

VILLAGE OF NORTH FREEDOM
ORDINANCE 2026-01
AMENDMENT TO VILLAGE ORDINANCE CHAPTER 15 – GARBAGE AND REFUSE
COLLECTION AND RECYCLING ORDINANCE

The Village Board of the Village of North Freedom adopts the following ordinance:

SECTION 1: Purpose.

The Wisconsin Department of Natural Resources has promulgated a revised model recycling ordinance for adoption by local governments like the Village of North Freedom. The Village in 1994 adopted the Department's model ordinance which is Ordinance No. 15. This ordinance adopts the new model ordinance which includes revisions focused on improving collection standards for multi-family and non-residential properties as well as enhancing reporting and education requirements.

SECTION 2: Code Sections Affected.

Current Village Code Section 15 is repealed and recreated.

SECTION 3. Codes Sections as Affected.

The proposed recreated Section 15 is attached.

SECTION 4: Validity.

Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 5: Conflicting Provisions Repealed.

All ordinances in conflict with any provisions of this Ordinance are hereby repealed.

SECTION 6: Effective Date.

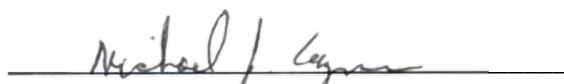
This Ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION 7: Part of Code.

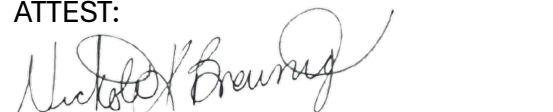
This Ordinance becomes Village of North Freedom Code, Section 15.

ADOPTED this 9th day of February, 2026 on a motion presented by Trustee Zweck
and seconded by Trustee Herritz and by a vote of 5 yes and 0 no.

BY:


Michael J. Carignan, Village President

ATTEST:


Nicki Breunig, Clerk/Treasurer

Adoption date: February 9, 2026
Publication date: N/A, 2026

CHAPTER 15
VILLAGE OF NORTH FREEDOM
GARBAGE AND REFUSE COLLECTION AND RECYCLING ORDINANCE
*Created based on the Model Responsible Recycling Unit by the
Wisconsin Department of Natural Resources; revised 08-2025*

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15.01 Title. Garbage and Refuse Collection and Recycling Ordinance for Village of North Freedom, Sauk County.

15.02 Purpose. The purpose of this ordinance is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in s. 287.11, Wis. Stats., and ch. NR 544, Wis. Adm. Code.

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

15.04 Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with any existing rules, regulations, ordinances or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall apply.

15.05 Interpretation. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in ch. NR 544, Wis. Adm. Code, and where the ordinance 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 ordinance, or in effect on the date of the most recent text amendment to this ordinance.

15.06 Severability. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

15.07 Applicability. The requirements of this ordinance apply to all persons within the Village of North Freedom, Sauk County.

15.08 Administration. The provisions of this ordinance shall be administered by the Village Board and Village Clerk of the Village of North Freedom.

15.09 Effective Date. The provisions of this ordinance shall take effect on March 1, 2026.

15.10 Definitions. For the purpose of this ordinance:

- 1) "Bi-metal container" means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.
- 2) "Container board" means corrugated paperboard used in the manufacture of shipping containers and related products.
- 3) "Foam polystyrene packaging" means packaging made primarily from foam polystyrene that satisfies one of the following criteria: a) Is designed for serving food or beverages. b) Consists of loose particles intended to fill space and cushion the packaged article in a shipping container. c) Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.
- 4) "Glass Container" means a glass bottle, jar or other packaging container used to contain a product that is the subject of a retail sale and does not include ceramic cups, dishes, oven ware, plate glass, safety and window glass, heat-resistant glass such as pyrex, lead based glass such as crystal, or TV tubes.
- 5) "HDPE" means high density polyethylene, labeled by the resin code # 2.
- 6) "LDPE" means low density polyethylene, labeled by the resin code # 4.
- 7) "Magazines" means magazines and other materials printed on similar paper.
- 8) "Major appliance" means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater or stove.
- 9) "Multiple-family dwelling" means a structure containing 5 or more residential units, including units that are occupied seasonally.

10) "Newspaper" means a newspaper and other materials printed on newsprint.

11) "Non-residential facilities and properties" means commercial, retail, industrial, institutional and government facilities and properties. Non-residential facilities and properties includes any location at which goods or services are provided or manufactured, including locations under construction, demolition, or remodeling, or used for special events such as fairs, festivals, sport venues, conferences, and exhibits. This term does not include multiple family dwellings.

12) "Office paper" means a variety of high-grade printing and writing papers. This term does not include industrial process waste, newspaper or packaging.

13) "Other resins or multiple resins" mean plastic resins labeled by the resin code #7.

14) "Person" includes any individual, corporation, limited liability company, partnership, association, local government unit, as defined in s. 66.0131(1)(a), Wis. Stats., state agency or authority or federal agency.

15) "PETE" or "PET" means polyethylene terephthalate, labeled by the resin code # 1.

16) "Plastic container" means an individual, separate, rigid plastic bottle, can, jar or carton, except for a blister pack, that is originally used to contain a product that is the subject of a retail sale.

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

18) "PP" means polypropylene, labeled by the resin code #5.

19) "PS" means polystyrene, labeled by the resin code # 6.

20) "PVC" means polyvinyl chloride, labeled by the resin code # 3.

21) "Recyclable materials" includes lead acid batteries; major appliances; waste oil; yard waste; aluminum containers; corrugated paper or other container board; foam polystyrene packaging; glass containers; magazines; newspaper; office paper; rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins; steel containers; waste tires; and bi-metal containers.

22) "Solid waste" has the meaning specified in s. 289.01(33), Wis. Stats.

23) "Solid waste facility" has the meaning specified in s. 289.01(35), Wis. Stats.

24) "Solid waste treatment" means any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. "Treatment" includes incineration.

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

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

15.11 Separation of Recyclable Materials. Occupants of single family and 2-to-4- unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from postconsumer waste:

- 1) Lead acid batteries
- 2) Major appliances
- 3) Waste oil
- 4) Yard waste
- 5) Aluminum containers
- 6) Bi-metal containers
- 7) Corrugated paper or other container board
- 8) Foam polystyrene packaging
- 9) Glass containers
- 10) Magazines
- 11) Newspaper
- 12) Office paper

- 13) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins
- 14) Steel containers
- 15) Waste tires

15.12 Separation Requirements Exempted. The separation requirements of s. 15.11 do not apply to the following:

- 1) Occupants of single family and 2-to-4-unit residences, multiple-family dwellings and non-residential facilities and properties that send their postconsumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials specified in s. 15.11 from solid waste in as pure a form as is technically feasible.
- 2) Solid waste which is burned as a supplement fuel at a facility if less than 30% of the heat input to the facility is derived from the solid waste burned as supplement fuel.
- 3) A recyclable material specified in s. 15.11(5) through (15) for which a variance has been granted by the Department of Natural Resources under s. 287.11(2m), Wis. Stats., or s. NR 544.14, Wis. Adm. Code.

15.13 Care of Separated Recyclable Materials. To the greatest extent practicable, the recyclable materials separated in accordance with s. 15.11 shall be clean and kept free of contaminants such as food or product residue, oil or grease, or other non-recyclable materials, including but not limited to household hazardous waste, medical waste, and agricultural chemical containers. Recyclable materials shall be stored in a manner which protects them from wind, rain, and other inclement weather conditions.

15.14 Management of Lead Acid Batteries, Major Appliances, Waste Oil and Yard Waste. Occupants of single family and 2-to-4-unit residences, multiple-family dwellings and non-residential facilities and properties shall manage lead acid batteries, major appliances, waste oil, and yard waste as follows:

- 1) Lead acid batteries shall be 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 purchasing a special item pickup sticker. The Village's pickup charges for standard residential appliances shall be established by the Village's contracted servicer and shall be paid in advance. The Village Clerk 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.

3) 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 waste 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.

15.15 Preparation and Collection of Recyclable Materials.

Except as otherwise directed by the Village of North Freedom, occupants of single family and 2-to-4-unit residences shall do the following for the preparation and collection of the separated materials specified in s. 15.11(5) through (15):

1) Aluminum containers shall be emptied, clean, and dry and placed loosely into the provided storage bin. Labels are ok to remain on.

2) Bi-metal containers shall be emptied, clean, and dry and placed loosely into the provided storage bin. Labels are ok to remain on.

3) Corrugated paper or other container board shall be free of debris and placed loosely into the provided storage bin.

4) Foam polystyrene packaging shall be emptied, clean, and dry and placed loosely into the provided storage bin.

- 5) Glass containers shall be emptied, clean, and dry and placed loosely into the provided storage bin.
- 6) Magazines shall be free of debris and placed loosely into the provided storage bin.
- 7) Newspaper shall be free of debris and placed loosely into the provided storage bin.
- 8) Office paper shall be free of debris and placed loosely into the provided storage bin.
- 9) Rigid plastic containers shall be emptied, clean, and dry and placed loosely into the provided storage bin.
- 10) Steel containers shall be emptied, clean, and dry and placed loosely into the provided storage bin.
- 11) Waste tires shall be disposed of by the owner. The Village may have a "Clean up Day" and then waste tires may be disposed of by purchasing a special item pickup sticker. The Village's pickup charges for waste tires shall be established by the Village's contracted servicer and shall be paid in advance. The Village Clerk is authorized to develop an appropriate procedure to establish proof of prepayment for each item collected.

15.16 Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings.

- 1) Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in s. 15.11(5) through (15):
 - a) Provide adequate, separate containers for the recycling program established in compliance with the ordinance. The number of recycling containers shall equal or be greater than the number of trash containers and at least one of the following shall be met:
 - i. The minimum total volume of recycling container space is equal to 20 gallons per week per dwelling unit.
 - ii. The ratio of trash container volume to recycling container volume is at most 2:1.
 - iii. An alternative method that does not result in the overflow of a recycling container during the time period

between collection of materials and delivery to a recycling facility.

b) Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program.

c) Provide for the collection of the materials separated from the solid waste by the tenants and the delivery of the materials to a recycling facility.

d) Notify tenants which materials are collected, how to prepare the materials in order to meet the processing requirements, collection methods or sites, and locations of drop-off collection sites to recycle materials not collected on-site.

2) The requirements specified in 1) do not apply to the owners or designated agents of multiple-family dwellings if the postconsumer waste generated within the dwelling is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in s. 15.11(5) through (15) from solid waste in as pure a form as is technically feasible.

15.17 Responsibilities of Owners or Designated Agents of Non-Residential Facilities and Properties.

1) Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in s. 15.11(5) through (15):

(a) Provide adequate, separate containers for the recycling program established under this section. The total volume of recycling containers shall be sufficient to avoid overflow during the time period between collection of materials and delivery to a recycling facility.

(b) Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.

(c) Provide for the collection of the materials separated from the solid waste by the users, tenants and occupants and the delivery of the materials to a recycling facility.

(d) Notify users, tenants and occupants which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or sites, and locations of drop-off collection sites to recycle materials not collected on-site.

2) The requirements specified in 1) do not apply to the owners or designated agents of non-residential facilities and properties if the postconsumer waste generated within the facility or property is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in s. 16.11 (5) through (15) from solid waste in as pure a form as is technically feasible.

15.18 Prohibitions on Disposal of Recyclable Materials Separated for Recycling. No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any of the materials specified in s. 15.11 (5) through (15) that have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

15.19 Enforcement.

1) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the Village of North Freedom may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and non-residential facilities and properties, and any records relating to recycling activities, which shall be kept confidential when necessary to protect proprietary information. No person may refuse access to any authorized officer, employee or authorized representative of 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.

2) Any person who violates a provision of this ordinance may be issued a citation by the Village of North Freedom to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same

or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this paragraph.

3) Penalties for violating this ordinance may be assessed as follows:

(a) Any person who violates s. 15.18 may be required to forfeit \$50.00 for a first violation, \$200.00 for a second violation, and not more than \$2,000.00 for a third or subsequent violation.

(b) Any person who violates a provision of this ordinance, except s. 15.18, may be required to forfeit not less than \$10.00 or more than \$1,000.00 for each violation.

15.20 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 as follows:

1) Residential solid waste in approved containers shall be placed immediately behind the curb of the public street for collection. All garbage shall be well drained and placed on the inside of the provided containers. 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. 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) 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 will not enter any structures to remove solid waste.

15.21 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.

15.22 Approved Waste and Refuse Containers. Suitable and approved containers will be provided by the contracted Refuse/Recycling Company for the Village. 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.

15.23 Prohibited Activities and Not-Collectible Materials.

1) 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. 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.

2) 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) 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) No person shall scavenge any garbage, refuse, or solid waste placed for collection.

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

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

7) 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.

8) 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.

15.24 Collection and Removal Procedures.

1) The collection, removal and disposition of garbage, refuse, solid waste and recyclable from all one, Multi-family residential units, certain commercial properties, 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 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.

15.25 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. 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 to the utility account 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 monthly installments of each year on the utility bill and any charge not paid within 20 days of its due date shall be deemed delinquent and imposed a late fee. Any unpaid utility bill with any past due balance will be placed on the tax roll. The timeline will be as follows:

October 1st: The Village of North Freedom will determine which accounts have arrears as of this date.

October 15th: The Village of North Freedom will mail written notices to the property owner if account is in an arrear.

November 1st: The Village of North Freedom will apply a 10% penalty to the account.

November 16th: Unpaid arrear is applied to the tax roll.

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 15.19.

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.