

TOWN OF SUPERIOR
DOUGLAS COUNTY, WISCONSIN
GARBAGE AND RECYCLE COLLECTION AND REMOVAL ORDINANCE (3.01)

SECTION I – AUTHORITY. The Town Board, pursuant to its authority under §66.0405 hereby enacts an ordinance providing for the removal of garbage and recyclable materials.

SECTION II – PURPOSE. The purpose of this ordinance is to ensure that efficient and environmentally acceptable solid waste management procedures are practiced in the Town of Superior. It is the purpose of the Town of Superior Board of Supervisors to provide for a means for the removal of and disposal of garbage, recyclables, and refuse generated in the Town of Superior to protect the health, safety and welfare of all persons in the Town of Superior.

SECTION III – DEFINITIONS. All terms contained in this ordinance shall be defined pursuant to Wisconsin Statutes, including Section 289, conforming Administrative Code(s) from the Department of Natural Resources, and relevant ordinances or rules of Douglas County.

In addition, “domestic waste” shall be defined as garbage, refuse, or waste resulting from normal and expected residential activities.

SECTION IV. DUMPING PROHIBITED.

- (a) No person shall deposit solid waste or cause solid waste to be deposited in or on any town roads, water, or grounds, or on any private property site located in the Town of Superior.
- (b) This section shall not apply to the sprinkling of clean sand, salt or salt derivatives upon icy sidewalks or driveways. Nor shall this apply to the deposit on the person’s own premises of refuse containers for collection.

SECTION V. CONTRACT WITH WASTE & RECYCLING COLLECTOR. The Town Board shall contract with a hauling service (hereinafter referred to as “Collector”) for the purpose of collecting and removing domestic waste and recyclable materials. All contracts shall be ratified at a Town Board meeting following all notification and posting requirements set forth in Wisconsin State Statutes. Collector shall be bound by the laws of the State of Wisconsin, Administrative Codes, and County and Town ordinances and regulations regarding the collection, transportation and disposal of waste and recyclable materials. Refuse or any other waste materials collected shall be delivered to an appropriate landfill in compliance with State Statutes, Codes, County rules and regulations. The Collector may provide further guidance, rules, policies and procedures for the collection of waste and recyclable materials that shall be made available for property owners and residents. The Collector may provide each residence a container for the storage of waste and a container for storage of recyclable materials until collected. If Collector does not provide a container, waste material must be securely contained in a bag, box, can or other container.

SECTION VI. COLLECTION OF SOLID WASTE.

- (a) Commercial/Industrial Solid Waste and Construction/Demolition Waste. Commercial/industrial solid waste generated from business, industry or commercial operations and construction/demolition solid waste resulting from the construction, demolition, repair or maintenance of residential or

commercial structures, shall be collected by private contract of the owner. This waste shall be collected in such manner and frequency as needed to protect the public safety and welfare of the Town of Superior.

- (b) Domestic Waste. Domestic waste shall be collected by the Collector from all residences on a weekly basis provided such waste is properly handled, prepared, contained, stored and located in conformance with this ordinance. Further regulations and guidelines concerning the collection of domestic waste shall be as follows:

1. All domestic waste shall be drained and kept in a container.
2. All containers for the storage and collection of domestic waste shall be maintained in such a manner as to prevent the creation of a nuisance to public health and safety. Containers shall be placed at a location making it available for the Collector to empty at a reasonable time.
3. Domestic animal feces shall be bagged or contained and properly disposed of with domestic waste.
4. Containers shall be placed so as not to interfere with snow removal or postal delivery service.

SECTION VII. COLLECTION OF RECYCLABLE WASTE.

- (a) Commercial/industrial recyclable waste and construction/demolition recyclable waste shall be collected by private contract of the owner. This recyclable waste shall be collected in such manner and frequency as needed to protect the public safety and welfare of the Town of Superior.
- (b) Residential recyclable waste, approved per Wisconsin regulations, shall be collected by the Collector from all residences on a bi-weekly basis provided such waste is properly handled, prepared, contained, stored and located in conformance with this ordinance.
- (c) All recyclable waste shall be prepared according to current best practices as recommended by the Collector.

SECTION VIII. YARD WASTE.

- (a) Any business which produces yard waste as their livelihood shall be responsible for the proper disposal of the waste in conformity with all Department of Natural Resource regulations.
- (b) Disposal or dumping of yard waste on any public premises or road right-of-way is prohibited.

SECTION IX. HAZARDOUS WASTE. All hazardous commercial and household waste shall be the responsibility of the property owner, and handled by the resident or property owner, in conformity with the regulations of the State of Wisconsin and Douglas County. Neither the Town nor the Collector shall be responsible for collection or disposal of hazardous waste.

SECTION X. FEES.

- (a) The Town Board of Supervisors shall set a reasonable fee schedule to be charged for making ordinary collections and removal which shall be reviewed annually. Fees are the responsibility of the property owner. Rates for special collections and for items that are not capable of ordinary collection shall be as agreed upon between the party requesting removal and their private contractor.

- (b) Newly constructed dwelling shall be charged on a prorated, per-dwelling-unit fee for the balance of the calendar year for which service is to be rendered.
- (c) The Town Treasurer shall compile a list of delinquent accounts and make an assessment roll containing the name of the owner of each lot or parcel of land separately assessed, if known to him or her, together with a the parcel number and address of each such lot or parcel of land and the amount of such assessment.
- (d) Delinquent garbage collection bills shall be levied as a special assessment against the real property, shall become a lien thereon, and placed on the tax roll with the same effect as other town taxes. A garbage or recycle collection bill shall be deemed delinquent if any amounts remain unpaid after the due date(s), and a penalty (to be included with the Fee Schedule and reviewed annually by the Board of Supervisors) will be assessed.

SECTION XI. DUTY OF COLLECTOR. It shall be the duty of the contracted Collector to honor the terms and conditions of their contract with the Town of Superior. The Collector shall also be responsible for notifying the Town Board of violations of the standard procedures for preparation of waste and recyclable materials.

SECTION XII. SEVERABILITY. If any part of this ordinance becomes unlawful to enforce, all other part of this ordinance remain in effect.

This ordinance replaces Garbage Collection and Removal Ordinance approved December 20, 1989, and shall be effective 30 days after publication. Proof of publication shall be filed in the office of the Town Clerk.

Approved this 9th day of November, 2016.

Shirley Karp
Chairman

Robert Zimmerman
Supervisor

Janet Dalbec
Supervisor

Filed this 9th day of November, 2016

Patrice Staly
Town Clerk

To Be Published 11/29/16.