~~DRAFT FOR DNR REVIEW AND TOWN BOARD CONSIDERATION~~

TOWN OF KEYSTONE

BAYFIELD COUNTY, WISCONSIN

ORDINANCE NO. 2026-001

RECYCLING ORDINANCE

The Town Board of the Town of Keystone, Bayfield County, Wisconsin, hereby ordains as follows:

1.01 Title. This ordinance shall be known as the "Recycling Ordinance for the Town of Keystone."

1.02 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.

1.03 Statutory Authority. This ordinance is adopted as authorized under s. 287.09(3)(b), Wis. Stats., and the Town's authority under ch. 60, Wis. Stats.

1.04 Supersession and Greater Restrictions. This ordinance supersedes and replaces any prior Town of Keystone recycling ordinance. It does not repeal or impair any unrelated solid waste rule, regulation, ordinance, or permit previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall apply.

1.05 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 adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance.

1.06 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.

1.07 Applicability. The requirements of this ordinance apply to all persons within the Town of Keystone, Bayfield County, Wisconsin.

1.08 Administration. The provisions of this ordinance shall be administered by the Town Board of the Town of Keystone or its designee.

1.09 Effective Date. This ordinance shall take effect on the day after its publication as required by law.

1.10 Definitions. For the purpose of this ordinance:

"Bi-metal container" means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.

"Container board" means corrugated paperboard used in the manufacture of shipping containers and related products.

"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.

"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, ovenware, plate glass, safety and window glass, heat-resistant glass such as Pyrex, lead-based glass such as crystal, or TV tubes.

"HDPE" means high-density polyethylene, labeled by the resin code #2.

"LDPE" means low-density polyethylene, labeled by the resin code #4.

"Magazines" means magazines and other materials printed on similar paper.

"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.

"Multiple-family dwelling" means a structure containing 5 or more residential units, including units that are occupied seasonally.

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

"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.

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

"Other resins or multiple resins" means plastic resins labeled by the resin code #7.

"Person" means 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.

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

"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.

"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.

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

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

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

"Recyclable materials" means 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.

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

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

"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.

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

"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.

1.11 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:

(d) Lead acid batteries.

(e) Major appliances.

(f) Waste oil.

(g) Yard waste.

(h) Aluminum containers.

(i) Bi-metal containers.

(j) Corrugated paper or other container board.

(k) Foam polystyrene packaging.

(l) Glass containers.

(m) Magazines.

(n) Newspaper.

(o) Office paper.

(p) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins.

(q) Steel containers.

(r) Waste tires.

1.12 Separation Requirements Exempted. The separation requirements of s. 1.11 do not apply to the following:

(s) 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. 1.11 from solid waste in as pure a form as is technically feasible.

(t) 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.

(u) A recyclable material specified in s. 1.11(5) through (15) for which a variance has been granted by the Wisconsin Department of Natural Resources under s. 287.11(2m), Wis. Stats., or s. NR 544.14, Wis. Adm. Code.

1.13 Care of Separated Recyclable Materials. To the greatest extent practicable, the recyclable materials separated in accordance with s. 1.11 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.

1.14 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:

(v) Lead acid batteries shall be returned to a retailer or delivered to a recycling or collection facility or program authorized to accept them.

(w) Major appliances shall be delivered to the Town of Keystone Transfer Station when accepted under the Town's current rules and fee schedule, or to another recycling facility, scrap dealer, retailer, or collection program authorized to accept them.

(x) Waste oil shall be delivered to a recycling or collection facility or program authorized to accept it. Waste oil shall not be placed with solid waste or discharged onto the ground, into a storm sewer, or into waters of the state.

(y) Yard waste shall be composted on the property where it is generated, delivered to a composting or yard-waste facility or collection program authorized to accept it, or otherwise managed in accordance with law. Yard waste shall not be placed with solid waste for disposal.

1.15 Preparation and Collection of Recyclable Materials. Except as otherwise directed by the Town Board or its designee, occupants of single-family and 2-to-4-unit residences shall deliver the separated materials specified in s. 1.11(5) through (15) to the Town of Keystone Transfer Station, subject to the Town's current operating rules, or to another lawful recycling collection program, including a private subscription recycling service. The Town Board or its designee shall establish seasonal transfer-station hours consistent with applicable Wisconsin Department of Natural Resources access requirements and make the current hours available on the Town website and at the transfer station. The hours may be adjusted without amendment of this ordinance. Materials shall be placed in the designated containers and prepared as follows:

(z) Aluminum containers shall be emptied, rinsed when necessary to remove residue, and placed loose in the designated container.

(aa) Bi-metal containers shall be emptied, rinsed when necessary to remove residue, and placed loose in the designated container.

(bb) Corrugated paper or other container board shall be clean, dry, and flattened before being placed in the designated container.

(cc) Foam polystyrene packaging shall be clean and dry and shall be delivered only to a facility or collection program that accepts it. It shall not be placed in a Town recycling container unless the Town's current instructions identify it as an accepted material.

(dd) Glass containers shall be emptied, rinsed when necessary to remove residue, and placed loose in the designated container. Ceramic, plate glass, drinking glasses, mirrors, and other non-container glass shall not be mixed with glass containers.

(ee) Magazines shall be clean and dry and placed in the designated paper-recycling container.

(ff) Newspaper shall be clean and dry and placed in the designated paper-recycling container.

(gg) Office paper shall be clean and dry and placed in the designated paper-recycling container.

(hh) Rigid plastic containers shall be emptied, rinsed when necessary to remove residue, and placed loose in the designated container only when the resin type is accepted under the Town's current recycling instructions. Plastic bags, film, polystyrene products, syringes, and other materials not accepted by the Town's recycling contractor shall not be placed in Town recycling containers. Rigid plastic containers not accepted at the Town transfer station remain subject to the separation requirements of s. 1.11 unless a variance applies and shall be delivered to another lawful recycling program that accepts them.

(ii) Steel containers shall be emptied, rinsed when necessary to remove residue, and placed loose in the designated container.

(jj) Waste tires shall be delivered to the Town of Keystone Transfer Station when accepted under the Town's current rules and fee schedule, or to a tire retailer, recycler, or collection facility or program authorized to accept them.

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

Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in s. 1.11(5) through (15):

(kk) Provide adequate, separate containers for the recycling program established in compliance with this 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:

(ll) The minimum total volume of recycling container space is equal to 20 gallons per week per dwelling unit.

(mm) The ratio of trash container volume to recycling container volume is at most 2:1.

(nn) 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.

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

(pp) 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.

(qq) 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.

Exception. The requirement specified in sub. (1) does not apply to the owners or designated agents of multiple-family dwellings if the postconsumer waste generated within the dwelling is treated at a processing facility licensed by the Wisconsin Department of Natural Resources that recovers for recycling the materials specified in s. 1.11(5) through (15) from solid waste in as pure a form as is technically feasible.

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

Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in s. 1.11(5) through (15):

(rr) 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.

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

(tt) 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.

(uu) 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.

Exception. The requirement specified in sub. (1) does not apply to the owners or designated agents of non-residential facilities and properties if the postconsumer waste generated within the facility or property is treated at a processing facility licensed by the Wisconsin Department of Natural Resources that recovers for recycling the materials specified in s. 1.11(5) through (15) from solid waste in as pure a form as is technically feasible.

1.18 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. 1.11(5) through (15) that have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

1.19 Enforcement.

(vv) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee, or representative of the Town of Keystone 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 an authorized officer, employee, or representative of the Town of Keystone who requests access for purposes of inspection and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

(ww) Any person who violates a provision of this ordinance may be issued a citation by an official, employee, or other person designated by the Town Board to enforce this ordinance and collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this subsection.

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

(yy) Any person who violates s. 1.18 may be required to forfeit $50 for a first violation, $200 for a second violation, and not more than $2,000 for a third or subsequent violation.

(zz) Any person who violates a provision of this ordinance, except s. 1.18, may be required to forfeit not less than $10 or more than $1,000 for each violation.

Adopted by the Town Board of the Town of Keystone, Bayfield County, Wisconsin, this 9 day of September, 2026.

TOWN OF KEYSTONE

Scott M. Galetka, Town Chairperson

ATTEST:

Carol Moravchik, Town Clerk

Date published: Sept 9, 2026

Effective date: Sept. 9, 2026