

## Chapter 3

# Refuse Disposal and Collection; Recycling

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**Sec. 8-3-1 Title; Declaration of Policy.**

- a) **Title.** This Chapter shall be known as the Solid Waste Management Ordinance of the Village of Belleville, hereinafter referred to as this "Ordinance" or "Chapter."
- b) **Declaration of Policy.** The Village of Belleville finds that reusable materials are currently being needlessly landfilled. It is the purpose of this Chapter to require mandatory recycling or recyclable items and to protect and promote the health, safety and general welfare of the people of the Village of Belleville.
- c) **Effective Date.** This Chapter shall originally become effective on July 1, 1990, except for Sections 8-3-8(b) and (c), which shall become effective when the collector is able to provide the necessary containers referred to in those sections. Until that time, occupants of multi-family dwellings and other entities referred to in those Sections shall adhere to general rules of Section 8-3-8(a).
- d) **Statutory Authority.** This Chapter is adopted as authorized under Sec. 159.09(3)(b), Wis Stats.
- e) **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 Ch. NR 544, Wis. Adm. Code, and where the Chapter provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the 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.
- f) **Applicability.** The requirements of this Chapter apply to all persons within the boundaries of the Village of Belleville.
- g) **Administration.** The provisions of this Chapter shall be administered by the Village Board of the Village of Belleville.

**Sec. 8-3-2 Purpose.**

- a) The purpose of this Chapter shall be to maintain and protect public health and sanitation by removal of garbage, rubbish, and other waste material generated in the Village of Belleville, to eliminate dispersal of garbage, waste, and other waste material along the streets, roads, and other public and private properties in and near the Village of Belleville, and to provide a comprehensive Village recycling program. The Village of Belleville finds participation in a mandatory source separation recycling program appropriate in this jurisdiction to conserve available, local landfill capacity. The Village further finds it appropriate to participate in both county-wide and state-wide recycling programs to conserve energy, recycle valuable resources and to protect public health, welfare and the environment. It is the

purpose of this Chapter to promote recycling, composting, and resource recovery through the administration of a mandatory recycling program, as provided in Sec. 159.11, Wis. Stats., and Ch. NR 544, Wis. Adm. Code, by the Village of Belleville in order to protect and promote the public health, safety and welfare. The Village also finds participation in these programs appropriate to achieve consistency with county-wide recycling policies to ensure that the waste generated in the Village will be able to be delivered to the county-owned landfills and to the county-owned material recycling facilities.

- b) The Village Board further finds and ordains that:
- 1) Improper disposal of household sharp medical waste, such as hypodermic needles, poses a significant health risk to workers in the waste disposal industry;
  - 2) Safe disposal of household sharp medical waste is possible through inexpensive, easily obtained means, without posing an undue burden on users of household sharp medical waste; and
  - 3) Removal of household sharp medical waste from the Village's waste stream is beneficial to residents of the Village as well as the Village's waste hauler and users of DNR-approved landfills.

### Sec. 8-3-3 Definitions.

- a) The following definitions shall be applicable in this Chapter:
- 1) **Aluminum Cans.** Shall include used beverage cans only.
  - 2) **Bags.** Colored plastic bags with the "Village of Belleville" imprinted on are designated for refuse; with a capacity not to exceed thirty-two (32) gallons and a loaded weight of no more than fifty (50) pounds. The top of the bag must be secured with a tie.
  - 3) **Bi-Metal Container.** A container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.
  - 4) **Collector/Hauler.** The contractor or entity chosen by the Village Board to handle, transport, and dispose of the solid waste, recyclables and non-recyclables generated in the Village, or, person or persons contracting with waste generators for these services, and will enforce preparation standards for recyclable materials as well as ensure community compliance with this source separation recycling program.
  - 5) **Commercial Waste.** Waste of whatever material generated by any industrial or business establishment where any trade, occupation, industry or commerce is conducted.
  - 6) **Community Dumpster.** The dumpster or container maintained by the Village located at the Village wastewater treatment plant for use by Village residents under this Chapter.
  - 7) **Container Glass.** Shall include container glass only. Glass does not include ceramic cups, dishes, ovenware, plate glass, safety and window glass, heat resistant glass such as pyrex, lead-based glass such as crystal, or TV tubes.
  - 8) **Cardboard.** Shall include all cardboard, brown paper bags, cereal boxes, egg cartons, and similar materials, but not waxed. No pizza boxes or other greasy boxes.
  - 9) **Curb.** The back edge or curb and gutter along a paved street or where one would be if the street was paved and had curb and gutter.

- 10) **Deciduous Material.** Yard wastes such as leaves, grass clippings, flowers and other similar vegetation, but specifically excludes sod, dirt, twigs, fruit, vegetables and other similar material. Also included are clean woody vegetative material no greater than six (6) inches in diameter and holiday trees, but does not include tree stumps, extensive root systems or shrubs with intact root balls.
- 11) **Demolition Wastes.** That portion of solid waste from the repair, remodeling construction or reconstruction of buildings, such as lumber, roofing and sheathing scraps, rubble, broken concrete, asphalt, plaster, conduit, pipe, wire, insulation, and other materials resulting from the demolition of buildings and improvements.
- 12) **Dwelling Unit.** A place of habitation occupied by a normal single-family unit or a combination of persons who may be considered as equivalent to a single-family unit for the purposes of this Chapter.
- 13) **Garbage.** Discarded materials resulting from the handling, processing, storage and consumption of food.
- 14) **Glass.** Glass bottles, jars and containers and does not include window glass, drinking glasses, pyrex, light bulbs or other non-container glass.
- 15) **Good Faith.** Reasonable efforts to adhere to the policies, standards and rules of this mandatory source separation recycling program.
- 16) **Hazardous Waste or Hazardous Substance.** Those wastes or substances defined as such in NR 181, Wis. Adm. Code (including all amendments provided thereto) as provided therein pursuant to Sec. 144.62, Wis. Stats., or other acts pursuant to authority vested in the Wisconsin Department of Natural Resources to describe and list materials as such and also includes the meaning of "hazardous waste" or "hazardous substance" as described herein. Those solid wastes or substances found in household waste [notwithstanding the household waste exclusion provided in NR 181.12(4)(a), Wis. Adm. Code].
- 17) **HDPE.** High density polyethylene plastic containers marked by the SPI Code No. 2.
- 18) **Household Sharp Medical Waste.** Any type of product capable of puncturing or lacerating the skin that is designed or used to treat, diagnose, or prevent a disease or medical condition, including, but not limited to, scalpels and hypodermic needles.
- 19) **Lead-Acid Batteries.** Automotive and related batteries that are comprised of lead plates with an acid electrolyte, and does not include nickel-cadmium batteries, dry cell (flashlight) batteries or batteries used in calculators, watches, hearing aids or similar devices.
- 20) **LDPE.** Low density polyethylene plastic containers marked by the SPI Code No. 4.
- 21) **Magazines.** Magazines and other materials printed on similar paper.
- 22) **Major Appliances.** A residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, stove, water heater, furnace, boiler, dehumidifier, or any other item commonly referred to as a white good.

- 23) ***Metal Cans.*** Tin coated steel cans, bi-metal cans, and aluminum cans used for food and other non-hazardous materials, but excluding aerosol cans and cans that held paint, paint-related products, pesticides or other toxic or hazardous substances.
- 24) ***Mixed or Other Plastic Resin Types.*** Plastic containers marked by the SPI Code No. 7.
- 25) ***Mixed Papers.*** Shall include all grades of papers: including white, colored, ledger, shiny, coated, carbonless or NCR papers; envelopes, including windowed, labeled, and kraft; magazines, phone books, computer printout paper, glued pads and tablets, file folders, key punch cards, spiral notebooks, cereal boxes, shoe boxes, etc. Can include paper clips and staples. Does not include hand towels or other paper products from restrooms, or soiled napkins and paper plates. Also does not include carbon paper, cellophane, or any waxed paper.
- 26) ***Multiple Family Dwelling.*** A property containing five (5) or more residential units, including those which are occupied seasonally.
- 27) ***Newsprint.*** That portion of newspapers (newspapers and advertising circulars normally accompanying newspapers) or periodicals and advertising circulars printed on newsprint which remain in substantially original condition at the time of disposal such that the material is suitable for commercial-grade recycling. "Newsprint" does not include the paper commonly used in the production of magazines, books, and other physical media for written material or paper which is not suitable for recycling purposes, or is in a state which makes separation unreasonable or unduly expensive, or reasons which include, but are not limited to, the following:
- a. the paper has been put to another use, such as wrappings, for other wastes, and is thus rendered unfit for commercial recycling;
  - b. The paper is no longer flat and folded to the approximate dimensions of its original condition;
  - c. The paper is mixed in with commercial or municipal litter or refuse as a result of the failure of citizen or business invitees to separate newspapers from other discarded materials outdoors or in publicly accessible areas of buildings;
  - d. The paper has been damaged or altered by any other means so as to make recycling impossible or unduly difficult.
- 28) ***Non-recyclable Material.*** All items of waste not recyclable except hazardous waste or hazardous substances.
- 29) ***Other Paper.*** All paper excluding newsprint materials or materials specifically excepted in the definition of "newsprint" and "cardboard," but shall include grades of fiber materials with available markets for recycling.
- 30) ***Oversize and Bulky Waste.*** Large items such as furniture, mattresses, carpeting, construction or demolition materials of substantial dimensions, brush and other large items whose proportions are not easily reduced.
- 31) ***Person.*** Any individual, corporation, organization, association, local governmental unit, as defined in Sec. 66.229(1), Wis. Stats., state agency or authority or federal agency.
- 32) ***PETE.*** Polyethylene terephthalate plastic containers marked by the SPI Code No. 1.

- 33) **Plastic Bottles.** Shall include only plastic bottles clearly marked with the recycling emblem, encircling the #1 (PET or PETE) or the #2 (HDPE). Does not include motor oil bottles, even if they are labeled #1 or #2.
- 34) **Postconsumer Waste.** Solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in Sec. 144.44(7)(a)1, Wis. Stats.
- 35) **Preparation Standards.** Criteria provided establishing acceptable good faith limits for introduction of materials into the source separation recycling program involving either transport to a material recycling center or temporary storage of such materials.
- 36) **PS.** Polystyrene plastic containers marked by the SPI Code No. 6.
- 37) **PVC.** Polyvinyl chloride plastic containers marked by the SPI Code No. 3.
- 38) **Recyclable Material.** Identified materials meeting preparation standards and shall include the following: newspapers; corrugated cardboard; (unbroken) brown, green and clean container glass; aluminum, bi-metal and tin-coated steel cans; blow-molded HDPE and PET plastic containers; tires (regardless of size); used oil; lead-acid batteries; and large batteries; and large appliances. "Recyclable material" further means identified materials meeting preparation standards where economical markets or short-term storage are available and shall include the following: other paper; polystyrene foam; PVC containers; polypropylene containers; HDPE and PET containers other than bottles; types of plastic containers labeled "other"; and other materials determined to have economical markets available.
- 39) **Recyclable Plastic.** Generally means high density polyethylene and polyethylene terephthalate plastic containers and specifically means any plastic containers described as recyclable on the list posted and maintained at the Village Hall by the Village Clerk-Treasurer, which list is incorporated herein by reference and is subject to revision and updating at any time.
- 40) **Refuse.** Combustible and non-combustible materials including, but not limited to: paper products, wood, metal, glass, cloth and products thereof in unrecoverable condition; litter and street rubbish not including yard waste; uncontaminated ashes; and building materials such as wood, concrete, glass, plaster and other intermixed materials produced in construction or demolition of structures. "Refuse" for purposes of this Chapter shall not include "oversize or bulky waste".
- 41) **Residential Solid Waste.** All solid waste that normally originates in a residential environment from residential dwelling units.
- 42) **Residential Unit.** Each living unit in the Village of Belleville designed for permanent living quarters, including single-family dwellings and units in duplexes, triplexes, and multi-family units and each unit in a residential condominium project.
- 43) **Scavenging.** The uncontrolled and unauthorized removal of materials at any point in solid waste management.
- 44) **Sharps Container.** A container specifically manufactured for the disposal of sharp medical waste.
- 45) **Solid Waste.** Garbage, refuse and all other discarded or salvageable solid materials, including solid waste materials, resulting from industrial, commercial and agricultural operations, and from

community activities, but does not include solids or dissolved material in waste water effluents or other common water pollutants.

- 46) **Solid Waste Storage.** Safe, environmentally sound short-term containment of materials and for recyclables shall involve preserving materials in a condition meeting preparation standards.
- 47) **Tires.** For collection purposes shall mean rubber tires, from automobiles and light trucks, and other tires whose size is less than 1100 x 24.5, which are removed from rims.
- 48) **Used Oil.** Any contaminated petroleum-derived or synthetic oil including, but not limited to, the following: engine and other mechanical lubricants; hydraulic and transmission fluid; metal-working fluid; and insulating fluid or coolant.
- 49) **White Goods.** Refrigerators, freezers, stoves, water heaters and other large appliances.
- 50) **Yard Waste.** Leaves, grass clippings, yard and garden debris, including clean woody vegetative material no greater than six (6) inches in diameter and holiday trees, but does not include tree stumps, extensive root systems or shrubs with intact root balls.

### **Sec. 8-3-4 Mandatory Recycling and Separation of Recyclables.**

- a) **Applicability.** The Chapter shall apply to all persons, entities and appropriate waste generating activities within the limits of the Village of Belleville and includes, but is not limited to, all waste generated by all residential and commercial activities. No person shall mix with nonrecyclables for collection by the Village's authorized collector, any material except recyclable material and only in such manner as set forth herein. This Chapter shall apply to each owner or occupant of any business, industry, place of commerce or other place providing goods or services of any kind, and to each owner or occupant of any single-family residence, two-family residence or multi-family dwelling unit, and to all other covered activities within the corporate limits of the Village of Belleville.
- b) **Separation Required.** Occupants of single family and two (2) to four (4) unit residences, multiple family dwellings and non-residential facilities and properties shall separate the following materials from post-consumer waste:
  - 1) Lead acid batteries;
  - 2) Waste oil;
  - 3) Aluminum cans;
  - 4) Bi-metal containers;
  - 5) Corrugated cardboard;
  - 6) Foam polystyrene;
  - 7) Container glass;
  - 8) Mixed papers;
  - 9) Newspapers;
  - 10) #1 and #2 plastic;
  - 11) #3 - #7 plastic;
  - 12) Steel (tin containers);

13) Major appliances;

14) Waste tires;

15) Yard waste;

16) Office paper.

c) **Changes in Requirements.** The Village of Belleville 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 Village or its contractors. The Village of Belleville shall provide written notice to service recipients of this declaration.

d) **Curbside Recyclable Materials.** The following materials shall be placed in clear plastic bags for recycling or deposited curbside for pickup:

#	Material	Handle as follows:
1)	Aluminum containers	Curbside
2)	Bi-metal containers	Curbside
3)	Corrugated paper or other container board	Curbside
4)	Foam polystyrene packaging	Curbside (as of January 1, 1996)
5)	Glass containers	Curbside
6)	Magazines and other materials printed on similar paper	Curbside
7)	Newspaper and other materials printed on newsprint	Curbside
8)	Rigid plastic containers, including those made of PETE (#1) and HDPE (#2)	Curbside
9)	Rigid plastic containers, including those made of PVC (#3), LDPE (#4), PP (#5), PS (#6), and other resins, or multiple resins (#7)	Curbside (as of January 1, 1996)
10)	Steel containers	Curbside

e) **Separation of Recycling Materials Effective January 1, 1996.** Effective January 1, 1996, occupants of single-family and two (2) to four (4) unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from post-consumer waste unless a variance has been issued by the Wisconsin Department of Natural Resources:

1) Foam polystyrene packaging;

2) Plastic containers or bottles made of PVC (#3), LDPE (#4), PP (#5, #6) and mixed or other plastic resin types (#7).

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- f) **Separation Requirements Exempted.** The separation requirements of this Section do not apply to the following:
- 1) Occupants of single-family and two (2) to four (4) unit residences, multiple-family dwellings and non-residential facilities and properties that send their post-consumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials specified in this Section from solid waste in as pure a form as is technically feasible;
  - 2) Solid waste which is burned as a supplemental fuel at a facility if less than thirty percent (30%) of the heat input to the facility is derived from the solid waste burned as supplemental fuel;
  - 3) A recyclable material specified in this Section for which a variance has been granted by the Department of Natural Resources under Sections 159.07(7)(d) or 159.11(2m), Wis. Stats., or NR 544.14, Wis. Adm. Code.
- g) **Care of Recyclable Materials.** To the greatest extent practicable, the recyclable materials separated in accordance with this Section 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.

## Sec. 8-3-5      **Recyclable Materials and Preparation.**

- a) **Recycling Requirements.** All recyclable materials shall be separated from other nonrecyclable garbage and refuse. All recyclable materials shall be well-drained and clean. Recycling bins provided by the Village shall be used. No containers shall exceed thirty-two (32) gallons in capacity or fifty (50) pounds in weight when full. Glass, ferrous metal cans, aluminum cans and plastics may all be combined and placed in recycling bins provided by the Village. Recyclable materials shall consist of:
- 1) **Glass.** Brown glass, green glass and clear glass shall be empty, rinsed, clean, unbroken, and have metal covers and caps removed.
  - 2) **Cans.** All aluminum, tin, steel, copper and other ferrous metal cans shall be empty, rinsed and have labels removed (with ends removed and flattened where possible), except that aerosol, paint and oil cans may not be recycled.
  - 3) **Plastic Containers.** Plastic containers shall be rinsed and have any metal or plastic rings/caps removed. Plastic containers with handles left for collection by the Village's collection service shall not be tied together and should be placed in the recycling bag.
  - 4) **Corrugated Cardboard and Other Cardboard.** Corrugated cardboard shall be flattened, empty and free of food debris. Waxed cardboard may not be recycled. Corrugated cardboard shall be tied in bundles not exceeding eight (8) inches in height. Other types of cardboard shall be securely tied in separate bundles not exceeding eight (8) inches in height, and placed at the curb for collection. Corrugated cardboard, other cardboard and newspaper may not be bundled together and shall not be mixed with other recyclable materials.
  - 5) **Newsprint.** All newsprint shall be bundled pursuant to Section 8-3-7 below.
  - 6) **Aluminum.** All products made of aluminum, including aluminum cans, foil, wrappers, pie pans, and containers for prepared dinners or other foods, screen frames, and lawn chairs shall be cleaned and flattened.
  - 7) **Tires.** Tires, as defined in Section 8-3-3(a)(32), shall be less than 1100 x 24.5 in size, and removed from rims. Tires require a garbage sticker (fee established by Village) and may be put out for curbside collection or taken to the community dumpster.
  - 8) **Motor Oil.** Motor oil must be placed in the receptacle designated by the Village.
  - 9) **Additional Materials/Standards.** Furthermore, additional preparation standards may be provided by notice to generators of waste and collectors/haulers or by amendment to this Subsection when other materials become recyclable, dependent, upon available economic markets.
- b) **Containers at Multi-Family Dwellings.** Owners of multi-family dwellings shall provide containers for the disposal of recyclable materials in one (1) of the following ways:
- 1) **Containers for Each Unit.** Two (2) separate containers, one (1) for corrugated cardboard bundles and newspaper bundles, and one (1) for glass, aluminum and ferrous cans and plastic materials shall be provided for each dwelling unit.

- 2) **Containers for Common Use.** At least two (2) separate and adequately sized containers, one (1) for corrugated cardboard bundles and newspaper bundles and one (1) for other recyclable materials shall be provided for the common use of all residents of the multi-family dwelling.
  - 3) **Newspaper and Corrugated Cardboard.** Although corrugated cardboard and newspaper may be placed in the same container, they must be separately bundled or packaged. Corrugated cardboard must be securely tied in bundles or packaging not exceeding eight (8) inches in height. Newspaper must be securely tied in bundles or packaging not exceeding eight (8) inches in height.
  - 4) **Cleanliness; Multi-family Units.** The containers must be clearly designated and marked and maintained in a clean and safe condition. The owners of multi-family dwellings shall notify residents at the time they first occupy the unit and on a semi-annual basis thereafter that recyclable materials must be placed in the containers provided. The owners of multi-family dwellings shall take steps as necessary to assure that their residents comply with the recycling requirements of this Chapter.
- c) **Containers at Commercial, Retail, Industrial, Institutional and Governmental Facilities.** The owners of commercial, retail, industrial, institutional and governmental facilities shall provide adequately sized and marked containers for the separate disposal of recyclable materials. At least one (1) container shall be provided for corrugated cardboard and newspaper and one (1) for other recyclable materials. Although corrugated cardboard and newspaper may be placed in the same container, they must be separately bundled or packaged. Corrugated cardboard must be securely tied in bundles or packaging not exceeding eight (8) inches in height. Newspaper must be securely tied in bundles or packaging not exceeding eight (8) inches in height. At least annually the owners shall notify all occupants, employees, agents, patrons, customers or other users of the facilities of the Village and County recycling requirements.

### Sec. 8-3-6 Nonrecyclable Materials Designated.

Nonrecyclable materials include the following:

- a) **Glass.** All pyrex glass, window glass, light bulbs, ceramics, mirrors, broken glass and china shall be considered nonrecyclable.
- b) **Plastics.** Rigid cottage cheese containers, plastic wraps, egg cartons, Melamine-type plastics, and all forms of polystyrene foam shall not be placed with recyclable material, but shall be disposed of in the manner prescribed for other non-recyclable refuse.
- c) **Gloss Paper.** All waxed paper and waxed cardboard and all Christmas wrapping paper.
- d) **Other Materials.** All other garbage and refuse not qualifying as recyclable materials.

### Sec. 8-3-7 Newsprint Recycling.

- a) No person in the Village of Belleville shall dispose of newsprint with nonrecyclable refuse, except for such newsprint rendered unfit for recycling. This Subsection shall apply to all persons, governmental operations and business commercial, retail and industrial enterprises however organized and of whatever type, if such refuse is to be deposited in a DNR-approved landfill.
- b) The Village Board requires all persons using the garbage pick up and disposal services of the Village of Belleville to remove all newspaper from their other garbage prior to pick up. Newspaper may be dropped off for disposal at a point to be designated by the Village Board, provided:
  - 1) It is dry and free of all paper and materials not normally included in the newspaper, and
  - 2) It is neatly bundled and tied in bundles not exceeding eight (8) inches.
    - a. Newsprint may be recycled in any other lawful manner.
    - b. Newsprint shall not be placed in containers with other nonrecyclable refuse or garbage.
- c) All garbage, refuse and other nonrecyclable materials shall be collected, removed and disposed of pursuant to the Village's agreement with the designated collector/hauler or persons' private agreements with collectors/haulers. Newsprint and other recyclables placed for recycling shall become the property of the Village of Belleville or its authorized collector.

### Sec. 8-3-8 Collection of Solid Waste and Handling of Yard Waste.

- a) **Yard Waste.** No person shall place yard waste out for collection by the collector. Yard waste will not be picked up by the collector. Owners and occupants of all properties shall be responsible for and shall provide for the disposal of yard waste from their properties. Such private disposal may include, but is not limited to, composting on the lot, or disposal at the community compost site located at the Village's wastewater treatment plant. Disposal must be in accordance with rules and times established by the Director of Public Works.
- b) **Garbage.** Garbage shall be placed at curbside for collection by the collector at a time designated by the Director of Public Works. Garbage must be placed only in bags with the "Village of Belleville" imprinted on the bag and shall not exceed thirty-two (32) gallons in capacity or fifty (50) pounds in weight and must be securely closed. Rules shall be established by the Director of Public Works regarding the above and will be posted at the Village Hall.
- c) **Brush.** Brush and small tree branches may be placed at the curb on the first and third Monday mornings for collection by the Village. Brush may be no wider than six (6) inches in diameter nor longer or heavier than any one person can load. Disposal must be in accordance with rules and times established by the Director of Public Works.
- d) **White Goods.** Items will be picked up by the Village on the first and third Mondays. A special fee must be paid at the Village office to arrange for this service.
- e) **Rubbish.** Owners and occupants of all properties shall be responsible for the disposal of rubbish from their properties. Rubbish may be transported to the community dumpster only at such times and in

accordance with such rules as established by the Director of Public Works. Such rules will be posted at the Village Hall and may be revised from time to time as deemed necessary by the Director of Public Works.

### **Sec. 8-3-9 Mandatory Chipping of Brush and Wood Materials.**

- a) No person in the Village shall dispose of brush, tree branches or other wood materials with refuse that is to be deposited in any DNR-approved landfill unless such material has been reduced and processed by chipping. This Subsection shall apply to all persons and entities who, directly or through the services of the Village or another third party, dispose of solid wastes at any DNR-approved landfill and includes all persons, governmental operations and business, commercial, retail and industrial enterprises however organized and of whatever type. All other persons (nonresidential), subject to this Subsection as DNR-approved landfill users, shall facilitate and provide for chipping of brush and wood materials.
- b) All chipped material shall be placed for collection on a date and in such manner as established by the Village Board.
- c) All chipped material placed for collection shall become the property of the Village or its collection agent.

### **Sec. 8-3-10 Nondisposable Materials.**

- a) It shall be unlawful for any person to place for regular collection any of the following wastes:
  - 1) Materials that do not comply with one (1) or more of the requirements of this Chapter or do not comply with rules or standards established by the Director of Public Works;
  - 2) Yard waste;
  - 3) Hazardous waste;
  - 4) Toxic waste;
  - 5) Chemicals;
  - 6) Explosives or ammunition;
  - 7) Drain or waste oil or flammable liquids;
  - 8) Large quantities of paint;
  - 9) Dead animals;
  - 10) Trees or stumps;
  - 11) Gravel or concrete;
  - 12) Construction debris;
  - 13) Animal or human waste;
  - 14) White goods (unless as a special haul item);
  - 15) Hot ashes (ashes that are fully extinguished and dry may be left for collection in noncombustible containers);
  - 16) Tires;

- 17) Holiday trees;
- 18) Bedding and furniture.
- b) The aforementioned materials shall be disposed of in the manner prescribed by federal or state laws, or as provided for herein.
- c) Materials that the Village collector will dispose of for a separate fee may be disposed of by special arrangement between the waste generator and said Village collector.

### **Sec. 8-3-11 Hospital/Medical Wastes.**

- a) **Household Sharp Medical Waste Disposal.**
  - 1) Household sharp medical waste shall not be deposited in any other place or manner in the Village of Belleville than as hereinafter provided.
  - 2) Acceptable means of disposing of household sharp medical waste include:
    - a. Disposal in an approved medical waste box, such as a Sharps container; or
    - b. Disposal in a heavy plastic container, such as a laundry soap bottle, providing that the lid is permanently affixed thereto using tape or another means, and the container is marked "Medical Waste: Do Not Open."
- b) **Collector to Refuse Pickup of Non-Conforming Household Sharp Medical Waste.** The Village's collector shall refuse to pick up any solid waste or recyclables containing household sharp medical waste not separately contained and prepared as provided in this Section.

### **Sec. 8-3-12 Building Waste.**

All demolition waste resulting from remodeling, construction, or removal of a building, roadway, or sidewalk shall be disposed of by the owner, builder, or contractor. Building materials of any kind will not be disposed of by the Village.

### **Sec. 8-3-13 Alteration of Recyclable Materials.**

It shall be unlawful to intentionally alter recyclable materials so as to render them as nonrecyclable material.

### **Sec. 8-3-14 Collection of Refuse.Placement for Collection.**

- a) **Placement for Collection.**
  - 1) Residential solid waste shall be accessible to collection crews. Residential solid waste in approved containers shall be placed immediately behind the curb of the public street for collection or containers shall be placed immediately adjacent to the alley if premises abut on an alley. Collection crews will not collect residential solid waste unless it is placed at the curb of a

public street. Residential units shall bring their solid waste to the terrace adjacent to the street curb for collection. Should collection crews be unable to discharge contents of garbage cans into collection vehicles using normal handling procedures, the cans, including contents, will be left at curb side. The owner shall make provisions to assure that the solid waste therein can be collected on the next collection day. Collection crews will not empty garbage cans by means other than dumping.

2) No garbage containers or other containers for refuse other than those of the Village shall be placed, kept, stored or located within the right-of-way of a street or alley; provided, however, that the Village Board may authorize the location of such containers within the public right-of-way at specified places and times when such location is necessary for the expeditious collection and disposition of refuse.

**b) Restriction on Time of Placement.**

1) Receptacles and containers for refuse and rubbish shall be placed in collection locations as designated in Subsection (a) above prior to 7:00 a.m. of the scheduled collection day, but not more than twenty-four (24) hours prior to such time.

2) All receptacles, bags and containers for refuse and garbage disposal shall be removed from the curbside collection point within twenty-four (24) hours after the regular collection time.

3) Village employees or employees of licensed collectors will not enter any structures to remove garbage or refuse, except by written agreement with the property owner.

**c) Special Collections.** Special collections may be made if ordered by the Director of Public Works or Village Board and will be billed to the owner.

**d) Collection Schedule, Standards and Locations.** The Director of Public Works shall annually establish a schedule for waste collection. The Director of Public Works may vary from or modify the schedule at any time as necessary. The Village Clerk-Treasurer shall publish the collection schedule annually and, in addition, at any time when the collection schedule is modified.

## **Sec. 8-3-15 Refuse from Outside the Village.**

It shall be unlawful to bring refuse from outside the Village of Belleville limits into the Village limits for disposal unless specifically authorized by written agreement with the Village.

## **Sec. 8-3-16 Title to Refuse and Recyclable Materials; Anti-Scavenging Provision.**

a) 1) In the absence of an agreement to the contrary, title to the refuse and recyclable material placed for collection and disposal by the Village or its agents shall vest in the Village of Belleville as soon as it is placed for collection. It shall be a violation of this Chapter for any person unauthorized by the Village to collect or pick up, or cause to be collected or picked up, any recyclable materials that are placed for disposal by the Village or by any authorized agent. Any

such and each such unauthorized collection of recyclable materials in violation hereof shall constitute a separate and distinct offense punishable as provided for herein.

2) Persons shall not pilfer recyclables or disturb recyclables once those materials are placed for collection unless good faith applies. Only persons authorized by the Village or the generator of waste shall collect or handle recyclable materials once those materials have been placed appropriately for collection. Any and each collection by unauthorized persons in violation of this provision shall constitute a separate and distinct offense punishable as provided hereinafter.

Nothing herein shall be construed to allow for scavenging, removal, transportation, or resorting of refuse which has been placed for disposal under this Chapter. Any such scavenging or separation of refuse that has been placed for disposal by the producer of said refuse shall be deemed a violation of this Chapter.

b) This Chapter shall not prohibit the actual producers of recyclable materials or the owners of residential units or nonresidential units upon which recyclable materials have been accumulated from personally collecting, conveying, and disposing of recyclable materials, provided such producers or owners do not violate the intent of this Chapter.

### **Sec. 8-3-17 Garbage Accumulation; When a Nuisance.**

The accumulation or deposit of garbage, trash, or putrescible animal or vegetable matter in or upon any lot or land or any public or private place within the Village which causes the air or environment to become noxious or offensive or to be in such a condition as to promote the breeding of flies, mosquitoes, or other insects, or to provide a habitat or breeding place for rodents or animals, or which otherwise becomes injurious to the public health, is prohibited and declared to constitute a nuisance. Refuse areas shall be kept in a nuisance- and odor-free condition. Refuse shall not be allowed to accumulate. Violation will result in the occupant and/or owner being notified to clean up his or her area, with continued violations resulting in the owner being prosecuted under provisions of this and other Village ordinances.

### **Sec. 8-3-18 Improper Placement.**

No persons shall deposit, throw, or place any garbage, offal, dead animals, combustible refuse or other deleterious matters in any park, lane, alley, street, public grounds, or public place within the Village, nor place any garbage, offal, dead animals or other refuse matter upon any private property not owned by such person without such person's consent. If not deemed noncollectible, these materials may be placed for collection on the owner's property if the same is enclosed in proper vessels or containers which shall be watertight and kept so with tightly fitting covers.

**Sec. 8-3-19 Interference with Authorized Collector.**

No person other than an authorized collector shall collect or interfere with any waste after it shall have been put into a garbage receptacle and deposited in the proper place for the collector, nor shall any unauthorized person molest, hinder, delay or in any manner interfere with any authorized garbage collector in the discharge of his or her duties.

**Sec. 8-3-20 Other Prohibited Practices in Collection and Handling of Recyclables.**

No person, persons or other entity generating waste within the Village shall do any of the following:

- a) Deposit or cause to be deposited any recyclable material at any authorized collection point when the site is closed or not operating;
- b) Deposit or cause to be deposited any waste material, whether recyclable or not, in or upon any public street, public waters, or public grounds in the Village except at authorized locations within appropriate packaging or placed into appropriate containers during specifically authorized collections if any are provided;
- c) Deposit or cause to be deposited any recyclable materials in any container not specifically intended for the collection of that type or group of recyclable material;
- d) Deposit or cause to be deposited any non-recyclable material in any container specifically intended for the collection or deposit of recyclable material;
- e) Mix or permit intermixing of recyclable and non-recyclable materials intended for collection by a collector/hauler or intended to be processed at a material recycling facility.

**Sec. 8-3-21 Contracting with Collector/Hauler.**

- a) The Village may find that the purposes of this Chapter will be better served by limiting collection of waste activities to a minimum and to that end the Village will contract with an independent contractor to provide waste collection services in accordance with this Chapter. If any person needs a service in excess of that provided by such collector/hauler pursuant to the collection contract with the Village, such person is free to contract, at such person's cost, for such additional services as may be required or desired.
- b) The Village Board shall be authorized, if it so determines, to place the pro-rata cost of such collector/hauler's fee for such services on the tax bill for the real property from which such waste is generated. Said amount so placed on the tax bill for each year in advance of such services and when so

placed shall have the same force and effect as real estate taxes and shall be paid as in the same manner as real estate taxes.

- c) The Village and the collector/hauler shall establish pickup times for the collection of collectible wastes.

### **Sec. 8-3-22          Condominiums.**

Each condominium association in the Village shall be responsible for establishing compliance with this Chapter by the owner of each condominium unit, and shall submit its plan for compliance to the Village for approval and shall submit for approval of the Village any changes in such plan. Such plan may provide for the purposes of this Chapter. Each condominium unit shall be treated the same as a single residential dwelling or the entire condominium shall be treated for such purposes as a multi-family dwelling [Section 8-3-5(b)]. In approving such a plan, the Village shall consider which plan under the circumstances would better promote the purpose of this Chapter.

### **Sec. 8-3-23          Commercial Buildings.**

The owners of commercial, retail, industrial and governmental facilities shall provide adequate separate containers for the disposal of recyclable materials as defined herein and shall regularly notify all users of said premises of such facilities, including employees, agents and customers of county and municipal recycling requirements.

### **Sec. 8-3-24          Agricultural Operations.**

Nothing in this Chapter is intended to apply to the disposal of or the accumulation of agricultural or farm wastes, products or feed accumulated upon property used in the ordinary course of farming.

### **Sec. 8-3-25          Federal and State Regulations.**

It is expected that from time to time federal and state statutes and regulations will require that items other than the items which have been deemed to be recyclable herein shall be recycled. In such event, this Chapter shall be deemed to include and shall require such other items to be recyclable hereunder.

### **Sec. 8-3-26          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 Sections 8-3-4 and 8-3-5:
- 1) Provide containers for recyclable materials;

- 2) Notify in writing, at least annually, all users, tenants and occupants of the properties about the established recycling program;
  - 3) 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 non-residential facilities and properties if the post-consumer 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 Sections 8-3-4 and 8-3-5 from solid waste in as pure a form as is technically feasible.

### **Sec. 8-3-27            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 aluminum cans, container glass, corrugated cardboard, mixed papers, newspapers, #1 and #2 plastic and bi-metal containers:
- 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 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 Subsection (a) from solid waste in as pure a form as is technically feasible.

### **Sec. 8-3-28            Prohibitions on Disposal of 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 Sections 8-4-10 and 8-4-13(a) which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

**Sec. 8-3-29 Unlawful Removal of Recyclables.**

It shall be unlawful for any person, unless under contract with or licensed by the Village of Belleville, to collect or remove any recyclable material that has been deposited or placed at the curb for the purposes of collection for recycling.

**Sec. 8-3-30 Non-Disposable Materials.**

It shall be unlawful for any person to place for disposal any of the following waste: hazardous and toxic wastes, chemicals, explosives, liquids, flammable liquids, paint, trees and stumps, construction debris, carcasses, medical wastes (unless personal needles shall be properly contained in a sharps container to eliminate injury to collection personnel).

**Sec. 8-3-31 Garbage from Outside the Municipality.**

It shall be unlawful to bring refuse for disposal (and recyclables) from outside the corporate limits into the Village unless authorized by agreement with the Village Board.

**Sec. 8-3-32 Violations; Penalties.**

- a) 1) Any authorized officer, employee or representative of the Village of Belleville may inspect recyclable materials separated for recycling, post-consumer waste intended for disposal, collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and non-residential facilities and properties, solid waste disposal facilities and solid waste treatment facilities, and any records relating to recycling activities, for the purpose of ascertaining compliance with the provisions of this Chapter. No person may refuse access to any authorized officer, employee or authorized representative of the Village of Belleville 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 Chapter may be issued a citation by a Village law enforcement officer to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this Subsection.
- b) Any person who shall violate any of the provisions of this Chapter shall be subject to a penalty which shall be as follows:

- 1) **First Offense.** Any person found in violation of any provision of this Section as a first offender shall receive a warning notice requiring compliance and may be subject to having refuse in violation of the provisions herein not collected.
- 2) **Second and Subsequent Offenses.** Any person found guilty of violating any part of this Chapter who has previously been notified of being in violation or has been convicted of violating the same Chapter within one (1) year shall, upon conviction thereof, be subject to a forfeiture as provided in Section 1-1-6.
- c) Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Chapter shall preclude the Village from maintaining any appropriate action to prevent or remove a violation of any provision of this Chapter.

### **Sec. 8-3-33 Special Collections for Violations.**

If any entity, including those receiving collection from a private firm, is found in violation of the collection and storage requirements of this Chapter and fails to comply with a notification and/or requirements of this Chapter and fails to comply with a notification and/or citation, the Village Board or its designee shall be empowered to order a special collection to remove such violation. The person shall be notified of such special collection and the charges therefore. The special collection shall be made, and if billing plus fifty Dollars (\$50.00) is unpaid, the bill shall be considered a lien on the property and shall be placed on the tax bill. A person shall not use the special collection provision of this Chapter to circumvent requirements for collection by a private firm.

### **Sec. 8-3-34 Authority of Director of Public Works.**

- a) The Director of Public Works shall be responsible for the initial enforcement of this Chapter.
- b) The Director of Public Works shall prepare rules and standards as necessary for the implementation of this Chapter.
- c) From time to time, as appropriate, the Director of Public Works shall prepare and distribute information to the Village residents regarding recycling or the requirements of this Chapter.
- d) The Director of Public Works shall prepare at least annually a report to the Village President and Board addressing compliance and enforcement activities under this Chapter.

### **Sec. 8-3-35 Severability.**

The provisions of this Chapter shall be held to be minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes or pertinent County Ordinances in their interpretation and application. Because this Chapter creates a comprehensive, mandatory source separation recycling program in our community, any terms or requirements or interpretations consistent with state and county law shall control. If any provision of this Chapter is found to be invalid or unconstitutional,

or if the application of this Chapter to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not effect the other provisions or applications of this Chapter which can be given effect without the invalid or unconstitutional provisions or applications.