

**Town of Pleasant Valley
Eau Claire County
Ordinance No. 26-15-08
Chapter 4 – Business Regulations
Waste Management**

SECTION 1: SOLID WASTE COLLECTION The provisions of this ordinance shall apply to any person, firm, or corporation collecting, transporting, dumping, or disposing of garbage, refuse, or rubbish within the Town of Pleasant Valley and shall supersede any and all previous ordinances or parts of ordinances with which it conflicts. Except for such conflicts, the effect of said ordinance shall be cumulative.

4.1.A. **License Required:** No person, firm, or corporation shall collect, transport, dump, or dispose of solid waste within the Town of Pleasant Valley except upon a license issued by the Town Board of the Town of Pleasant Valley.

4.1.B. **License Application** An application for a license hereunder shall be made to the Town Board in writing and shall include:

- A. The name and address of the applicant; if the applicant is a corporation, the name and address of the corporation's registered agent.
- B. The legal description of any disposal site to be used by the licensee.
- C. An Annual Inspection Report as required by the Department of Transportation for each vehicle operated in the Town.
- D. A certificate of insurance as described below.
- E. Required application fees as determined by the current fee schedule.

4.1.C **Term of License** A license issued hereunder shall be for a term not to exceed one year, commencing with the date of issuance of the license and ending on June 30th of the following year

4.1.D **License Fee** The applicant shall accompany said application with the annual license fee. Fees shall be based on the number of trucks operating within the Town of Pleasant Valley. Refer to the Town of Pleasant Valley's current fee schedule. If the application is approved within 6 months of the renewal date, the fee shall be one-half of the full-year fee. If the application is denied, the license fee shall be returned to the applicant.

4.1.D(1) Fee Exception for ES Sanitation

An exception to the annual hauler fee established by ordinance was granted by the Town Board on May 11, 2020. ES Sanitation shall be allowed to collect household waste in the most southern portion of the Town for an annual license fee of \$50. This reduced fee shall apply only if ES Sanitation is collecting for ten (10) or fewer households in Pleasant Valley. Should ES Sanitation increase its customer base to greater than ten (10) households in Pleasant Valley, then all regular licensing fees shall apply.

4.1.E **Number of Licenses Issued** The number of licenses issued within the municipality shall be unlimited.

4.1.F **Insurance** Prior to issuance of the license, the applicant shall furnish to the Town Clerk a current certificate of insurance showing worker's compensation coverage and also showing that the operations of the applicant pursuant to the license will be covered by public and vehicle liability and property damage and indemnity insurance in the amount of \$1,000,000 for each death and injury; \$1,000,000 for all deaths or injuries occurring in a common accident; and \$1,000,000 for property damage liability. All licenses shall save the Town harmless from liability which may arise by reason of the issuance of a license hereunder or the operations of the licensee hereunder. Failure to provide or keep in force the insurance required hereunder shall automatically void the license issued hereunder.

4.1.G **Volume-Based Rates** Each hauler shall make available at the request of the Town of Pleasant Valley a volume-based rate schedule for garbage services to be assessed on a per container per week basis.

4.1.H **Refusal to Collect in Certain Areas** No garbage hauler licensed in the Town of Pleasant Valley shall refuse to provide garbage service to any residents of the Town who have requested such service and are willing to pay for the service at the established rate, unless previous approval has been granted by the Town Board.

4.1.I Container Identification and Collection Day Container Location

Each hauler must label each collection container provided to customers with the refuse company name and a clearly visible contact phone number. The hauler must require the container to be placed in the customer's driveway, off the traveled portion of the road. Haulers shall not request customers to place any collection container across the road from the resident being serviced by said hauler. After collection, haulers shall not leave the collection containers in any portion of the traveled portion of the road.

4.1.J **Revocation** The Town Board may revoke any license issued hereunder for cause upon three (3) days' notice to the licensee and after granting the opportunity to be heard before the Board. Cause shall include but not be limited to a violation of this ordinance or any other ordinance or State law or order regulating the disposal, dumping, or transporting of solid waste, or the creation of a public nuisance. If any license is revoked hereunder, the license fee shall not be returned to the applicant.

4.1.K **Mandatory Collection of Recyclables** Any business or individual licensed, authorized, or otherwise permitted to collect refuse in the Town of Pleasant Valley shall collect and dispose of recyclables placed for collection on the curb by all customers living in single-family homes and dwellings with two to four units. Such collection shall be at least twice a month. Haulers shall comply with billing and funding agreements in place between the hauler and Eau Claire County. The business or individual shall also provide the customer, free of charge, with a minimum 18-gallon container that complies Eau Claire County Code, into which the customer may place the recyclables. For the purpose of this section, recyclables shall mean those materials as defined in the Eau Claire County Code.

4.1.L **Reporting** Service providers are required to maintain records and report in writing to the Eau Claire County Solid Waste Technician at such times as designated by the County Solid Waste Technician, but not less than quarterly. The report shall include the amount of solid waste and recyclables collected and transported from the municipality, the amount of solid waste and recyclables processed and/or marketed by item type, and the final disposal location of solid waste and recyclable materials. Failure to make such a record shall be grounds for the municipality to revoke the license or to sever any contract with the hauler.

4.1.M **Penalties for Failure to Comply with Solid Waste Collection Section**

Any person, firm, or corporation that violates a provision of this section shall, upon conviction, forfeit:

1. Not less than \$100 per occurrence and not more than \$300 per occurrence. Each violation and each day of continued violation shall constitute a separate offense.
2. The license of any licensed hauler who violates this section may be suspended or revoked by the Town in addition to the imposition of a penalty under this section.

SECTION 2: YARD WASTE COLLECTION

4.2.A **Definition**

A. **"Hauler"** means any person licensed by the Town and authorized to collect refuse within the Town for deposit at the Eau Claire County Landfill.

B. **"Yard waste"** means grass clippings, lawn rakings, leaves, and other refuse attending to the care of lawns, shrubbery, vines, and trees.

4.2.B **Purpose** The Town of Pleasant Valley recognizes that yard waste comprises a significant amount of the total volume of refuse deposited at any landfill. The Town further acknowledges the need to preserve landfill space. To this end, Eau Claire County has adopted regulations prohibiting the deposit of yard waste at the county landfill and requiring landfill users to implement a program to separate yard waste from other refuse. The Town finds that public health and welfare are served by minimizing, to the extent possible, the amount of material placed in the landfill. The intent of this ordinance is to further the goal of preventing yard waste from being deposited in the landfill, thus conserving this valuable asset.

4.2.C **Separation** All people whose refuse is disposed of at a county-owned or operated landfill shall separate yard waste from all other refuse.

4.2.D **No Collection or Deposit** No person shall place any yard waste for collection or deposit in any landfill. No hauler shall collect any yard waste for deposit in a landfill.

4.2.E **Refusal of Service** Any yard waste placed for collection not in accordance with the provisions of this section shall be refused by the hauler.

4.2.F **Penalty for Failure to Separate Yard Waste** Any person who violates a provision of this section shall, upon conviction, forfeit:

A. Not less than \$10.00 and not more than \$25.00 for the first conviction within one year;

B. Upon the second conviction within one year, not less than \$25.00 nor more than \$50.00;

C. Upon the third conviction within one year, not less than \$50.00 nor more than \$100.00;

D. Upon the fourth and subsequent convictions within one year, not less than \$100.00 nor more than \$500.00.

E. The license of any licensed hauler who violates this section may be suspended or revoked by the Town in addition to the imposition of a penalty under this subsection.

SECTION 3: Citation. The Town Board or its designee may issue a citation to enforce violations of this ordinance and impose a forfeiture for such violation.

SECTION 4: Severability and Interpretation

4.4.A. Should any section, clause, provision, or portion of this ordinance be adjudged unconstitutional or invalid, unlawful, or unenforceable by a final order of a court of competent jurisdiction, including all applicable appeals, the remainder of this ordinance shall remain in full force and effect.

4.4.B. The provisions of this ordinance shall be liberally construed in favor of the Town, and shall not be construed to be a limitation or repeal of any other power now possessed or granted to the Town.

4.4.C. All other ordinances or parts of other ordinances in conflict with this ordinance are hereby repealed insofar as they conflict with this ordinance.

SECTION 5: No Liability for Damages. This ordinance shall not be construed as an assumption of liability by the Town of Pleasant Valley for damage because of injuries sustained or property destroyed by any person's failure to comply with the requirements set forth herein.

SECTION 6: Effective Date This ordinance should take effect upon passage and publication as required by law.

Dated this 8th of June 2026.

Doug Nelson – Chair

Attested: _____
Jen Meyer, Clerk

Scot Iverson – Supervisor

Megan Bechel - Supervisor