

CHAPTER 12

SOLID WASTE AND RECYCLING

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12.01 SERVICES PROVIDED

- (1) The City shall provide for the collection of solid waste and recyclables within the corporate boundaries of the City.
- (2) The City may directly provide the collection services or contract for collection services to be provided by private firms licensed by the State of Wisconsin Department of Natural Resources.

12.02 DEFINITIONS

- (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.

12.03 COLLECTION REGULATIONS

- (1) The Director of Public Works shall have the authority to make regulations concerning the scheduling of collection, specifications and location of garbage, refuse and recyclable containers, and such other matters pertaining to the collection, conveyance and disposal of garbage, refuse and recyclables as necessary, and to change and modify the regulations. Any person aggrieved by a regulation made by the Director of Public Works shall have the right to appeal to the Public Works Committee which shall have the authority to confirm, modify or revoke such regulation.
- (2) No person and/or owner and/or occupant of a property may:
 - (a) Place any garbage, refuse or recyclable for City collection at any location not designated or approved by the Director of Public Works.
 - (b) Fail to promptly clean up and remove litter and loose material that has not been collected.
 - (c) Place any garbage, refuse or recyclable for collection on any street, alley or other public place or upon any collection site on private property before

3 PM of the day prior to the established collection day, except upon the prior express approval of the Director of Public Works.

- (d) Throw, place or deposit any solid waste, garbage, refuse, rubbish or recyclables in any street, alley, public place, tree bank or private property within the City limits except in an approved container as provided in this chapter.
- (e) Throw, place or deposit any solid waste, garbage or refuse in any garbage container or dumpster not owned by such person and without the permission or authorization of the owner of such container.

12.04 ITEMS NOT COLLECTED

The following items shall not be placed for collection pursuant to this Chapter:

- (1) Hazardous waste as defined in Wis. Adm. Code Ch. NR 187, flash waste and other wastes generated primarily from the combination of coal or fossil fuels, foundry wastes, sludge, domestic waste from private sewage disposal systems, infectious wastes, free liquid wastes, etc.
- (2) Toxic wastes, chemicals, explosives and ammunition.
- (3) Drain or waste oil or flammable liquids.
- (4) Paint.
- (5) Tires and automobile parts.
- (6) Yard waste.
- (7) Demolition waste and construction debris including materials from remodeling, construction or removal of a building, roadway or sidewalk.
- (8) Tree trunks and stumps.
- (9) Household appliances and household furniture.
- (10) Dead animals.
- (11) Undrained food waste.
- (12) Industrial waste.
- (13) Garbage or refuse strewn by animals or vandals prior to collection.
- (14) Stone, rubble, earth and sod.

12.05 RECYCLING

- (1) Purpose and Authority. The purpose of this Section is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in Wis. Stat. Ch. 287.11 and Wis. Adm. Code Ch. NR 544. This ordinance is adopted as authorized under s. 287.09(3)(b), Wis. Stats. This ordinance is the model recycling ordinance promulgated in 2025/2026 by the Wisconsin Department of Natural Resources.
- (2) 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.

- (3) 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.
- (4) Applicability. The requirements of this ordinance apply to all persons within the City of Wisconsin Dells, Adams, Columbia, Juneau, and Sauk Counties, Wisconsin.
- (5) Administration. Provisions of this Section shall be administered by the City of Wisconsin Dells Director of Public Works.
- (6) This subsection left blank.
- (7) Separation of Materials. Occupants of single family and 2-to-4-unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from postconsumer waste:
 - (a) Lead acid batteries.
 - (b) Major appliances
 - (c) Waste oil.
 - (d) Yard waste.
 - (e) Aluminum containers.
 - (f) Bi-metal containers.
 - (g) Corrugated paper or other container board.
 - (h) Foam polystyrene packaging.
 - (i) Glass containers.
 - (j) Magazines.
 - (k) Newspaper.
 - (l) Office paper.
 - (m) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins.
 - (n) Steel containers.
 - (o) Waste tires.
- (8) Separation Requirements Exempted. The separation requirements of S. (7) do not apply to the following:

- (a) Occupants of single family and 2-4 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. from solid waste in as pure a form as is technically feasible.
 - (b) Solid waste that 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 a supplemental fuel.
 - (c) A recyclable material specified in s. (7)(E) through (O) 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.
- (9) Care of Separated Recyclable Material. To the greatest extent practicable, the recyclable materials separated in accordance with s. (7) 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.
- (10) Management of Lead Acid Batteries, Major Appliances, Waste Oil, Yard Waste and Waste Tires. 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, yard waste, and waste tires as follows:
 - (a) Lead acid batteries shall be returned or exchanged at the retail outlet where the replacement battery is purchased.
 - (b) Major appliances shall be exchanged at the retail outlet where the replacement appliance is purchased.
 - (c) Waste oil shall be taken to a licensed recycling facility for disposal.
 - (d) Waste tires, shall be disposed of at private retail outlets, any other points of purchase, or other legal disposal locations including, but not limited to, private recycling firms, all for the purpose of recycling the tires under law.
- (11) Preparation and Collection of Recyclable Materials. Except as otherwise directed by the City of Wisconsin Dells, 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. (7)(E) through (O):
 - (a) The following will be collected curbside in the contractor provided recycling carts:

1. Aluminum containers
2. By metal containers
3. Corrugated paper or other container board
4. Glass containers
5. Magazines
6. Newspaper
7. Office paper
8. Steel containers
9. Rigid plastic containers

(b) All items should be empty. All metal and plastic items should be left in their original shape. Plastic lids can be placed back on items. Cardboard should be flattened.

(c) Foam polystyrene packaging will be placed in the container designated for landfill disposal.

(12) Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings.

(a) Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in s. (7)(E) through (O):

1. 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:
 - a. The minimum total volume of recycling container space is equal to 20 gallons per week per dwelling unit.
 - b. The ratio of trash container volume to recycling container volume is at most 2:1.
 - c. 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.
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 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.

(b) 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. (7)(E) through (O) from solid waste in as pure a form as is technically feasible.

(c) Owners of rental property will be responsible for violations of this Chapter which occur on their rental property.

(13) 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 s. (7)(E) through (O):

1. 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.
2. Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.
3. Provide for the collection of the materials separated from the solid waste by the users, tenants and occupants and the delivery of the materials to a recycling facility.
4. Notify users, tenants and occupants 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.

(b) 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. (7)(E) through (O) from solid waste in as pure a form as is technically feasible.

(c) Owners of rental property will be responsible for violations of this Chapter which occur on their rental property.

(14) 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. (7)(E) through (O) that have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

(15) Unlawful to Remove Recyclables. It will be unlawful for any person to collect or remove recyclables that have been placed by any person at a designated collection site for

collection. This Chapter will not apply to a City employee acting within the scope of his/her employment, or to a person under contract with the City of Wisconsin Dells.

(16) Recycling Enforcement.

- (a) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the City of Wisconsin Dells 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 Town of Delton who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.
- (b) Any person who violates a provision of this ordinance may be issued a citation by the City of Wisconsin Dells 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.
- (c) Penalties for violating this recycling ordinance may be assessed as follows:
 - 1. Any person who violates s. (14) may be required to forfeit \$50 for a first violation, \$200 for a second violation, and not more than \$2000.00 for a third or subsequent violation.
 - 2. Any person who violates a provision of this ordinance, except s. (14), may be required to forfeit not less than \$10 or more than \$1000.00 for each violation.

12.06 ALTERNATE NON-RESIDENTIAL COLLECTION

- (1) Non-residential generators of garbage, refuse and recyclables may opt out of city collection or city contract collection if alternative arrangements for collection are made with a firm licensed by the State of Wisconsin Department of Natural Resources. Such arrangements shall be satisfactory to the City and shall be evidenced by an enforceable written contract between the generator and the alternate collector.
- (2) Generators which wish to opt out shall make application to the Director of Public Works before December 1. The election to opt out shall be effective beginning the following March 1.

12.07 YARD WASTE AND COMMUNITY CLEAN-UP.

- (1) The City may provide for the periodic disposal and collection of yard waste and household appliances; and, for the collection of other designated items as part of the community clean-up programs. The Director of Public Works shall make regulations and provide for such special collections.

12.08 ENFORCEMENT

- (1) The Director of Public Works (DPW), or its designee, shall be authorized to make regulations, standards and schedules as necessary to make effective all provisions of this Chapter. Periodically, the DPW shall prepare notices and distribute other information to persons and entities generating solid waste, garbage, refuse and recyclables within the City for the purpose of informing the public about the requirements dictated by City ordinances.
- (2) In order to insure compliance with the laws of this state and rules and regulations required in this Chapter, the DPW is authorized to inspect at reasonable times all phases of solid waste, garbage, refuse and recyclable management within the City. No person may refuse access to the DPW or any authorized officer, employee or representative of the City who requests access for the purposes of inspection and who presents appropriate credentials. No person may obstruct, hamper or interfere with such inspection.
- (3) In all instances where such inspections reveal violations of this Chapter and regulations in this Chapter, or the laws of this State, the DPW shall issue written notice of each such violation, stating therein the violation found, the date and time of such violation, and the corrective measures to be taken, together with the time in which such correction shall be made. Time limits set for the correction of violations shall be reasonable and consistent. The DPW shall consider time needed for repairs or purchases to correct deficiencies, public health and consistent time limits for like violations. Time limits shall not be greater than ten working days nor less than 24 hours. All such notices shall be kept in a clearly marked file and shall be available for public inspection during regular business hours.
- (4) The DPW and any employee of the Public Works Department authorized to issue a citation to the violator. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this Subsection shall prevent the City from maintaining any appropriate action to prevent or remove a violation of any provision of this Chapter. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceedings 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. Whenever the court finds a defendant guilty of a violation of this Chapter, the court shall be authorized to grant judgment as provided by City Code.
- (5) If any person is found in violation of this Chapter and fails to comply with a notification and/or citation, the DPW shall further be authorized and empowered

to order a special collection to remove such violation. In addition to the penalty provided herein, if the City makes a special collection, the actual cost of removal and disposal, together with an administrative fee equal to 10% of said cost shall be charged to the property owner. If such charges are not paid by November 15 of the year in which they are billed, such charges, together with an additional administrative fee for collection equal to 10% of the total cost of such charges and fees shall be extended on the next succeeding tax roll as a special charge against the property affected and collected in the manner as are other taxes, pursuant to Wis. Stat. § 66.0627. No person shall use the special collection provisions of this Subsection to circumvent requirements for collection by a private firm.

- (6) Any person who shall violate any of the provisions of this Chapter shall, upon conviction thereof, forfeit not less than \$10.00 nor more than \$50.00, for the first offense and not less than \$25.00 nor more than \$100.00 for the second offense within one year. In addition to a forfeiture there shall be imposed the court costs and assessment. The one-year period shall be measured from the date of the first violation of this Chapter. In addition to the foregoing penalties, it shall be cause for the City to refuse to pick up any solid waste containing recyclables in violation of this Chapter.

12.09 COLLECTION COSTS

- (1) City may establish by resolution fees for collection services provided pursuant to this Chapter.
- (2) The fees may be billed monthly on utility statements or annually on real estate tax statements.
- (3) If charges are billed monthly on utility statements, unpaid fees shall be collected as provided by state law and city code and practice.

CHAPTER 12 REVISIONS

09-20-76	
12-18-86	A-173
05-23-88	A-200
02-20-89	A-220
04-18-89	A-225
11-18-91	A-299
08-30-95	A-368 Sidewalk litter and debris
11-17-97	A-417 Tax Exempt garbage. Fee to Schedule of Fees. 12.01(11)(a)
06-30-04	A-555 Public Works Committee replaces Health Committee.
11-21-09	A-666 Repeals and recreates Chapter 12. Moves Sidewalk Litter & Debris (12.02) to Chpt 6. (6.05).
04-30-26	A-944 Repeals and recreates 12.02 Definitions and 12.05 Recycling