet.

§ 344-3. Nonrecyclable materials.

Materials which cannot be recycled are:

- A. Light bulbs;
- B. Carbon paper; and
- C. Pyrex glass.

§ 344-4. Prohibited activities and noncollectibles.

- A. Dead animals. It shall be unlawful to place a dead animal, or parts thereof, in a container for collection; provided, however, that this subsection shall not apply to animal parts from food preparation for human consumption.
- B. Ashes. It shall be unlawful to place hot ashes for collection.
- C. Scavenging. It shall be unlawful for any person to scavenge any refuse or waste placed for collection by another person without the express, written permission of such other person.
- D. Noncollectible materials. It shall be unlawful for any person to place for collection any of the following wastes:
 - (1) Hazardous waste.
 - (2) Toxic waste.
 - (3) Chemicals.
 - (4) Explosives or ammunition.
 - (5) Flammable liquids (except drain or waste oil).
 - (6) Paint.
 - (7) Construction waste.
- E. Burying waste. No person shall bury any refuse or waste on private or public property in the Village.
- F. Improper placement. It shall be unlawful for any person to place refuse for collection on any property other than the property upon which the refuse or waste was generated. No person may place his or her waste or refuse on the property of another for collection at another site.

- G. Non-Village refuse. It shall be unlawful for any person to dump or place for collection in the Village any refuse or waste which was not generated within the Village.

§ 344-5. Charges.

Any charges for picking up recyclable items shall be included in the rules and regulations promulgated under § 344-2.

§ 344-6. Collection of recyclables and refuse.

- A. Village collection. The Village will collect refuse and waste in the Village pursuant to this article, on such dates and at such times as the Village may establish by resolution.
- B. Placement for collection. All refuse which is collectible by the Village shall be neatly placed in proper containers in such location as may be directed by the Village or the collection crew.
- C. Time. All refuse collectible by the Village shall be placed in the designated location at such times as may be directed by the Village or the collection crew.

§ 344-7. Exemptions from separation requirements.

The separation requirements of § 344-2 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 Wisconsin Department of Natural Resources that recovers the materials specified in § 344-2 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% of the heat input to the facility is derived from the solid waste burned as supplemental fuel.
- C. A recyclable material specified in § 344-2 for which an variance or exemption has been granted by the Department of Natural Resources under § 287.07(7)(d) or 287.11(2m), Wis. Stats., or § NR 544.14, Wis. Adm. Code.

§ 344-8. Multiple-family dwellings.

- A. Owners or designated agents of multiple-family dwellings shall do all of the following for recycling the materials specified in § 344-2A through R:
- (1) Provide adequate, separate containers for the recyclable materials.
 - (2) Notify tenants in writing at the time of renting or leasing the dwelling and at least semiannually thereafter about the established recycling program.
 - (3) Provide for the collection of the materials separated from the solid waste by the tenants and the delivery of the materials to a recycling facility.

- (4) Notify tenants of reasons to reduce and recycle solid waste, which materials are collected, how to prepare the materials in order to meet the processing requirements, collection methods or sites, locations and hours of operation, and a contact person or company, including a name, address and telephone number.
- B. The requirements specified in Subsection A 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 § 344-2A through R.

§ 344-9. Nonresidential 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 § 344-2A through R:
- (1) Provide adequate, separate containers for the recyclable materials.
 - (2) Notify in writing, at least semiannually, all users, tenants and occupants of the properties about the established recycling program.
 - (3) Provide for the collection of the materials separated from the solid waste by the users, tenants and occupants and the delivery of the materials to a recycling facility.
 - (4) Notify users, tenants and occupants of reasons to reduce and recycle, 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.
- B. The requirements specified in Subsection A do not apply to the owners or designated agents of nonresidential 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 from recycling the materials specified in § 344-2A through R from solid waste in as pure a form as is technically feasible.

§ 344-10. Disposal of separated recyclable materials.

No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any of the materials specified in § 344-2A through R which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

§ 344-11. Violations and penalties.

Any person who shall violate any of the provisions of this article or who shall in any way allow the improper disposal of materials otherwise separated for recycling shall be subject to the issuance of a citation for that violation and, upon conviction of such violation, be subject to a penalty which shall be as follows:

- A. First offense. The forfeiture for the first offense shall not be less than \$25 nor more than \$200 together with the costs of prosecution.
- B. Second offense. The forfeiture for the second offense shall not be less than \$50 nor more than \$300 together with the costs of prosecution.
- C. Third offense. The forfeiture for the third offense shall not be less than \$100 nor more than \$500 together with the costs of prosecution.
- D. Continued violations. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this section shall preclude the Village from maintaining any appropriate action to prevent or remove a violation of any provision of this article.