

**CODE OF GENERAL ORDINANCES
OF THE
TOWN OF DOTY
OCONTO COUNTY, WISCONSIN**

CHAPTER 8: RECYCLING

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CHAPTER 8: RECYCLING

8.0100 RESPONSIBLE UNIT RECYCLING

8.0101 Purpose

The purpose of this chapter is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in Wis. Stats. § 287.11, and Wis. Adm. Code Ch. NR 544.

8.0102 Authority

This chapter is adopted as authorized under Wis. Stats. § 287.09(3)(b) and Wis. Stats. § 60.10.

8.0103 Abrogation and Greater Restrictions

It is not intended by this chapter 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 chapter imposes greater restrictions, the provisions of this chapter shall apply.

8.0104 Interpretation

In their interpretation and application, the provisions of this chapter 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 chapter may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this chapter is required by Wisconsin Statutes, or by a standard in Wis. Adm. ch. NR 544, and where the chapter provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the Wis. Adm. ch. NR 544 standards in effect on the date of the adoption of this chapter, or in effect on the date of the most recent text amendment to this chapter.

8.0105 Applicability

The requirements of this chapter apply to all person with the town.

8.0106 Administration

The provisions of this chapter shall be administered by the town.

8.0107 Definitions

For the purpose of this ordinance:

- A. “Bi-metal container” means a container for carbonated or malt beverages that is 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. “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.

- D. “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.
- 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, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater or stove.
- I. “Multiple-family dwelling” means a property containing five (5) or more residential units, including those which are occupied seasonally.
- J. “Newspaper” means a newspaper and other materials printed on newsprint.
- K. “Non-residential facilities and properties” means commercial, retail, industrial, institutional and government facilities and properties. This term does not include multiple family dwellings.
- L. “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. 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 government unit, as defined in Wis. Stats. §66.0131(1)(a), state agency or authority or federal agency.
- O. “PETE” or “PET” 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. §

289.02(10).

- 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 bi-metal 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 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

8.0108 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:

- A. Lead acid batteries
- B. Major appliances
- C. Waste oil
- D. Yard waste
- E. Foam polystyrene packaging
- F. Aluminum containers
- G. Bi-metal containers
- H. Corrugated paper or other container board
- I. Glass containers
- J. Magazines
- K. Newspaper
- 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

8.0109 Separation Requirements Exempted

The separation requirements of Section 8.0108 do not apply to the following:

- A. 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 Section 8.0108 from solid waste in as pure a form as is technically feasible.
- B. 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.
- C. A recyclable material specified in Section 8.0108(E) through (O) for which a variance has been granted by the Wisconsin Department of Natural Resources under Wis. Stats. § 287.11(2m) or Wis. Adm. Ch. NR 544.14.

8.0110 Care of Separated Recyclable Materials

To the greatest extent practicable, the recyclable materials separated in accordance with Section 8.0108 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.

8.0111 Management of Lead Acid Batteries, Major Appliances, Electronics, Waste Oil & Used Oil Filters, 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, electronics, waste oil & used oil filters and yard waste as follows:

- A. Lead acid batteries shall be taken to a retailer that sells these types of batteries.
- B. Major appliances and electronics shall be dropped off at the town recycling center by paying the appropriate fee to the recycling attendant at the time of drop off. (Refer to the Town of Doty Fee Schedule)
- C. Waste oil shall be dropped off at the town recycling center by depositing in appropriate container and registering upon the log. Used oil filters shall be placed in appropriate receptacle at the town recycling center.
- D. Yard waste consisting of yard clippings, tree branches and brush shall be dropped off at the Town of Riverview Leaf & Brush site located off Island Lake Road behind the Town of Riverview Town Hall on the appropriate dates approved by the Town of Riverview.

8.0112 Preparation and Collection of Recyclable Materials

Except as otherwise directed by the town board, 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 Section 8.0108(E) through (O):

- A. Aluminum, steel and bimetal cans shall be: clean, rinse, and flatten if possible space savings
- B. Glass containers shall be: clean, rinse and remove rings and caps
- C. Corrugated paper or other container board shall be: flatten
- D. Magazines, newspaper, & office paper shall be loose
- E. Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS shall be: clean, rinse, caps and rings removed, and flatten if possible space savings
- F. Aluminum materials, steel, galvanized and other scrap metals may be dropped off at the town recycling center
- G. Waste tires shall be dropped off at the town recycling center by paying the appropriate fee to the recycling attendant at the time of drop off. (Refer to the Town of Doty Fee Schedule)

8.0113 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 8.0108(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 semi-annually 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 Section 8.0113(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 Wisconsin Department of Natural Resources that recovers for recycling the materials specified in Section 8.0108(E) through (O) from solid waste in as pure a form as is technically feasible.

8.0114 Responsibilities of Owners or Designated Agents of Non-Residential Facilities and Properties:

- A. Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in Section 8.0108(E) through (O):
 - 1. Provide adequate, separate containers for the recyclable materials.
 - 2. Notify in writing, at least semi-annually, 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 operations, and a contact person or company, including a name, address and telephone number.
- B. The requirements specified in Section 8.0114 (A) 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 Wisconsin Department of Natural Resources that recovers for recycling the materials specified in Section 8.0108(E) through (O) from solid waste in as pure a form as is technically feasible.

8.0115 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 Section 8.0108(E) through (O) which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

8.0116 Prohibition of Dumping

It shall be unlawful for any person to dispose of or dump garbage in any street, road, lane, ditch, or other public place within the town. It shall be unlawful for any person to dispose of or dump garbage or recyclable on private property unless the property is a licensed landfill.

8.0117 Enforcement

- A. For the purpose of ascertaining, compliance with the provision of this chapter. Authorized officer, employee or representative of the town board may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas for 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 the town board who request access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

- B. Any person who violates a provision of this chapter may be issued a citation by town board. 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.

8.0118 Penalties

General penalties for each of the following violations of this chapter may be assessed a dollar amount as established by the town board (refer to the Town of Doty Bond Schedule) from year-to-year:

- A. First Violation
- B. Second Violation
- C. Subsequent Violations within the same calendar year

8.0200 RESERVED

8.0300 RESERVED