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CHAPTER 26

RECYCLING, REFUSE COLLECTION AND SELF-DEPOSIT STATION

Chapter 26 created 9/20/94, 1578

Revisions, March 21, 2006, 1907

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26.01 TITLE. Recycling, Refuse Collection and Self-Deposit Station Ordinance for City of South Milwaukee.

26.02 PURPOSE. The purpose of this ordinance is to promote recycling, composting, an resource recovery through the administration of an effective recycling program, as provided in s.159.11, Wis. Stats. and Chapter NR 544, Wis. Administrative Code.

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26.03 STATUTORY AUTHORITY. This ordinance is adopted as authorized under s. 159.09 (3)(b), Wis. Stats., and the general police power of the city under Sec. 62.11(s).

26.04 ABROGATION AND GREATER RESTRICTIONS. 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.

26.05 INTERPRETATION. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements or interpretations shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in Chapter NR544, Wis. Administrative Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the Chapter NR 544 standards in effect on the date of the adoption of this ordinance, or in effect on the date of the most recent test amendment to this ordinance.

26.06 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.

26.07 APPLICABILITY. The requirements of this ordinance apply to all persons within the City of South Milwaukee.

26.08 ADMINISTRATION. The provisions of this ordinance shall be administered by the City Administrator and the street department superintendent or his/her designee. Rep & Recr. 4/5/00, 1764

26.09 EFFECTIVE DATE. The provision of this ordinance shall take effect on November 1, 1994.

26.10 DEFINITIONS. For the purpose of this ordinance:

- (1) “Bi-metal container” means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.
- (2) “City Administrator” means the City Administrator, Administrative Coordinator, or his/her designee. Rep & Recr. 4/5/00, 1764
- (3) “Bundled” means secured in a fashion to prevent the material from becoming air borne or litter.
- (4) “Container board” means corrugated paperboard used in the manufacture of shipping containers and related products.

- (5) “Foam polystyrene packaging” means packaging made primarily from foam polystyrene that satisfies one of the following criteria:
- (a) Is designed for serving food or beverages.
  - (b) Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
  - (c) Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.
- (6) “HDPE” means high density polyethylene, labeled by the SPI code #2.
- (7) “LDPE” means low density polyethylene, labeled by the SPI code #4.
- (8) “Magazines” means magazines and other materials printed on similar paper.
- (9) “Major appliance” means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, de-humidifier, water heater or stove.
- (10) “Multiple-family dwelling” means a building containing five (5) or more residential units, including those which are occupied seasonally and including multifamily developments of more than one (1) building where the total number of residential units in all buildings, which are part of the development, exceed four (4) units. Although condominiums are otherwise considered single family dwellings, where the condominium building contains five (5) or more units, such buildings will be classified for purposes of this ordinance as multifamily dwellings. Rep & Recr 3/21/95, 1607
- (11) “Newspaper” means a newspaper and other materials printed on newsprint.
- (12) “Non-residential facilities and properties” means commercial, retail, industrial, institutional and governmental facilities and properties. This term does not include multiple family dwellings.
- (13) “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.
- (14) “Other resins or multiple resins” means plastic resins labeled by the SPI code #7.
- (15) “Curb” means street curb or alley side location where recyclables are deposited for collection.

- (16) “Person” includes any individual, corporation, partnership, association, local governmental unit, as defined in s.66.299(1)(a), Wis. Stats., state agency or authority or federal agency.
- (17) “PETE” means polyethylene terephthalate, labeled by the SPI code #1.
- (18) “Plastic container” means an individual, separate, rigid plastic bottle, can, jar or carton, except for a blister pack, that is originally used to contain a product that is the subject or a retail sale.
- (19) “Postconsumer waste” means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in s.144.61(5), Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in s.144.11 (7)(a)1., Wis Stats.
- (20) “PP” means polypropylene, labeled by the SPI code #5.
- (21) “PS” means polystyrene, labeled by the SPI code #6.
- (22) “PVC” means polyvinyl chloride, labeled by the SPI code #3.
- (23) “Recyclable materials: includes lead acid batteries; major appliances; waste oil; yard waste; aluminum container; 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.
- (24) “Solid waste” has the meaning specified in s.144.01(15), Wis. Stats.
- (25) “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.
- (26) “Waste tire” means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
- (27) “Yard waste” means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than six inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

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26.11 SEPARATION OF RECYCLABLE MATERIALS. Occupants of single family and two to four unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from postconsumer waste:

- (1) Lead acid batteries
- (2) Major appliances
- (3) Waste oil
- (4) Yard waste
- (5) Aluminum containers
- (6) Bi-metal containers
- (7) Corrugated paper or other container board
- (8) Foam polystyrene packaging
- (9) Glass containers
- (10) Magazines
- (11) Newspaper
- (12) Office paper
- (13) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins.
- (14) Steel containers
- (15) Waste tires

26.12 SEPARATION REQUIREMENTS EXEMPTED. The separation requirements of 26.19 do not apply to the following:

- (1) Occupants of single family and two to four unit residences, multiple-family dwelling and non-residential facilities and properties that sent their postconsumer waste to a processing facility licensed by the Wisconsin Department of natural Resources that recovers the materials specified in s.1.11 from solid waste in as pure a form as is technically feasible.

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(2) Solid waste which is burned as 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.

(3) A recyclable material specified in s.1.1(5) through (15) for which a variance has been granted by the Department of Natural Resources under s.159.11(2m), Wis. Stats., or s.NR544.14, Wis. Administrative Code.

26.13 CARE OF SEPARATED RECYCLABLE MATERIALS. To the greatest extent practicable, the recyclable materials separated in accordance with Sec.26.19 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 chemical containers. Recyclable materials shall be stored in a manner which protects them from wind, rain, and other inclement weather conditions.

26.14 RECYCLABLE MATERIALS TO BE DEPOSITED IN CARTS PROVIDED BY THE CITY. Occupants of single and two (2) to four (4) unit residential buildings (not part of a multifamily dwelling as herein defined) shall place only the following recyclables in City provided carts when and as directed by the City Administrator: Rep & Recr 3/21/95, 1607

- (a) Aluminum Containers;
- (b) Bi-Metals Containers;
- (c) Corrugated Paper or other Container Board;
- (d) Foam Polystyrene Packing;
- (e) Glass Containers;
- (f) Magazines;
- (g) Newspapers;
- (h) Rigid Plastic Containers made of PETE, HDPE, PVC, LDPE, PP, PS and Other Multiple Resins; and
- (i) Steel Containers.

26.15 LOCATION OF RECYCLING CARTS. For daily storage prior to collection, no recycling cart shall be placed, kept, stored or located within the right-of-way of a street or alley. Covers shall be kept closed at all times to prevent rainfall accumulation.

26.16 COLLECTION OF RECYCLABLE MATERIALS PLACED IN RECYCLING CARTS.

(1) Collection of recyclable materials placed in carts as defined in Section 26.14 shall be made at least bi-weekly on the same day as regular Garbage and Rubbish Collection.

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- (2) Time of Deposit. Recycling carts shall be placed in an area specified hereinafter no later than 7:00 a.m. on the date of collection, but not sooner than 7:00 p.m. on the day preceding collection. Containers shall be removed from the deposit area no later than 7:00 a.m. on the day after collection.
- (3) Recycling carts, including material bundled outside the container (i.e. container board) shall be placed within three (3) feet of the curb lawn area, or within three (3) feet of the edge of the alley on private property.
- (4) During winter months carts shall not be placed on snow banks, but shall be placed in a cleared section of the deposit area if there is no driveway.
- (5) The City will not collect any recyclables generated by, originating from or collected by any non-residential facility or premises.

26.17 MANAGEMENT OF LEAD ACID BATTERIES, MAJOR APPLIANCES, WASTE OIL AND YARD WASTE. Occupants of single family and two to four unit residences, multiple-family dwellings and non-residential facilities and properties shall manage lead acid batteries, major appliances, waste oil, and yard waste as the city administrator shall require by written procedure published in the official newspaper.

Occupants of single family and two to four unit residences shall prepare, collect and separate materials designated as recyclable by the city administrator in the future the city administrator shall prescribe by written procedure published in the official newspaper.

26.18 RESPONSIBILITIES OF OWNERS OR DESIGNATED AGENTS OF MULTIPLE-FAMILY DWELLINGS.

- (1) Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in Sec. 26.11 (5) through (15):
  - (a) Provide adequate, separate containers for the recyclable materials.
  - (b) Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.
  - (c) 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.
  - (d) Notify users, tenants and occupants of reasons to reduce and recycle, which materials are collected, how to prepare materials in order to meet the

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processing requirements, collection methods or sites, locations and hours of operation, and a contact person or company, including a name, address and telephone number.

- (2) The requirements specified in (1) do not apply to the owners or designated agents of non-residential facilities and properties if the postconsumer 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 Sec. 26.11 (5) through (15) from solid waste in as pure a form as is technically feasible.

26.19 PROHIBITIONS ON DISPOSAL OF RECYCLABLE MATERIALS SEPARATED FOR RECYCLING. 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 s.1.11(5) through (15) which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

26.20 GARBAGE AND REFUSE DISPOSAL. Regulation as to the collection, removal and disposal of refuse in the City of South Milwaukee.

- (1) DEFINITIONS. The following words, when used in these regulations, shall have the meanings respectively ascribed to them:
- (a) Refuse – Refuse shall mean garbage, rubbish or both. Refuse does not include yard waste, liquids or recyclables as described in Sec. 26.11.
  - (b) Garbage – Garbage includes all refuse accumulations of animal, fruit or vegetable matter that attend the preparation use, cooking, dealing in or storage of meat, fish, fowl, fruits or vegetables. Liquids are not garbage.
  - (c) Rubbish – Rubbish includes all other refuse except, but not limited to, rocks, concrete, bricks, wood and lumber, trees, plaster, dirt, and other solid materials similar to those described herein. Yard waste is not rubbish.
  - (d) Special Pickup – Waste Material – Special pickup-waste material includes, but shall not be limited to, rocks, concrete, bricks, wood, lumber, trees, plaster, dirt, used household furniture and appliances, and other material similar to those described herein.
  - (e) Street Superintendent – The Street Superintendent or his designated representative.

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(f) Yard Waste – Yard waste as used herein is as defined in Wisconsin Statutes 159.07 and includes leaves, grass clippings, yard and garden debris and brush including clean woody vegetative materials no greater than six inches in diameter.

(g) Liquids – No liquids will be picked up or disposed of at regular or special pick-ups.

(h) Automated Collection – Garbage collected in 95 gallon carts using garbage truck's mechanical arm/equipment.

(1.1) Automated garbage collection shall be phased in beginning in 2015. For those areas where the City has provided carts for automatic collection, the following provisions shall be applicable. Except as specifically provided in Sec. 26.20 (1.1) the provisions of Sec. 20.20(1) through (14) remain in full force and effect. All the provisions of Sec. 26.20(1) through 26.20(14) remain in full force and effect in those areas where the City has not provided garbage carts.

(a) Carts are provided by the city and shall remain with the property (only exceptions are those carts that were bought prior to implementation of the program – January 1, 2015). Single family residences shall be eligible for one, city-provided cart, two and three family residences shall be eligible for two city-provided carts, four family and above (commercial) shall purchase their own carts if they are eligible for city garbage collection. Single, two and three family residences may purchase one additional cart.

(b) Carts may only be used for storage of garbage. Carts and the yard area in which they are stored shall be kept in a clean, neat, and sanitary condition at all times.

(c) Refuse must be deposited in carts for collection. No liquids of any kind may be deposited for collection. Human waste, animal waste, ashes, sawdust, and all other potentially infectious or injury-causing materials shall not be deposited or placed in cart for collection unless such material has been approved for collection by the street superintendent and is wrapped in a manner satisfactory to the street superintendent. Garbage shall be drained of all moisture and completely wrapped in paper or plastic before it is placed in cart for collection. Cart weight with garbage shall not exceed 200 pounds.

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(d) Any refuse which cannot be placed in a cart due to its size and/or weight shall not be collected as part of normal garbage collection. Such material may be collected by special pickup subject to Street Department rules. The provisions of Sec. 26.20(7), (8) and (9) apply to such Special Pickups.

(e) For daily storage and prior to collection day, no cart shall be placed, kept, stored, or located within the right-of-way of a street or alley and shall be placed on a concrete pad or other such base for protection from mud, standing water, or other elements. Lids shall be kept closed to prevent rainfall accumulation or animal littering.

(f) Carts shall be placed as specified hereinafter, no later than 7:00 a.m. on the date of collection, but no sooner than 7:00 p.m. on the day proceeding collection. Carts shall be removed from the deposit area no later than 7:00 a.m. on the day after collection.

(g) Carts shall be placed within three (3) feet of the curb-lawn area, or within three (3) feet of the edge of the alley on private property. The provisions of Sec. 26.20 (6) (d) apply to cart collections except where there is a conflict with a specific provision of this Sec. 26.20 (1.1).

(h) Carts shall have four (4) feet of clearance on all sides for collection day. For those properties where a physical obstruction makes it impossible for carts to be placed as outlined in this ordinance, the property owner may request that the street superintendent review the circumstances and make a determination of where the cart shall be placed on collection days.

(i) Persons who are physically unable to place carts in collection area, due to illness or injury, may request a special hardship pickup arrangement.

(2) GARBAGE TO BE DEPOSITED IN CONTAINERS OR ASSEMBLED FOR COLLECTION.

(a) For daily storage of all garbage created, accumulated or produced shall be deposited in containers of a type approved by the Street Superintendent of the city of South Milwaukee, equipped with suitable handles and tight fitting covers, and shall be water-tight. Each container shall have a capacity of not less than twenty (20) gallons and not more than thirty-two (32) gallons. City approved tipper carts may be used for storage of garbage, Containers and the yard area in which they are stored shall be kept in clean, neat and sanitary condition at all times.

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(b) Plastic bags with a minimum mil thickness of 1.5 are suitable for the deposit of garbage and refuse and will facilitate collection thereof. Use of plastic bags which are securely sealed is required for collection and daily storage of garbage and refuse in approved metal or plastic containers. Plastic bags with garbage and refuse shall not be stored in the open.

(c) Any refuse which cannot be placed in a container due to its size, nature or content, shall be bundled, packaged or otherwise assembled for collection.

(3) HOUSEHOLDER TO PROVIDE CONTAINERS. It shall be the duty of every person in possession, charge or control of any place in or from which garbage is created, accumulated or produced, to provide garbage containers capable of holding all garbage which would ordinarily accumulate on such premises between the times of successive collections. The owner of any multiple dwelling shall furnish or require his tenants to furnish proper garbage containers and to keep the area clean. Garbage containers located at multiple dwellings shall be marked so as to indicate the apartment or flat to which they belong.

The owner of any multiple dwelling unit shall be responsible for the proper location of containers including the placement and removal of containers from the pickup locations within the applicable time limits.

(4) MATERIALS DEPOSITED IN GARBAGE CONTAINERS. Refuse may be deposited in appropriate garbage containers for collection. No liquids of any kind may be deposited in any container for collection. Human waste, animal waste, ashes, sawdust and all other potentially infectious or injury-causing materials shall not be deposited or placed in a garbage container for collection unless such material has been approved for collection by the Street Superintendent and is wrapped in a manner satisfactory to the Street Superintendent. Garbage shall be drained of all moisture and completely wrapped in paper before it is placed or deposited in any container for collection.

(5) LOCATION OF CONTAINERS. For daily storage and prior to collection day, no garbage containers for refuse shall be placed, kept, stored or located with the right-of-way of a street or alley and shall be placed on an approved rack, concrete pad or other such base for protection from mud, standing water or other elements. Covers shall be kept on containers to prevent rainfall accumulation of animal littering.

(6) COLLECTION OF GARBAGE AND RUBBISH.

- (a) Time of Collection. Collection of garbage shall be made at least once a week on a day certain from private residences and commercial establishments. This collection shall be referred to as a regular pickup.
- (b) Time of Deposit. Containers of garbage and rubbish shall be placed in an area as specified hereinafter, no later than 7:00 a.m. on the date of collection, but not sooner than 7:00 p.m. on the day preceding collection. Containers shall be removed from the deposit no later than 7:00 a.m. on the day after collection.
- (c) Containers of garbage and rubbish, including container as defined herein, or plastic bags, shall be placed within three (3) feet of the curb in the curb-lawn area, or within three (3) feet of the edge of the alley on private property.
- (d) Special Conditions for Regular Pickup.
  - 1. During winter months, plastic bags, containers, tipper carts, or other refuse shall not be placed on snow banks but shall be placed in a cleared driveway or a cleared section of the deposit area if there is no driveway.
  - 2. Containers will not be emptied if the container and its contents exceed 50 pounds. Tipper cart weight shall not exceed 200 pounds.
  - 3. Containers which do not comply with the provisions of Section 2 herein shall not be emptied.
  - 4. Bulk debris will not be collected unless properly bundled.
  - 5. Bulk debris will not be collected if it exceeds five (5) feet in length and/or exceeds 50 pounds in weight.
  - 6. Special pickup-waste material will not be collected on a regular pickup.

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7. City employees shall not enter onto private property for the collection of garbage and rubbish, except onto the deposit area, or to collect special containers which have been approved as to type and location by the Street Superintendent.
8. City employees will not remove containers from stationary or portable racks unless said racks have been approved by the Street Superintendent.
9. City employees will not remove containers from obstructed locations.
10. Yard waste shall not be collected during regular pickups and branches shall only be collected by special pickups as herein provided.

(7) COLLECTION OF OTHER REFUSE.

- (a) The collection of other material not specifically elsewhere provide for or prohibited in this ordinance shall be made by special pickup. Special pickups shall be subject to the limitations of this ordinance and to such further limitations as the Street Superintendent shall determine are necessary to ensure the collection and disposal and does not violate state or federal laws, codes or rules and is not ecologically or economically unreasonable.
- (b) Repealed, 3/21/06, 1907
- (c) The Street Superintendent shall issue specific instructions to the person requesting a special pickup to facilitate collection. If said instructions are not complied with, the City may refuse to collect the waste material.
- (d) When and as the Street Superintendent determines he is able to dispose of tree branch, shrub and bush material without violating any state or federal laws, codes or rules, tree branch, shrub and bush pickup or chipping shall be done as scheduled by the Street Superintendent. No other yard waste will be collected by special pickup.

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(8) SPECIAL CONDITIONS FOR SPECIAL PICKUP.

- (a) All waste material shall be bundled, boxed or otherwise assembled to facilitate pickup, either manually or mechanically, and shall be placed in the deposit area in the same manner as for regular pickup.
- (b) The City will not provide special pickup service of waste material which is the result of work done by a private contractor even though a building or demolition permit was issued to the owner of said premises. Whenever a private contractor performs work on private premises from which waste material result, the owner or contractor shall be responsible for its disposal.
- (c) Tree branches and shrubbery limbs up to 6" diameter which are placed for special pickup may be left in any lengths. Any wood exceeding 6" diameter shall be cut into logs not exceeding five (5) feet in length.

(9) HARDSHIP. Persons who are physically unable, due to illness or injury, to deposit garbage or refuse for regular collection as required herein may arrange for a special hardship pickup. Garbage and refuse shall be deposited in plastic bags which shall be securely sealed on the collection day. Plastic bags shall be stored in approved metal or plastic containers which shall be located on the property in a location approved by the Street Superintendent. Plastic bags with garbage and refuse shall not be stored in the open.

(10) SPECIAL CONDITIONS RELATING TO REGULAR AND SPECIAL PICKUPS.

- (a) City employees, in the collection of garbage and rubbish or special pickup – waste material, shall not enter onto private property, either on the outer or inner premises of said private property to remove or collect said garbage and refuse except from the deposit area.
- (b) It shall be unlawful for any person other than authorized agents or employees of the city to collect or dispose of garbage and rubbish in the City of South Milwaukee except as herein provided.
- (c) It shall be unlawful for any person to deposit garbage or rubbish in any deposit area which is not adjacent to the property he owns or occupies without the consent of the owner of the property adjacent to the deposit area.

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- (d) Responsibilities of licensed Waste Haulers. All refuse haulers shall comply with Notification of Recycling Requirements for Waste Haulers under s.NR502.06 Wis. Adm. Code.

(12) NUISANCE. The keeping of refuse in containers other than those described herein or the keeping of garbage and refuse upon premises which is allowed to become offensive shall constitute a public nuisance and shall be abated in the manner provided by law.

(13) ENFORCEMENT. Any police officer, health officer, Public Health Administrator or designee, the Street Superintendent or his appointed designees may issue a citation for violation of the provisions of this ordinance.

(14) PENALTY PROVISION. The penalty for violation of any of the provisions of this ordinance shall be a forfeiture and said forfeiture shall be as follows:

1<sup>st</sup> Offense - \$50.00 plus costs.

2<sup>nd</sup> Offense - \$200.00 plus costs.

3<sup>rd</sup> Offense & Additional Offenses - \$2,000.00 plus costs.

26.21 SELF-DEPOSIT REGULATIONS. Regulation as to the self-deposit of garbage and refuse in the City of South Milwaukee Self-Deposit Station.

(1) DEFINITIONS. The following words, when used in these regulations shall have the meanings respectively ascribed to them:

- (a) Refuse - Refuse shall mean garbage, rubbish or both. Refuse does not include yard waste, liquids or recyclables as described in Sec. 26.11.
- (b) Garbage - Garbage includes all refuse accumulations of animal, fruit or vegetable matter that attend the preparation use, cooking, dealing in or storage of meat, fish, fowl, fruits or vegetables, and containers originally used for foodstuffs. Liquids are not garbage.
- (c) Rubbish – Rubbish includes all other refuse except, but not limited to, rocks, concrete, bricks, wood and lumber, trees, plaster, dirt, and other solid material similar to those described herein. Yard waste is not rubbish.
- (d) Street Superintendent – The Street Superintendent or his designated representative.

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- (e) Yard Waste – Yard waste as used herein means those materials defined in Wisconsin Statutes 159.07 and includes leaves, grass clippings, yard and garden debris and brush including clean woody vegetative material no greater than six inches in diameter.
- (f) Liquids – No liquids may be disposed of at the Self-Deposit Station except those the Street Superintendent is able to recycle and then only in those receptacles which the operator designated for collection of such liquids.

(2) GARBAGE TO BE DEPOSITED IN CONTAINERS OR ASSEMBLED FOR COLLECTION.

- (a) Garbage and refuse shall be assembled and stored for disposal in the Self-Deposit Station in accordance with the provisions of rules promulgated by the City Administrator.

(3) MATERIALS DEPOSITED IN SELF-DEPOSIT STATION COMPACTOR.

Refuse may be deposited directly into the Self-Deposit Station compactor. No liquids of any kind may be deposited in the compactor. Human waste, animal waste, ashes, sawdust or other potentially infectious or injury-causing materials shall not be deposited or placed in the compactor unless such material is approved by the Street Superintendent and wrapped in a manner satisfactory to the Street Superintendent or Operator. Garbage shall be drained of all moisture and completely wrapped in paper before it is placed or deposited in the compactor.

- (b) No yard waste, including grass clippings and leaves, shall be deposited at the Self-Deposit Station compactor except as allowed by the Street Superintendent.
- (c) Any garbage, rubbish or materials of any kind generated by, originated from or collect by any non-residential facility or premises as defined in Sec. 26.10(12) shall not be deposited or accepted at the Self-Deposit Station.

(4) SELF DEPOSIT OF GARBAGE AND RUBBISH IN THE SELF-DEPOSIT STATION.

- (a) Time of Deposit. Hours of operation of the Self Deposit station shall be determined by the Street Superintendent based on usage and budgetary needs. Amended 5/18/10, 2004

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(5) SELF DEPOSIT OF METALS AND OTHER MATERIALS.

- (a) Shall be deposited in a manner and location directed by the Self-Deposit Station Operator.
- (b) The City will not accept or allow deposit of waste materials by private contractors or accept materials which are a result of work done by a private contractor even though a building or demolition permit was issued to the owner of said premises. Whenever a private contractor performs work on private premises from which waste material results, the owner or contractor shall be responsible for its disposal.
- (c) Material originated from a property or building not within the city limits of the City of South Milwaukee shall not be deposited at the Self-Deposit Station or at the curb for pick-up.
- (d) Dump trucks shall not be allowed at the Self-Deposit Station for the purpose of disposing of concrete, dirt, stone or black top. Dump trucks may be used for the hauling of furniture, garbage and items that could be deposited directly into the compactor if authorized by the Street Superintendent or his designated representative.

26.22 SCAVENGING.

- (a) It shall be unlawful for any person, other than authorized employees of the Street Department or the Recycling firm employed by the City, to pick through, sort, scavenge or removed recyclable materials including but not limited to Freon bearing appliances, washer, dryers, hot water heater and scrap metal from any property served by the City's Street Department or Recycling firm, when such recyclables are sorted and stored for collection as described in this section.
- (b) It shall be unlawful for any person other than those approved by the owner or manager to pick through, sort, scavenge or remove recyclable materials and materials assembled for special pick up from multiple-family dwellings and/or private non-residential facilities or properties.

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26.23 ENFORCEMENT.

(1) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorize officer, employee or representative of the City of South Milwaukee may inspect recyclable materials separated for recycling, postconsumer 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, which shall be kept confidential when necessary to protect proprietary information. No person may refuse access to refuse containers to any authorized officer, employee or authorized representative of City of South Milwaukee 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 person who violates a provision of this ordinance may be issued a citation by the City Administrator or his designee. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this paragraph.

(3) Penalties for violating this ordinance may be assessed as follows:

- (a) Any person who violates Section 26.19 may be required to forfeit \$50.00 for a first violation, \$200.00 for a second violation, and not more than \$2,000.00 for a third or subsequent violation.
- (b) Any person who violates a provision of this ordinance, except Section 26.19 may be required to forfeit not less than \$10.00 nor more than \$1,000.00 for each violation.

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