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ORDINANCE

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CHAPTER 15  
VILLAGE OF NORTH FREEDOM

GARBAGE AND REFUSE COLLECTION AND RECYCLING ORDINANCE

An Ordinance repealing and recreating Ordinance No. 206 and establishing Chapter 15 of the Municipal Code of The Village of North Freedom thereby repealing the Village's present ordinance covering mandatory separation of recyclable and yard waste and adopting a new ordinance to promote recycling composting and resource recovery in accordance with Chapter 159 of the Wisconsin Statutes and Chapter NR 544 of the Wisconsin Administrative Code.

THE VILLAGE BOARD OF THE VILLAGE OF NORTH FREEDOM, DO ORDAIN AS FOLLOWS:

1. Ordinance No. 206 is hereby repealed.
2. Chapter 15 is hereby established to read as follows:

GARBAGE AND REFUSE DISPOSAL AND COLLECTION AND MANDATORY RECYCLING

**15.01 PURPOSE AND AUTHORITY** The purpose of this Chapter is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in Chapter 159, Wis. Stats., and Chapter NR 544, WI Adm. Code. This Chapter is adopted as authorized under Chapter 159, Wisconsin Statutes.

**15.02 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 issue pursuant to law. However, whenever this Chapter imposes greater restrictions, the provisions of this Chapter shall apply.

**15.03 INTERPRETATION.** The interpretation and application of the provisions of this Chapter shall be minimum requirements and shall not be deemed Limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this Chapter may inconsistent or conflicting the more restrictive requirements or interpretations shall apply. Where a provision of this Chapter is required by Wisconsin Statutes, or by standard in Chapter NR 544, WI Adm. Code, and where the Chapter 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 Chapter, or in effect on the date of the most recent text amendment to this Chapter.

**15.04 APPLICABILITY.** The requirements of this Chapter apply to all persons within the Village of North Freedom, Wisconsin.

**15.05 ADMINISTRATION.** The business of this Chapter shall be administered by the North Freedom Village Board.

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**15.06 DEFINITIONS** Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the same meaning as they have at common law.

- (1) BI-METAL CONTAINER. A container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.
- (2) CONTAINER BOARD- Corrugated paperboard used in the manufacture of shipping containers and related products.
- (3) COLLECTOR- A person licensed under this Chapter to collect, remove, and dispose of garbage, refuse, rubbish, solid waste and recyclable.
- (4) COLLECTION- The act of removing solid waste from the storage area at the source of generation.
- (5) CURB-The back edge of curb and gutter along a paved street or where one would be if street was paved and had curb and gutter.
- (6) DEMOLITION WASTES-That portion of solid wastes consisting of wastes from the repair, remodeling or reconstruction of buildings, such as lumber, roofing and sheathing scraps, rubble, broken concrete, asphalt and plaster, conduit, pipe, wire, insulation and any other materials resulting from the demolition of buildings and improvements.
- (7) DISPOSAL-The orderly process of discarding useless or unwanted material.
- (8) DNR-The Wisconsin Department of Natural Resources.
- (9) DUMP-A land site where solid waste is disposed of in a manner that does not protect the environment or is not licensed by the DNR for the disposal of solid waste.
- (10) DWELLING UNIT-A place of habitation occupied by a normal single family unit of one person or a combination of persons who may be considered as equivalent to a single family unit for the purposes of this Chapter.
- (11) FOAM POLYSTYRENE PACKAGING-Packaging made primarily from foam polystyrene that satisfies one of the following criteria:

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- (13) HAZARDOUS WASTE-Those wastes such as toxic, radioactive, pathogenic substances which require special handling to avoid illness or injury to persons or damage to property and the environment and as this term is defined in Ch. NR.181 of the Wisconsin Adm. Code.
- (14) HDPE-High density polyethylene, labeled by the SPI code #2
- (15) INDUSTRIAL WASTE-Means waste material, except garbage rubbish, and refuse, directly or indirectly resulting from a industrial processing or manufacturing operation.
- (16) LITTER-Solid waste scattered about in a careless manner usually rubbish.
- (17) LDPE-Low density polyethylene, labeled by the SPI code #4
- (18) MAGAZINES-Magazines and other materials printed on similar paper.
- (19) MAJOR APPLIANCE-A residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, refrigerator, stove, furnace, boiler, dehumidifier and water heater.
- (20) MULTI-FAMILY DWELLING-A property containing 5 or more residential units, including those which are occupied seasonally.
- (21) NEWSPAPER-A newspaper and other materials printed on newsprint.
- (22) NEWSPRINT-That portion of newspapers or periodicals which remain substantially in their 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 no-suitable for recycling purposes or is in a state which makes separation unreasonable or unduly expensive, for 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 cardboard is mixed in with commercial or municipal litter or refuse as a result of the failure of citizen or business invites to separate newspapers from other discarded materials outdoors or in
  - (d) The paper has been damaged or altered by any other means so as to make recycling impossible or unduly difficult.

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- (23) NON-RESIDENTIAL RECYCLABLE-Recyclable from agricultural, commercial, industrial, institutional activities, mobile home parks, building or group of buildings or housing, or apartment complexes consisting of four (4) or more dwelling units.
- (24) NON-RESIDENTIAL SOLID WASTE-Solid waste from agricultural, commercial, industrial institutional activities, mobile home parks, building or group of buildings or housing, or apartment complexes consisting of four (4) or more dwelling units.
- (25) NON-RESIDENTIAL FACILITIES AND PROPERTIES-Commercial, retail, industrial, institutional and governmental facilities and properties. This term does not include multiple family dwellings.
- (26) OFFICE PAPER-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.
- (27) OTHER RESINS OR MULTIPLE RESINS-Plastic resins labeled by the SPI code #7.
- (28) PERSON-Includes any individual, corporation, partnership, association, local governmental unit, as defined in s. 66.299(1)(a), WI Stats., state agency or authority or federal agency.
- (29) PETE-Polyethylene terephthalate, labeled by the SPI code #1.
- (30) PLASTIC CONTAINER-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.
- (31) POST-CONSUMER WASTE-Solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in s. 144.61(5), WI Stats., waste from construction and demolition of structures, scrap automobiles, or high volume industrial waste, as defined in s. 144.44(7)(a), WI Stats.
- (32) PP-Polypropylene, labeled by the SPI code #5.
- (33) PS-Polystyrene, labeled by the SPI code #6.
- (34) PVC-Polyvinyl Chloride, labeled by the SPI code #3.
- (35) PRIVATE COLLECTION SERVICES-Collection services provided by a person licensed to do same by the DNR.

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- (36) 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. Includes all materials that can be remanufactured into usable products or reused, and shall include by way of example but not by way of limitation, glass containers, plastic containers, newsprint, cardboard, cans and waste paper products.
- (37) REFUSE-Includes combustible and noncombustible rubbish, including, but not limited to paper, wood, metal, glass, cloth and products thereof, litter, street rubbish and ashes.
- (38) RESIDENTIAL SOLID WASTE-All solid waste that normally originates in a residential environment from residential dwelling units.
- (39) RESIDENTIAL UNIT-A single family home, duplex, town-house, condominium or a building with three (3) or less dwelling units.
- (40) SCAVENGING-The uncontrolled removal of materials at any point in solid waste management.
- (41) SOLID WASTE-The meaning specified ins. 144.43(5), WI Stats., shall apply. Garbage, refuse, and all other discarded or salvageable solid materials resulting from domestic and residential use and from Village owned facilities, but does not include solids or dissolved materials in waste water effluent or other water pollutants.
- (42) STORAGE-The interim containment of solid waste in an approved manner after generation and prior to collection and ultimate disposal.
- (43) STRORAGE AREAS-Areas where persons place containers during non-collection days as well as areas where containers are set out on collection day.
- (44) SOLID WASTE FACILITY-The meaning specified ins. 144.43(5), WI Stats., shall apply.

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- (45) SOLID WASTE TREATMENT-Any method, technique, or process which is designed to change the physical, chemical or biological character or composition of solid waste. Treatment includes incineration.
- (46) WASTE TIRE- A tire that is no longer suitable for its original purpose because of wear, damage or defect.
- (47) WASTE PAPER PRODUCTS- Re-usable paper other than newsprint and shall include by way of example, but not by way of example, but not by way enumeration, magazines, paper, food cartons, bags, wrapping paper.
- (48) YARD WASTE- 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.

**15.07 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 post-consumer 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) Newspapers
- (12) Office paper
- (13) Rigid plastic containers of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins.
- (14) Steel containers
- (15) Waste tires

**15.08 SEPARATION REQUIREMENTS EXEMPTED.** The separation requirements of subsection (15.07) do not apply to the following:

- (1) Occupants of single family and 2 to 4 unit residences multiple-family dwelling 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

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- (2) Specified in subsection (15.07) from solid waste in as pure a form as possible.
- (3) 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.
- (4) A recyclable material specified in subsection (15.07)
- (5) through (15) for which a variance has been granted by the Department of Natural Resources under s. 159.11(2m), WI Stats., or s. NR 544.14, WI. Administrative Code.

**15.09 CARE OF SEPARATED RECYCLABLE MATERIALS.** To the greatest extent practicable, the recyclable materials separated in accordance with subsection (15.08) 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, recyclable materials shall be stored in a manner which protects them from wind, rain, and other inclement weather conditions.

**15.10 MANAGEMENT OF LEAD ACID BATTERIES, MAJOR APPLIANCES, WASTER OIL AND YARD WASTE.** Occupants of single family and two to four unit residences, multi-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 delivered by the owner to any of the vendors in the Sauk County who will accept lead acid batteries for recycling. Vendors may impose a charge for this service.

(2) Major appliances shall be disposed of by the owner. The Village may have a "Clean up Day" and then major appliances may be disposed of by completing a Request for Appliance Disposal Form available at the Clerk's office. The Village's pickup charges for standard residential appliances shall be established by Resolution of the Council and shall be paid in advance. The Public Works Director is authorized to develop an appropriate procedure to establish proof of prepayment for each item collected.

(a) The Village will not pick up any freon appliances, such as air conditioners, refrigerators, freezers, dehumidifiers and cooling units. The Owner of a freon appliance shall be responsible for delivering all such appliances to the Sauk County Landfill. The owner shall be required to remove all doors that may be locked in the closed position before delivery.

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(3) Waste oil. Waste oil shall be delivered by the owner to the waste oil facility at the Sauk County Landfill or any other license business.

(4) Yard wastes shall not be collected by the Village and shall be retained by the owner thereof unless the Village authorizes a specific yard waste clean-up time.

**15.11 PREPARATION AND COLLECTION OF RECYCLABLE MATERIALS.** Except as otherwise directed by the Public Works Director or the Village Board, occupants of single family and two to four unit residences shall do the following for the preparation, collection and separation of the recyclable materials specified in subsection (15.07) (5) through (15):

1. Aluminum containers shall be placed in clear plastic bags.
2. Bi-metal containers shall be placed in clear plastic bags.
3. Corrugated paper or other container board shall be free of debris, securely tied in both directions with heavy string or cord in bundles, not exceeding 8 inches in height.
4. Foam polystyrene packaging shall be placed in clear plastic bags.
5. Glass containers shall be placed in clear plastic bags.
6. Magazines shall be securely tied, in both directions, with heavy string or cord, in bundles not exceeding 8 inches in height.
7. Newspaper shall be securely tied, in both directions, with heavy string or cord, in bundles, not exceeding 8 inches in height.
8. Office paper shall be securely tied, in both directions, with heavy string or cord, in bundles, no exceeding 8 inches in height.
9. Rigid plastic containers shall be prepared and collected as follows:
  - (a) Plastic containers made of PETE, including milk containers, shall be placed in a clear plastic bag or tied together through the handles with heavy string or cords.
  - (b) Plastic containers make of HDPE, including empty waste oil containers, shall be placed in clear plastic bags.
  - (c) Plastic containers make of PVC shall be placed in clear plastic bags.
  - (d) Plastic containers made of LDPE, PP, PS or other resins or multiple resins shall be collected in the same manner as solid waste materials.

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10. Steel containers shall be thoroughly rinsed, and labels removed and shall be placed in clear plastic bags.

11. Waste tires, less than 11:00 by 24.5 shall be delivered by the owner to the Sauk county Landfill or to any of the vendors in Sauk County that will accept the same. Vendors may impose a charge for this service.

**15.12 COLLECTION SCHEDULES.** Persons who are served by regular Village solid waste collection service shall place recyclable materials authorized by this section for pickup by the Village at the curbside on the scheduled collection day for the collection of solid waste materials.

**15.13 COLLECTION FOR PERSONS AND PROPERTIES NOT SERVED BY VILLAGE SOLID WASTE COLLECTION.** The owner or occupant of property not served by the Village's solid waste collection service shall provide fly-tight, watertight and rodent proof refuse dumpsters for solid waste collection and shall further establish a sanitary procedure that is in compliance with the provisions of this section for the collection of recyclable materials shall occur at least once weekly and shall be carried out in accordance with the laws and regulations of the State of Wisconsin and the Ordinances of the Village including any regulation promulgated by the Public Works Director.

**15.14 RESPONSIBILITIES OFF OWNERS OR DESIGNATED AGENTS OF MULTIPLE FAMILY DWELLINGS AN/OR NON-RESIDENTIAL FACILITIES AND PROPERTIES.**

(1) Owners or designated agents of multiple family dwellings and non-residential facilities and properties shall do all of the following to recycle the materials specified in subsection 15.07(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 or non-residential facility and property and at least semi-annually thereafter about the established recycling program.

(c) Provide for the placement of the recyclable materials separated from the solid waste by the tenants for collection by the Village.

(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 hour of operation and a contract person or company, including a name, address and telephone number.

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(2) The requirement specified in (1) do not apply to the owners or designated agents of multiple-family dwellings, or non residential facilities and properties if the post-consumer waste generated within the dwelling or non-residential facility and property is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in subsection 15.07(5) through (15) from solid waste in as pure a form as is technically feasible.

**15.15 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 subsection 15.07(5) through(15) which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

**15.16 ENFORCEMENT.** For the purpose of ascertaining compliance with the provision of this ordinance, any authorized officer, employee or representative of the Village of North Freedom may inspect recyclable materials separated for recycling, post-consumer 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 protect proprietary information. No person may refuse access to any authorized officer, employee or authorized representative of the Village of North Freedom who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

**15.17 VIOLATIONS AND PENALTY.** Any person who violates, disobeys, neglects, omits or refuses to comply with, or who resists the enforcement of any of the provisions of this section shall, upon conviction thereof, be subject to the following:

(1) Any person who violates subsection 15.15 may be required to forfeit \$50.00 for a first offense, \$200.00 for a second offense within a 12 month period, and not more than \$2,000.00 for a third or subsequent offense within a 12 month period, together with the court costs and assessments as provided by Section 25.04 of this code.

(2) Any Person who violates a provision of this ordinance, except subsection 15.15, may be required to forfeit not less than \$10.00 nor more than \$1000.00 for each offense, together with the court costs and assessments as provided in Section 25.04 of this Code.

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**15.18 APPROVED WASTE AND REFUSE CONTAINERS.**

1. GENERAL CONTAINER STANDARDS. Suitable containers of a type approved by the Village shall be provided by the property owner or occupant for storage of all solid waste, garbage, and refuse. An approved container shall provide for efficient, safe, and sanitary handling of solid waste. The container shall be maintained in a nuisance and odor free condition and shall be sufficient to prevent the scattering of contents by weather conditions, or animals.
2. APPROVED CONTAINERS. Approved residential solid waste containers shall consist of metal or plastic containers with tight fitting covers and suitable handles, or plastic garbage bags which are closed by means of a tie. Approved containers shall not exceed 30 gallons in size. The container and contents shall not exceed 50 pounds in weight. Metal garbage cans shall be of sufficient thickness to prevent denting during normal handling by collection crews. Plastic garbage cans shall consist of plastic material not damaged by freezing and not susceptible to melting. Containers shall be capable of being handled during hot and cold weather without damage during normal handling by collection crews. Plastic bags shall be of sufficient strength to allow lifting and loading of contents without tearing. Cardboard boxes no larger than 9 cubic feet in volume may only be used to dispose of refuse provided the contents therein are covered and secured. Non-recyclable newsprint, cardboard, and paper products shall be securely tied in bundles no greater than 10 inches high and shall be protected against weather conditions. Non-recyclable newsprint, cardboard, and paper products that has become wet and soaked will not be collected by must be stored by the owner thereof in an approved container for collection on the next collection day. Cardboard boxes will be considered disposable and will not be emptied and returned to the curb.
3. DEFECTIVE CONTAINERS. A container that is incapable of continuing use due to holes, dent, damage, loss of handles, unsanitary condition or other factors shall be tagged by the collection crew. The collection crew shall also leave notification of the defects at the premises where the container has been placed for collection. After such notification, the collection shall not be obligated to pick up solid waste contained in the defective container. Where containers from several residential units are placed for collection at the same site, each container shall be identified with the address of the owner so that the collection crew can determine ownership of each container.

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4. ILLEGAL CONTAINERS. The following containers shall not be considered approved containers under this Chapter: metal barrels and drums, wooden or cardboard barrels, wheelbarrows, cardboard boxes (except as authorized) and other containers not specifically approved by this chapter. Unapproved containers will not be emptied regardless of the contents or weight.

**15.19 COLLECTION OF GARBAGE AND REFUSE.**

1. PLACEMENT FOR COLLECTION. Residential solid waste in approved containers shall be placed immediately behind the curb of the public street for collection. Bulky wastes from residential units shall likewise be placed in a neat and orderly fashion behind the curb. All garbage shall be well drained. During winter months, solid waste shall not be placed on top of the snow bank, nor shall it be placed in the roadway. The owner shall either shovel out an area behind the curb in which to place solid waste or he shall place it in his driveway. 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 public right of way for collection. If a collection crew is unable to discharge the contents of an approved container into the collection vehicle using normal handling procedures, the container, including contents thereof, will be left at the curb side. The owner shall make provisions to assure that solid waste placed in approved containers can be collected. Collection crews will not empty containers by means other than dumping.

2. RESTRICTION ON TIME OF PLACEMENT. No solid waste or recyclable shall be placed for collection sooner than 24 hours before the regular collection time. All receptacles and containers for solid waste disposal shall be removed from the curb side collection point within 24 hours after the regular collection time. Collection crews shall not enter any structures to remove solid waste.

**15.20 PROHIBITED ACTIVITIES AND NOT-COLLECTIBLE MATERIALS.**

1. IMPROPER PLACEMENT. No person shall place, or allow to be placed, any garbage, refuse, or solid waste upon the roads, streets, public or private property within the Village contrary to the provisions of this Chapter.

COMPLIANCE WITH CHAPTER. No person shall store, collect, transport, transfer, recover, incinerate, burn or dispose of any garbage, refuse, or solid waste within the Village garbage, contrary to the provisions of this Chapter.

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2. IMPROPER TRANSPORTATION. No person shall transport any garbage, rubbish or solid waste in any vehicle which permits the contents to blow, sift, leak, or fall there from. If litter should occur, it shall immediately be returned to the collection vehicle and the littered area shall be properly cleaned. All vehicles used for collection and transportation of garbage, refuse, and solid waste shall be durable, easily cleanable and leak proof, considering the type of material being transported and its moisture content. Collection vehicles shall be cleaned frequently to prevent nuisances, odors, and insect breeding and shall be maintained in good repair.

3. INTERFERENCE WITH AUTHORIZED COLLECTOR. No person other than an authorized collector shall collect or interfere with the collection of any garbage, refuse or other solid waste placed in the proper place for collection nor shall any unauthorized person hinder, delay, or in any manner interfere with an authorized collector in the discharge of his duties.

4. SCAVENGING. No person shall scavenge any garbage, refuse, or solid waste placed for collection.

5. PRIVATE DUMPS. No person shall use or operate any property within the Village as a dump.

6. BURNING OF WASTE. No person shall burn garbage, refuse, or solid waste within the Village except as specifically authorized by Village Ordinances.

7. NON-COLLECTIBLE MATERIALS. No person shall place for collection by the collector under contract with the Village any of the following: a) All substances and materials which are prohibited by the Sauk County Zoning Ordinances for deposit in the Sauk County Landfill, including, but not limited to hazardous waste, fly ash waste and other wastes generated primarily from the combustion of coal or fossil fuels, foundry wastes, sludge, domestic waste from private sewage disposal systems, infectious wastes, free liquid wastes, etc. (b) Toxic wastes, chemicals, explosives and ammunition. (c) Drain or waste oil or flammable liquids (d) Paint (e) Tires and automobile parts. (f) Yard waste (g) Large amounts of stone, concrete, rubble, earth, or sod. (h) Demolition waste and construction debris including materials from remodeling, construction or removal of a building, roadway or sidewalk. (i) Tree trunks and stumps. (j) Hospital wastes, needles and syringes. (k) Household appliances and household furniture. (l) Dead animals. (m) Animal waste and human waste. (n) Un-drained food waste. (o) Industrial waste. (p) Recyclable materials (See section 15.11 regarding mandatory recycling of certain materials).

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8. Disposal of non-collectible materials. All materials that are non-collectible materials under this Chapter shall be disposed of by the owner, custodian or generator thereof, or in the case of demolition wastes and construction and tree trimming debris by the builder or contractor. No license shall be required under this Chapter if the disposal is by the owner, custodian, generator, contractor or builder.

**15.21 COLLECTION AND REMOVAL PROCEDURES.**

1. The collection, removal and disposition of garbage, refuse, solid waste and recyclable from all one, two and three-family residential units and from Village owned properties and parks shall be performed by a person under contract with the Village as follows:
  - a. The specification and terms of the contract must be approved by the Village Board.
  - b. The Village may in its discretion advertise for bids for such collection, removal, and disposition for a contract term not to exceed 5 years. The contract shall be awarded to the bidder selected by the Board. The contractor awarded the contract must have a minimum of 2 years of continuous experience in private or municipal collection services and may be required to execute a corporate surety bond in the sum of \$3,000.00 for the faithful performance of the terms of such contract.
  - c. The collector awarded the contract with the Village shall be subject to all the terms and provisions of this Chapter, including any amendments thereto.
2. The collection, removal and disposition of garbage, refuse, solid wastes and recyclable from all businesses, schools, mobile home parks, apartments, or condominiums consisting of four or more dwelling units per building where a business is operated shall be performed by the owner directly or pursuant to a private contract between the owner directly and a collector licensed under this chapter and shall not be performed pursuant to any contract between the Village and a Collector, provided, however, such collection, removal and disposition shall in all other respects be performed in accordance with the provisions of this chapter.

**15.22 LICENSING OF COLLECTORS**

1. LICENSE REQUIRED. No person shall engage in the garbage, refuse or solid waste collection business within the Village without having first procured a license as provided in this section nor without complying with all provisions of this Chapter and all statutes, ordinances and regulations applicable thereto. Applications shall be made to the Village Clerk and shall be accompanied by an annual license fee of \$25.00. Licenses shall be issued on a calendar year basis commencing on January 1 of each year and there shall be no proration of the license fee for portions of a year.
2. APPLICATION; INSURANCE. No license shall be granted to an applicant for a collector's license unless the collector first files effect a comprehensive general liability and auto liability insurance policy issued by a reputable insurance company licensed and authorized to do business in the State of Wisconsin in amounts of not less than \$300,000.00 per person for bodily injury and \$500,000.00 per accident for bodily injury and not less than \$100,000.00 for injury or destruction of any property.
3. SUPERVISION. The collection, removal and disposal of garbage, refuse, rubbish and solid waste shall be conducted in strict conformity with the provisions of this Chapter and with respect to the collector under contract with the Village, also in accordance with the contract between the Village and the collector.

**15.23 COLLECTION RATES.** The rates for garbage, refuse and solid waste collection for the collector under contract with the Village shall be in accordance with the contract between the Village Board and the collector. Pursuant to section 66.60(16), Wisconsin Statutes, the contract costs to the Village for the collection services performed pursuant to the contract between Village and the collector shall be allocated in whole or in part to the owner of the property served, regardless whether the public property is occupied by a person not the owner thereof. No hearing or published notice of a hearing establishing the special charge shall be required. The special charge shall be payable in quarterly installments on the first day January, April, July and October of each year and any charge not paid within 20 days of its due date shall be deemed delinquent and shall become a lien on the property served as of the date of such delinquency, and shall automatically be extended upon the current or next tax roll as a delinquent tax against the property served and all proceedings in relation to the collection, return, and sale of the property for delinquent real estate taxes shall apply to such special charge. Delinquent

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special charges shall accrue interest from the due date at the same rate and method as delinquent real estate taxes.

15.24 ACCUMULATED GARBAGE A NUISANCE.

1. The accumulation of garbage, refuse trash, animal or vegetable matter, rotting lumber, bedding, or any solid waste material whatsoever within the Village which emits or causes any foul, offensive, noisome, nauseous, noxious, or disagreeable odor, gas effluvia or stench repulsive to the physical senses of ordinary persons which annoy, discomfort, injure, or inconvenience the health of any persons within the Village or in which flies, mosquitoes, disease carrying insects, rats or other vermin may breed is prohibited and declared to constitute a nuisance.
2. No person shall permit litter to remain on any premises owned, occupied, leased or otherwise controlled by said person within the Village.
3. If the Village President or his/her designed, determines that an owner or occupant has failed to comply with this section, he\she shall cause notice thereof to be given to the person causing or maintaining the nuisance and to the owner of the premises to remove the litter within 5 days. Failure to remove the nuisance within the 5 day period shall constitute a violation of this section by the owner and the occupant thereof and each day that a violation of this section continues shall be deemed a separate offense per section 15.17.

15.25 DEPOSITING OF NON-VILLAGE GARBAGE PROHIBITED.

1. No person shall deposit any garbage, refuse, or solid waste accumulated outside the Village in or upon any public or private place within the village.
2. No person shall transport within the Village any garbage, refuse, or solid waste accumulated outside of the Village for the purpose of depositing the same in or upon any public or private place, within the Village.
3. No person who owns or occupies property where the collection, removal and disposition of garbage, refuse, or solid waste is performed by the collector under contract with the Village shall allow or permit any person to deposit any garbage, rubbish or solid waste for collection where the same is non-residential waste or non-residential recyclable shall deposit the same at any collection site where the collection, removal and disposition of garbage, refuse, or solid waste is performed by the collector who is under contract with the Village.

This Ordinance has been published pursuant to the provisions of Section 66.035 of the Wisconsin Statutes and said recreated provisions have been on file and open for public inspection in the office of the Village Clerk since December 12 1994 and notifying the public of the availability of this Ordinance for public inspection and this Ordinance shall take effect upon passage as provided by law.

I hereby certify that the foregoing Ordinance was duly passed by the Board of the Village of North Freedom on the ninth day of January, A.D., 1995, and approved on that date.