22.01 GENERAL PROVISIONS.

(1) TITLE. This Chapter shall be known as the DeForest Solid Waste Management Ordinance of the Village of DeForest.

(2) COMPLIANCE WITH CHAPTER. It shall be unlawful to store, collect, transport, transfer, recover, incinerate or dispose of any solid waste or recyclable materials within the boundaries of the Village contrary to the provisions of this Chapter.

(3) LICENSING. All collectors shall be licensed by the W.D.N.R. and all collected garbage and refuse shall be disposed of in a WDNR licensed disposal site.

(4) SUPERVISION. The handling and collection of solid waste and recyclable materials shall be under the supervision of the Village Board, Public Works Committee, the Director of Public Services, and the Village Administrator. They shall make and enforce such regulations and administrative rules as are necessary regarding the handling and collection of such materials.

(5) PRIVATE DISPOSAL OF SOLID WASTE. Nothing in this Chapter shall be construed to prohibit the actual producers of garbage or refuse or the owners of residential units upon which garbage or refuse has been accumulated from personally collecting, conveying and disposing of garbage or refuse at a W.D.N.R. licensed landfill site provided that recyclable materials are not so disposed.

22.02 DECLARATION OF POLICY. It is hereby declared to be the purpose and intent of this Chapter to enhance and improve the environment and promote the health, safety and welfare of the residents of the Village by establishing minimum standards for the storage, collection, transport, processing, separation, recovery and disposal of solid waste.

22.03 DEFINITIONS. As used in this Chapter, the following terms shall have the meanings given herein unless different meanings are clearly indicated by the context:
(1) **Bi-metal Container** means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.

(2) **Collectable Solid Waste** means all solid waste that is subject to collection by the Village-authorized contractor by contract and does not include yard waste, recyclable materials, special haul items and materials defined as uncollectable wastes.

(3) **Collector** means the person or persons specifically authorized by the Village Board to collect garbage, refuse and recyclable materials and dispose of the same.

(4) **Collection** means the act of removing solid waste or recyclable materials from the storage area at the source of generation.

(5) **Container Board** means corrugated paperboard used in the manufacture of shipping containers and related products. This does not include waxed cardboard.

(6) **Demolition/Construction Waste** means that portion of solid wastes consisting of wastes from the construction, repair, remodeling or reconstruction of buildings, such as lumber, roofing and sheathing scrap, rubble, broken concrete, asphalt and plaster, conduit, pipe, wire, insulation and any other materials resulting from the demolition of buildings and improvements.

(7) **Disposal** means the orderly process of discarding useless or unwanted material.

(8) **Foam Polystyrene Packaging** means packaging made primarily from foam polystyrene that satisfies one of the following criteria:

   1. Is designed for serving food or beverages.

   2. Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.

   3. Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.

(9) **Garbage** means any waste accumulation of animal, fruit or vegetable matter, liquid or solid that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetables, including that from houses, butcher shops and similar establishments and including in both cases natural content of moisture. Any combination of garbage and refuse shall always be deemed to be garbage for the purpose of licensing under this section.

(10) **Hazardous Waste** means any radioactive, volatile, highly flammable, explosive, toxic or hazardous materials. Hazardous materials shall include, but not be limited to, any amount of waste listed or characterized hazardous by the U.S. Environment Protection Agency or any state agency pursuant to the Resource Conservation and Recovery Act of 1976, as amended, and applicable state law.

(11) **HDPE** means high density polyethylene, labeled by the SPI code #2.
(12) **Industrial Waste** means waste material, except garbage and refuse, directly or indirectly resulting from an industrial processing or manufacturing operation.

(13) **LDPE** means low density polyethylene, labeled by the SPI code #4.

(14) **Magazine** means any magazine or other materials printed on similar paper.

(15) **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.

(16) **Multiple Family Dwelling** means a property containing more than two (2) residential units, including those which are occupied seasonally.

(17) **Newspaper** means a newspaper and other materials printed on newsprint.

(18) **Non-Recyclable Material** means all pyrex glass, window glass, light bulbs, mirrors, broken glass and china, melamine type plastics, all waxed paper, waxed cardboard, envelopes with gum labels, envelopes with plastic windows, garbage and refuse, telephone directories, etc., not defined as recyclable materials.

(19) **Non-residential Facilities and Properties** include any commercial, retail, industrial, institutional and governmental facilities and properties. This term does not include multiple family dwellings.

(20) **Non-Residential Solid Waste** means solid waste from agricultural, commercial, governmental, industrial or institutional activities.

(21) **Office Paper** means high-grade printing and writing papers from offices in non-residential facilities and properties. Printed white ledger and computer printout are examples of office paper generally accepted as high-grade. This term does not include industrial process waste.

(22) **Other Resins or Multiple Resins** mean plastic resins labeled by the SPI code #7.

(23) **Person** includes individuals, firms, corporations and associations, and includes the plural as well as the singular.

(24) **PETE** means polyethylene terephthalate, labeled by the SPI code #1.

(25) **Plastic Container** means an individual, separate, rigid plastic bottle, can, jar or carton, except a blister pack, that is originally used to contain a product that is the subject of a retail sale.

(26) **Post-consumer Waste** means any solid waste other than solid waste generated in the production of goods, hazardous waste as defined in §291.01(7), Wis. Stats., demolition/construction wastes, scrap automobiles, or high-volume industrial waste, as defined in s. 289.01(17), Wis. Stats.
(27) PP means polypropylene, labeled by the SPI code #5.

(28) Private Collection Services means collection services provided by a person licensed to do so by the D.N.R.

(29) PS means polystyrene, labeled by the SPI code #6.

(30) PVC means polyvinyl chloride, labeled by the SPI code #3.

(31) Recyclable Container means a container authorized and provided by the Village for use in the collection of recyclable materials from residential properties.

(32) Recyclable Materials include 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, but does not include any hazardous household wastes.

(33) Refuse means any combustible or noncombustible waste including discarded, relatively dry, miscellaneous materials, comprising chiefly wood, paper, rags, excelsior, straw, leather, boxes, sweepings from buildings and similar discarded articles of combustible and noncombustible nature.

(34) Residential Solid Waste means all solid waste that normally originates in a residential environment from residential dwelling units.

(35) Scavenge means to remove materials placed for collection by one other than a licensed collector at any point in solid waste disposal process.

(36) Solid Waste means garbage, refuse and other useless, unwanted or discarded material, except recyclable materials, from agricultural, residential, commercial, industrial or institutional activities. Solid waste does not include solid or dissolved material in domestic sewage.

(37) 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.

(38) Special Haul Items include body waste, dead animals, large vehicle parts, large equipment, large appliances, large discarded furniture and bulky construction/demolition waste shall be considered items subject to special haul services and charges and are not considered residential waste subject to regular weekly collection.

(39) Storage means the interim containment of solid waste in an approved manner after generation and prior to collection and ultimate disposal.

(40) Storage Areas mean areas where persons place containers during non-collection days as well as areas where containers are set out on collection day.
(41) **Uncollectable Waste** means all of the following waste materials that are not subject to collection by the Village:

(a) Hazardous waste;
(b) Toxic waste;
(c) Chemicals;
(d) Explosives or ammunition;
(e) Drain oil or flammable liquids;
(f) Paint;
(g) Dead animals or parts thereof, except wastes generated in the process of meal preparation;
(h) Animal or human waste except as provided in §22.09(7); and
(i) Demolition/construction wastes.

(42) **Waste Container** means a container authorized and provided by the Village for use in the collection of garbage, refuse and other collectable solid waste from residential properties.

(43) **Waste Tire** means a tire that is no longer suitable for its original purpose because of wear, damage or defect.

(44) **WDNR** means the Wisconsin Department of Natural Resources.

(45) **Yard Waste** means that part of solid waste consisting of leaves, grass clippings, sawdust, shrubs 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.

**22.04 MANDATORY SEPARATION AND RECYCLING.**

(1) **GENERAL PROVISIONS.** The owner and each occupant of every residential unit, place of business, industry, commerce, school, governmental building or other place providing goods or services of any type shall cooperate in the collection, separation from solid waste, and recycling of recyclable materials as provided in this section, except with respect to industrial wastes not collected by or for the Village. Waste not separated as required in this section will not be collected and the generator or owner of the waste shall be subject to forfeitures and other remedies provided in this Chapter.

(2) **SEPARATION OF RECYCLABLE MATERIALS.** All persons within the Village shall separate the following materials from their post-consumer 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; and
(o) Waste tires.

(3) EXEMPTIONS FROM SEPARATION REQUIREMENTS. The separation requirements of sub. (1) above do not apply to the following:

(a) Persons who send their post-consumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials specified in this section from solid waste in as pure a form as is technically feasible.

(b) Solid waste which 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 supplemental fuel.

(c) A recyclable material specified in (2)(e) through (2)(n) for which a variance has been granted by the Department of Natural Resources under s. 287.11, Wis. Stats., or s. NR 544.14, Wis. Administrative Code.

(4) CARE OF SEPARATED RECYCLABLE MATERIALS. To the greatest extent practicable, the recyclable materials separated in accordance with this section 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 chemicals.
(5) MANAGEMENT OF LEAD ACID BATTERIES, MAJOR APPLIANCES, WASTE TIRES AND WASTE OIL. Lead acid batteries, major appliances, waste tires and waste oil shall be disposed of as follows:

(a) Lead acid batteries, major appliances and waste tires shall be recycled by contacting a licensed collector to arrange pick-up or by delivering them to a licensed recycling facility. Microwave ovens with capacitors removed may be disposed of in properly licensed landfills.

(b) Waste oil shall be recycled by disposing of it at the Village of DeForest Public Service Building in the tanks provided by the Village or by delivery to another established waste oil collection facility.

(6) PREPARATION AND COLLECTION OF RECYCLABLE MATERIALS. Except as otherwise directed by the DeForest Village Board, occupants of single family and 2 to 4 unit residences shall do the following for the preparation and collection of the separated materials listed below:

(a) Aluminum, bi-metal and steel cans shall have paper labels removed and shall be rinsed clean of product residue and placed in the recyclables container provided.

(b) Glass bottles and jars shall be rinsed clean of product residue and shall have caps removed and shall be placed, unbroken if possible, in the recyclables container provided. Labels, caps, window glass, light bulbs and ceramics shall not be placed in the recyclables container.

(c) Plastic bottles and rigid plastic containers made of HDPE, PETE, PVC, LDPE, PP or PS and other resins or multiple resins shall be rinsed free of product residue and caps shall be removed and discarded. The plastic bottles and containers shall be placed in the recyclables container.

(7) RESPONSIBILITIES OF OWNERS OR DESIGNATED AGENTS OF NONRESIDENTIAL AND LARGE MULTIPLE-FAMILY DWELLINGS. (a) Owners or designated agents of multiple-family dwellings containing 5 or more units and of all properties containing one or more non-residential units shall do all of the following to recycle the materials specified in (2)(e) through (2)(n):

1. Provide adequate, separate containers for the recyclable materials.

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 of reasons to reduce and recycle, which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or sites, locations and hours of operation, and a contact person or company, including a name, address and telephone number.
(b) The requirements specified in (a) do not apply to the owners or designated agents of non-residential facilities and properties if the post-consumer 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 (2)(e) through (2)(n) from solid waste in as pure a form as is technically feasible.

(8) RESPONSIBILITIES OF OWNERS OF 2-4 UNIT MULTIPLE-FAMILY DWELLINGS. Owners of multiple-family dwellings not subject to sub. (7) are hereby required to provide adequate, separate containers for the disposal of recyclables. Such owners are further required to notify tenants on "move-in" and on a semi-annual basis thereafter of all Village recycling requirements.

(9) PROHIBITIONS ON DISPOSAL OF RECYCLABLE MATERIALS SEPARATED FOR RECYCLING. (a) 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 subs. (2)(e) through (2)(n) which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

22.05 SOLID WASTE AND RECYCLABLE MATERIALS STORAGE.

(1) MAINTENANCE OF STORAGE AREAS. Storage areas and containers for solid waste and recycling materials shall be kept in a nuisance-free and odor-free condition. All containers shall be kept closed except when material is being deposited or collected such that deposited material does not escape from the container. Solid waste and recyclable materials will not be collected unless contained within an approved container at the time of scheduled collection.

(2) NUISANCE DECLARED. The accumulation or deposit of garbage, refuse or putrescible animal or vegetable matter in or upon any lot or land or any public or private place within the Village which causes the air or environment to become noxious or offensive or to be in such a condition as to promote a breeding place for rodents or other animals, or which otherwise becomes injurious to the public health is prohibited and declared to constitute a nuisance. For purposes of this section, a condition of property shall be deemed a nuisance if it is offensive to a person of average sensibilities.

22.06 COLLECTION BY VILLAGE CONTRACTOR. (a) Solid Waste and Recyclable Material Collection. Collectable solid waste generated by residential or commercial properties within the Village shall be collected weekly, and all recyclable materials shall be collected from such properties biweekly, on a schedule established by the Public Works Committee in accordance with a contract between the Village and a licensed collector.

(b) Special Haul Items. Special haul items shall not be included in normal collection provided by the Village and shall be disposed of by the owner thereof under separate arrangements with the Village’s authorized collector or another licensed collector. The Director of Public Services shall make available to the public information on arranging for special haul item collection upon request.

[Am. 15-33, Eff. 07-07-15]
22.07 APPROVED COLLECTION CONTAINERS. (1) APPROVED CONTAINERS REQUIRED. (a) Standard Containers. All collectable solid waste placed for collection by the Village shall be placed within a single waste container approved and provided by the Village. All recyclable materials for collection by the Village shall be placed within a single, separate recyclable container approved and provided by the Village. New residential units shall be provided with a waste container and recyclable container at no charge. Additional approved containers may be placed for collection by any person who has arranged with the Village-authorized collector for the collection of additional waste or recyclables at such person’s sole expense. No container shall be subject to collection if the combined weight of the container and contents exceeds 175 lbs.

(b) Special Exceptions. In any case where a property contains more than 4 residential or commercial units in the aggregate, and where, due to the size, location, configuration or other features of the property the Village Administrator shall determine that the number of containers would present a danger to the public safety or a significant impediment to efficient collection, the Administrator may authorize and/or require the use of a specified non-standard container or alternative collection methods provided that the property owner is provided an equivalent level of disposal capacity and that the alternative method does not result in any additional cost to the property owner. Non-standard containers shall be subject to any weight limitation determined necessary by the Administrator, but the total weight limit shall not be less than the aggregate weight allowed for all units if using standard containers.

(2) OWNERSHIP OF CONTAINERS. All waste containers and recyclable containers provided by the Village shall remain the property of the Village at all times, and shall be returned to the Village at the direction of the Village Board. No person shall remove any container provided to a particular property from that property without the consent of the Village, except that the owner or occupant of such property may temporarily remove a container provided that it is returned to the original location prior to the next scheduled collection date. No containers shall be removed from the Village limits at any time without the written approval of the Director of Public Services or Village Administrator. Each owner of property shall be responsible for the protection of all containers provided by the Village for use at such property from damage, theft or other loss and the cost of repair or replacement if necessitated by any cause.

(3) ADDITIONAL OR REPLACEMENT CONTAINERS.

(a) Replacement Containers. Damaged, stolen or lost containers shall be replaced by the Village at a cost to the property owner established by the Village Board from time to time to reflect the cost to the Village of providing such replacements. Notwithstanding the foregoing, containers damaged solely by Village-operated snow plows shall be replaced by the Village at no cost provided that the damage is reported to the Village within 72 hours of its occurrence and the cause of the damage can be verified.

(b) Additional Containers. Additional containers may be purchased from the Village’s authorized collector.

(c) Exchange of Containers. The Village Board may authorize the voluntary exchange of containers for similar containers of a different size and may establish an
exchange fee to defray the cost of administering the exchange program from time to time. Purchasers of existing residential units shall be exempt from the exchange fee for a single exchange during the first thirty (30) days following the closing on the purchase. Exchanges of containers issued for rental units may be authorized only by the owner of the units and the exchange fee shall apply on a per unit basis. All additional, replacement or exchanged containers shall remain the property of the Village notwithstanding any fee paid to the Village.

[Am. 10-21, Eff. 3-18-10].

(4) PLACEMENT OF CONTAINERS FOR COLLECTION. Containers for collection shall be placed near the street and in or near a driveway, where applicable, in a location that is at least four (4) feet from any other above-ground object and at least ten (10) feet from any parked vehicle and outside of the traveled portion of the roadway. In cases where such placement is not practicable due to accumulated snow or other conditions, containers may be placed in the gutter as close to the curb as possible. Containers shall be placed with the lid securely closed and the lid opening toward the street to facilitate mechanized collection. In the case of non-standard containers approved by the Village Administrator pursuant to sub. (1), the placement of the containers for collection shall be directed by the Administrator. Containers may be placed for collection not earlier than 6:00 p.m. on the day prior to the scheduled collection day and shall be removed not later than 10:00 a.m. on the day following scheduled collection.

[Am. 10-21, Eff. 3-18-10].

(5) PROHIBITED WASTES. It shall be unlawful for any person to place any recyclable materials within a waste container, or to place any solid waste within a recyclable container. It shall be unlawful for any person to place any uncollectable waste in any container for collection by the Village.

(6) CONTRACT INCORPORATION BY REFERENCE. The terms of any contract from time to time entered into by the Village for waste and recyclable material collection, transfer or disposal under this Chapter shall be incorporated by reference and made an integral part of this Chapter. The contract shall be subject to the same penalties and enforcement provisions as any other section of this Chapter. Any conflict between the existing ordinance and a contract shall be resolved in favor of the contract.

22.08 PROHIBITED ACTIVITIES.

(1) ASHES. It shall be unlawful to place hot ashes for collection. Ashes that are cool and dry may be placed for collection, but only in noncombustible containers.

(2) IMPROPER DISPOSAL. No persons shall deposit, throw or place any garbage, offal, dead animals, combustible refuse or other deleterious matter in any park, lane, alley, street, public grounds or public place within the Village, nor place any garbage, offal, dead animals or other refuse matter upon any private property not owned by such person.

(3) IMPROPER TRANSPORTATION. It shall be unlawful to transport any solid waste in any vehicle which permits the contents to blow, sift, leak or fall therefrom. In the event spillage occurs from any cause, the person transporting the material shall immediately return spilled materials to the vehicle and shall properly clean, or have cleaned, the area of such material. All vehicles used for the collection and transportation of solid waste shall be durable, easily cleanable and leak-proof, if necessary, considering the type of waste and its...
moisture content. Collection vehicles shall be cleaned frequently to prevent nuisances and insect breeding and shall be maintained in good repair.

(4) INTERFERENCE WITH AUTHORIZED COLLECTOR. No person other than an authorized collector shall collect or interfere with any solid waste or recyclable material after it shall have been put into an approved container and placed for collection, nor shall any person molest, hinder, delay or in any manner interfere with an authorized garbage collector in the discharge of his duties.

(5) SCAVENGING. It shall be unlawful for any person to scavenge any solid waste or recyclable material placed for collection.

(6) BURNING OF WASTE. It shall be unlawful for any person to burn solid waste in any manner, except as expressly authorized in this Code.

(7) ANIMAL OR HUMAN WASTES. It shall be unlawful for any person to place animal and/or human wastes for collection unless wrapped securely in plastic bags. Such items as cat litter and disposable diapers may be placed for collection pursuant to this provision.

(8) HOSPITAL WASTES. It shall be unlawful for any person to place for collection any pathogenic hospital wastes. Such items as needles and syringes may be placed in waste containers provided they are contained within a rigid material to eliminate the risk of injury to collection crews.

(9) REFUSE FROM OUTSIDE THE VILLAGE. It shall be unlawful for any person to deposit for collection within the Village any solid waste, yard waste or recyclable materials generated or collected outside of the Village limits.

(10) MANURE STORAGE. No manure from any animal shall be stored within the Village except in fly-proof and impervious containers which are kept and maintained in good repair.

22.09 VIOLATIONS; NOTICES; SPECIAL COLLECTIONS FOR VIOLATIONS.

(1) NOTICES. In the event of any violation of this Chapter and/or the regulations and administrative rules authorized herein or the statutes of the State of Wisconsin, any law enforcement officer, the Director of Public Services, the Village Building Inspector or Village Administrator shall issue a written notice of each violation and the corrective measures to be taken, together with the time in which such corrections shall be made. Time limits set for the correction of violations shall be reasonable and consistent. The Police Department, the Director of Public Services and Village Administrator 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 (10) working days nor less than twenty-four (24) hours. All such notices shall be kept in a clearly marked file at the Police Department and shall be available for public inspection during regular business hours.

[Am. 15-33, Eff. 07-07-15]

(2) SPECIAL COLLECTIONS FOR VIOLATIONS. If any entity, including those receiving collection from a private firm, is found in violation of the collection and storage requirements of this Chapter and fails to comply with a notification and/or requirements of
this Chapter and fails to comply with a notification and/or citation, the Police Department, the Director of Public Services or Village Administrator shall be empowered to order a special collection to remove such violation. The person shall be notified of such special collection and the charges therefor. The special collection shall be made and if billing is unpaid, the bill shall be levied as a special charge against the property and shall be placed on the tax roll. A person shall not use the special collection provisions of this Chapter to circumvent requirements for collection by a private firm.

[Am. 15-33, Eff. 07-07-15]

22.20 LICENSING OF SOLID WASTE AND RECYCLABLE MATERIAL COLLECTORS.

(1) LICENSE REQUIRED. No person shall engage in the business of collecting solid waste or recyclable materials in the Village without first obtaining from the Village a license to do so. Applications for licenses shall be presented to the Village Board on forms prepared by the Village Clerk and shall be accompanied by the license fee of One Hundred and Twenty-five Dollars ($125.00).

(2) TRANSFER OF LICENSES. Licenses may not be transferred except upon approval by the Village Board.

(3) COMPLIANCE WITH ORDINANCES AND REGULATIONS. It is a condition of all licenses granted under this Chapter that the license holder shall comply with the ordinances of the Village, the rules, regulations and orders of the local and State Boards of Health, and the Wisconsin Statutes relating to the collecting, hauling and disposal of waste.

(4) REVOCATION OR SUSPENSION OF LICENSE. The Village Board may revoke or suspend any license issued under this Chapter for cause after hearing held on not less than three (3) days' notice to the holder thereof. No person whose license or permit has been revoked shall again be issued such license or permit under this Chapter within one (1) year from the date of revocation.

(5) EXPANSION OF COLLECTION BY VILLAGE. In the event that a program for industrial garbage collection by the Village is established, the Village Board may terminate any license issued under this Chapter without hearing on thirty (30) days' written notice to the license holder that any such collection is being established. Such collection and termination would be subject to any private contracts in effect at the time service would be established.

(6) LIABILITY INSURANCE REQUIRED. No license shall be issued until the applicant has furnished satisfactory proof that he has in full force and effect a public liability insurance policy issued by an insurer authorized to do business in the State of Wisconsin for the applicant’s total operation in amounts at least Two Hundred Thousand Dollars ($200,000.00) per person and Five Hundred Thousand Dollars ($500,000.00) per occurrence for bodily injury, including accidental death, and Five Hundred Thousand Dollars ($500,000.00) per occurrence for property damage.

22.21 COLLECTION VEHICLE REGULATIONS.

(1) VEHICLE REQUIREMENTS. All trucks or other vehicles used by waste collectors shall be of substantial construction, and the body shall be watertight or shall be a
type commonly known as "packers." All vehicles shall be properly designed, constructed, equipped and loaded so that the contents shall fall or blow from the vehicle.

(2) PARKING RESTRICTIONS. No person shall park or cause to be parked any such vehicle as described in subsection (1) and used by such waste collectors in any Residential, Commercial, or Conservancy District of the Village for more than one (1) hour, unless disabled, or awaiting repair at a repair garage. This section shall not apply to any Village vehicle.

(3) VEHICLE SIGNAGE. Vehicles used by licensed collectors shall have painted or otherwise securely affixed on both sides of the vehicle used the name and contact information of the owner and the Village license number in letters and numbers not less than three (3) inches in height, in contrasting colors and ordinarily visible at a distance of fifty (50) feet.

22.22 DISPOSAL OF YARD WASTES. (1) PERMITTED METHODS OF DISPOSAL

(a) Yard waste shall be disposed of in one of the following ways:

1. Transporting the waste to the Village Yard Waste Facility;

2. Composting the waste at the site of generation; or

3. Contracting privately for removal and disposal.

(b) Brush. In addition to the methods authorized by par. (a), brush may be disposed of by placement for pick-up by the Village as provided in sub. (3).

(2) VILLAGE YARD WASTE FACILITY REGULATIONS. (a) Permitted Materials. No person shall deposit any yard waste or other material at the Village Yard Waste Facility other than material generated on real property located within the Village. No person shall deposit any material other than yard waste at such site, unless the Village Board shall authorize collection of additional materials on either a regular or special collection basis by resolution.

(b) Administrative Regulations. The Village Administrator or Director of Public Services may establish administrative regulations governing the operation of the facility. Such regulations shall be posted in a conspicuous place at the facility. A violation of any such regulations shall be deemed a violation of this ordinance.

(c) Hours of Operation. No person shall enter, deposit any materials or otherwise use the facility other than during the established hours of operation. Hours of operation may be established from time to time by the Village Board or by administrative regulation as provided in par. (b).

(d) Deposit of Materials. No person shall deposit any materials at the facility except in designated containers, bunkers or other locations specified by regulation.
(3) BRUSH COLLECTION. Tree and shrub trimmings, holiday trees, and brush shall be collected from individual properties by the Village according to a schedule established by the Public Works Committee. To qualify for collection, such materials shall be placed on the terrace or other location adjacent to the street, perpendicular to the street, with the butt end of all branches aligned in the same direction. Branches shall not exceed 8’ in length or 6” in diameter. Any brush not placed in conformance with this subsection will not be collected.

22.23 PUBLIC EDUCATION. The Public Works Committee will have the responsibility of informing the Public on the benefits and prescribed methods of recycling. All notices as to variations in pickup, times and places of public recycling meetings and public education seminars will be published in the official Village newspaper and/or posted on the Village’s web site.

22.24 ENFORCEMENT.

(1) For the purpose of ascertaining compliance with the provisions of this chapter, any authorized officer, employee or representative of the Village may inspect recyclable materials separated for recycling, post-consumer 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. No person may refuse access to any authorized officer, employee or authorized representative of the Village 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 violation of the provisions of this Chapter shall be subject to forfeitures as provided herein. The issuance of a citation shall not preclude enforcement 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.

(3) Penalties for violating this chapter shall be assessed as follows:

(a) Any person who violates §22.04 shall forfeit up to $50 for a first violation, not less than $50 nor more than $200 for a second violation, and not less than $200 nor more than $2000 for a third or any subsequent violation together with the costs of prosecution.

(b) Any person who violates a provision of this Chapter other than §22.04 shall forfeit not less than $10 nor more than $1000 for each violation together with the costs of prosecution.

(c) The Village Board may, upon notice and hearing, administratively suspend the solid waste and recycling material collection of any person in the Village for non-compliance with this Chapter.

(4) Each day that a violation continues shall constitute a separate offense.