

TOWN OF SCHLESWIG, MANITOWOC COUNTY, WISCONSIN
ORDINANCE 2013-01
RECYCLING ORDINANCE
Passed on 07/11/13

CHAPTER 13 – RECYCLING

13.01 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 Chapter NR544, Wisconsin Administrative Code.

13.02: ABROGATION

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.

13.03: 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.

13.04 ADMINISTRATION

The provisions of this Ordinance shall be administered by the Town Board of the Town of Schleswig or its designee.

13.05 DEFINITIONS

For the purpose of this Ordinance:

1. **Bi-metal container:** means a container for carbonated 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. **HDPE:** means high density polyethylene, labeled by the SPI code #2
4. **LDPE:** means low density polyethylene, labeled by the SPI code #4
5. **Magazines:** means magazines and other materials printed on similar paper.
6. **Major appliance:** means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, oven, refrigerator, furnaces, boiler, dehumidifier, water heater or stove.
7. **Multiple-family dwelling:** means a property containing 3 or more residential units, including those which are occupied seasonally.
8. **Newspaper:** means a newspaper and other materials printed on newsprint.
9. **Non-residential facilities and properties:** means commercial, retail, industrial, institutional and governmental facilities and properties. This term does not include multiple family dwelling.

10. **Office paper:** means high grade printing and writing 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.
11. **Other resins or multiple resins:** means plastic resins labeled by the SPI code #7.
12. **Persons:** includes any individual, corporation, partnership, association, local government unit as defined in §66.0131(a) Wis. Stats., state agency or authority or Federal authority.
13. **PETE:** means polyethylene terephthalate, labeled by the SPI code #1.
14. **PP:** means polypropylene, labeled by the SPI code #5.
15. **PS:** means polystyrene, labeled by the SPI code #6.
16. **PVC:** means polyvinyl chloride, labeled by the SPI code #3.
17. **Recyclable materials:** includes lead acid batteries, major appliances, electronics, used oil, oil filters, yard waste, aluminum containers, corrugated paper or other container board, glass containers, magazines, newspaper, office paper, rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS and other resins, steel containers, waste tires and bi-metal containers.
18. **Solid waste:** has the meaning specified in §289.01(33) Wis. Stats.
19. **Solid waste facility:** has the meaning specified in §289.01 (35) Wis. Stats.
20. **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, including incineration.
21. **Waste tire:** means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
22. **Yard waste:** means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than 6 inches in diameter. The term does not include stumps, roots or shrubs with intact root balls.

13.06: SEPARTION OF MATERIALS

(1) Pursuant to Section NR 544.04 of the Wisconsin Administrative Code occupants of single family and two (2) to four (4) unit residence, multiple-family dwellings and non-residential facilities shall separate the following materials from post-consumer waste for recycling:

- Lead acid batteries
- Major appliances
- Electronics
- Used oil
- Yard waste
- Aluminum containers
- Bi-metal containers

Corrugated paper or other container board
Glass containers
Magazines
Newspaper
Office paper
Rigid plastic containers made of PETE, HDPE, HVC, LDPE, PP, PS and other resins or multiple resins
Steel containers
Waste tires

(2) This requirement does not apply to 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 in accordance with Section 287.07 (7) (bg), Wis. Stats.

(3) Management of lead acid batteries, major appliances and waste tires

- a) Lead acid batteries shall be recycled at a retailer or commercial installer of motor vehicle batteries which must accept used lead acid vehicle batteries from individuals during normal business hours, according to Section 287.18 Wis. Stats.
- b) Major appliances may be disposed of at H. Lulloff & Sons, Kiel WI
- c) Waste tires – check with recycling attendant for tire disposal

13.07: NOTICE TO RESIDENTIAL AND NON-RESIDENTIAL TENANTS

(1) Owners or designated agents of multiple-family dwellings and non-residential facilities in the Town of Schleswig do all of the following unless postconsumer waste generated in those properties is treated at a processing facility that recovers for recycling the materials specified in Section 287.07 (3) and (4), Wis. Stats., from that solid waste in as pure a form as is technically feasible:

- a) Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter of how to appropriately recycle the materials specified under Section 13.06 of this Ordinance at this location. This notification shall include reasons to reduce and recycle waste, which materials are collected, how to prepare recyclable materials in order to meet the processing requirements, and collection methods or sites. The notification shall indicate locations and hours of operation of drop-off collection sites for recyclable materials not collected on-site, including a contact person or company, address and phone number. Such information shall be made available upon request to owners and designated agents of rental dwellings in the Town of Schleswig by the Town Clerk.

13.08 PENALTIES AND ENFORCEMENT

(1) The Town of Schleswig Town Constable shall be charged with the responsibility of enforcing the provisions of this Ordinance.

(2) Upon notice being provided to the Town of Schleswig that a violation of this Ordinance has occurred the Town Constable shall contact that property owner or resident of the property violating the recycling ordinance. A Notice with the following information shall be provided to the violating party: the violation that occurred, the date of the violation, the corrective action

recommended to the property owner or resident to become compliant with the Town of Schleswig recycling ordinance.

(3) If a second violation occurs within one calendar year of notice, the property owner or resident may be fined \$100 for the second occurrence and \$200 for each subsequent occurrence within the calendar year.

Adopted on:
July 11, 2013



Dennis Salzman, Chairman

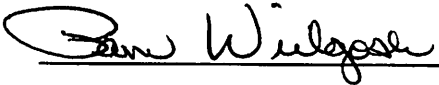


Richard Glomski, Supervisor



Joseph Meyer, Supervisor

ATTEST:



Pam Wielgosh, Town Clerk