

ORDINANCE NO. 9405 (26)

AN ORDINANCE TO REPEAL AND RECREATE ORDINANCE NO. 26 OF THE TOWN OF ROUND LAKE, SAWYER COUNTY, WISCONSIN, THAT WAS ADOPTED FEBRUARY 8, 1990 AND AMENDED JANUARY 9, 1992.

AN ORDINANCE TO PROVIDE FOR REGULATION OF REFUSE AND RECYCLABLE MATERIALS COLLECTION AND DISPOSAL AND REGULATION OF COMMERCIAL COLLECTORS.

SECTION 1. Declaration of Policy

It is hereby declared to be the purpose and intent of this ordinance to enhance and improve the environment and promote the health, safety and welfare of the Town of Round Lake and its inhabitants, by establishing minimum requirements and standards for the collection of waste and recyclable materials within the Town and for the disposal of same.

SECTION 2. Definitions

For the purpose of this ordinance, the following words and phrases shall have the meanings given herein unless different meanings are clearly indicated by the context.

A. Collector. The person or persons specifically authorized by the Board of Supervisors of the Town of Round Lake to collect waste, refuse and recyclable materials and dispose of the same.

B. Occupant. A person who occupies a dwelling unit within the Town on a temporary or regular full time basis, and who has a legal right to occupy the dwelling. This includes a person occupying a dwelling on a seasonal basis.

C. Person. Any person, persons, firm, partnership, association, corporation, company, individuals, local units of government or any organization of any kind.

D. Recyclable Materials. All newsprint, glossy paper, plastics, cardboard, aluminum, waste oil and metals. All materials listed in Wl. Stat. 159.07 (1m to 4) and listed in Town of Round Lake Ordinance No. 9403.

E. Refuse. Discarded waste materials in a solid or semi-liquid state consisting of garbage, rubbish, non-recyclable materials or a combination thereof, and excluding recyclable materials, hazardous waste, tires, sludge, dirt, gravel, construction debris, white goods, trees and stumps.

F. Rubbish. Non-putrescible waste consisting of combustible and

non-combustible material, discarded, relatively dry miscellaneous materials, comprised chiefly of wood, non-recyclable paper, rags, excelsior, straw, leather, sweepings from buildings and similar discarded articles of combustible and non-combustible nature.

G. Waste. Defined as garbage, rubbish, refuse, decaying or discarded vegetable or animal matter, demolition materials, and any other items, materials or substances discarded or to be discarded by their owner(s) or possessor.

H. Yard Waste. Unwanted or discarded materials from real property consisting of leaves, grass clippings, sawdust and twigs, shrubs and brush less than one (1) inch in diameter.

SECTION 3. Rules Governing Collection.

A. All receptacles and containers of waste and recyclable materials shall be placed on private property for collection and not placed on any Town highway or right of way.

B. The owner or occupant at each residence is responsible for all waste and recyclable materials until it is picked up by the owners private contracted collector hired to perform such service.

C. All receptacles and containers shall be removed immediately following collection.

D. All receptacles and containers of waste and recyclable materials shall not be placed for pick up more than 24 hours before such service is completed.

E. Persons shall not deposit, throw or place any waste in any public street, public grounds or public place.

SECTION 4. Commercial Collectors

A. Licensed commercial collectors providing collection service within the boundaries of the Town of Round Lake shall obtain a permit from the Town prior to commencing operations and shall provide a list of all customers within the Town including names and addresses. Ordinance 9403, Section 1.21, Reporting Requirements, shall also be complied with as a condition of permitting.

B. A fee established and authorized by the Board of Supervisors shall be paid to the Town of Round Lake for this permit.

C. Permits shall be issued on a one-year basis effective January 1 thru December 31 of each year and are non-transferable.

D. Collectors shall be required to maintain proper general liability insurance, auto

insurance and workers compensation. The liability insurance coverage to be maintained shall have amounts at minimum per occurrence per year.

E. The Board of Supervisors of the Town of Round Lake shall have the right to suspend or revoke an issued permit for failure to abide by the permit provisions in whole or in part. Any person(s) subject to charges of violation of the permit or any violation of a condition of any permit shall be provided a copy of the complaint.

F. Persons who collect solid waste and/or recyclable materials in the Town of Round Lake for storage, treatment, processing, marketing or disposal shall obtain and maintain all necessary municipal, state and federal permits and licenses including DNR under Section NR 502.06 Wis. Adm. code and approvals prior to collecting any materials in the the Town of Round Lake.

G. The motor vehicle(s) of the permitted collector(s) shall have clearly and visible labeled on the sides of the vehicle(s) the name and address of the owner(s) or operator along with the DNR collection license number.

H. Permitted collectors shall comply with all state and federal laws and all state and federal regulations regarding solid waste and recyclable materials, including the DNR effective recycling program rules.

I. All permitted collectors shall abide by the the Town of Round Lake Ordinances no. 9403 and 9405 (formerly 37 and 26).

SECTION 5. Improper Transportation.

It shall be unlawful to transport any refuse, waste or recyclable materials in any vehicle where it permits the contents to blow, sift, leak or fall therefrom. If spillage does occur, the person shall immediately return spilled materials to the collection vehicle and shall properly clean, or have cleaned, the area of spillage. The person shall immediately notify the Town of Round Lake of any spillage, the date and the location of the spillage, and identify the refuse or materials contained in the spillage.

SECTION 6. Citations for Violators.

The Town, by adoption of this ordinance and pursuant to Wi. Stat. 66.119 or its successor provisions hereby elects to use the citation method for enforcement of the ordinance.

SECTION 7. Clerk to File Documents Incorporated by Reference.

Whenever in the ordinance any standard code, order, permit, rule, regulation or other

written or printed matter is adopted by reference, it shall be deemed incorporated in the ordinance as if fully set forth herein and the Town Clerk of the Town of Round Lake shall file, deposit and keep in his or her office a copy of the ordinances and any standard, rule, regulation, permit, order, copy of the ordinances and any standard, rule, regulation, permit, order or other written or printed matter as adopted. Material so filed, deposited and kept shall be public records open for examination with proper care by any person during the Town Clerk's office hours, subject to such orders or regulations which the Town Clerk may prescribe for their preservation.

SECTION 8. Violations.

Any person who shall violate any provision of this ordinance shall forfeit not less than \$100. nor more than \$500. for each violation together with the costs and disbursements.

SECTION 9. Severability.

The provisions of this ordinance shall be deemed severable and it is expressly declared that the Board of Supervisors of the Town of Round Lake would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid and, if any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application of such provisions to these persons or circumstances shall not be affected thereby.

SECTION 10. Applicability.

The provisions of this ordinance shall in no way conflict with any and all laws, rules and regulations promulgated through the State of Wisconsin and any governmental agency thereof. In the event there is a conflict, those laws, rules and regulations shall apply.

SECTION 11. Enforcement.

For the purpose of ascertaining compliance with the provision of this ordinance, any authorized Town Board member or authorized representative of the Town of Round Lake, Sawyer County, Wi., may issue a citation to any person who violates a provision of this ordinance. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same, or any other matter, and shall preclude the issuance of a citation under this paragraph.

SECTION 12. Passage.

This ordinance was adopted at a regular meeting of the Board of Supervisors of the

Town of Round Lake on October 19, 1994.

SECTION 13. Effective.

The provisions of this ordinance shall take effect on October 19, 1994 and enforcement of this ordinance shall take effect on January 1, 1995.

Attested to:

Dorothy Pasko
Dorothy Pasko, Clerk

Lyle Swanson
Lyle Swanson, Chairman

Juan C. Zaier
Jean C. Zaier, Supervisor

Robert F. McNutt
Robert McNutt, Supervisor