

Chapter 460

SOLID WASTE

[HISTORY: Adopted by the Village Board of the Village of Plover as indicated in article histories. Amendments where noted where applicable.]

GENERAL REFERENCES

Hazardous materials — See Ch. 302.

Nuisances — See Ch. 388.

ARTICLE I

Garbage Haulers

[Adopted 6-4-1985 as §§ 12.14 and 12.25 of the 1985 Code]

§ 460-1. License required.¹

Except for construction or demolition materials, no person shall, for a fee, engage in the hauling of solid waste, as defined in § 285.01(4), Wis. Stats., within the Village without a license issued by the Village Board.

§ 460-2. Application for license.

The application for a license shall be submitted to the Village Clerk on a form supplied by the Clerk. All landfill sites to be used by the licensee shall be stated on the application. All such sites must be licensed by the Wisconsin Department of Natural Resources.

§ 460-3. Insurance.

A certificate of insurance shall accompany the application evidencing liability coverage of \$300,000 for the injury or death of one person, \$500,000 for one accident and \$10,000 for property damage.

§ 460-4. License fee.

The garbage hauler's license fee shall be as provided in the Village Fee Schedule.²

§ 460-5. Referral of application.

The application shall be referred to the Public Works Committee for recommendation to the Village Board.

§ 460-6. Grant or denial of license.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

2. Editor's Note: See Ch. A600, Fees.

Upon reviewing the application and the recommendation of the Public Works Committee, the Village Board shall grant or deny the license.

§ 460-7. Operational requirements.

No filled or partially filled garbage truck shall be kept in the Village overnight, and all such trucks shall be maintained so as to prevent an odor nuisance.

§ 460-8. Violations and penalties. ³

Any person who shall violate any provision of this article shall be subject to a penalty as provided in § 1-4 of this Code. A separate offense shall be deemed committed on each day on which a violation of this article occurs or continues.

ARTICLE II
Collection and Disposal
[Adopted 6-4-1985 as §§ 11.06 and 11.10 of the 1985 Code]

§ 460-9. Illegal dumping and storage.

It shall be illegal for any person to dump, dispose, deposit, litter or store refuse in the Village outside of a licensed sanitary landfill facility on either private or public lands.

§ 460-10. Garbage and refuse collection. [Added by Ord. No. 9-89; Amended by Ord. No. 5-09]

- A. Service provided. Garbage and refuse collection service shall be provided to Village residents, except for users enumerated in Subsection B below, by a contractor hired by the Village.
- B. Users excluded. Garbage and refuse collection service shall not be provided by the Village to the following users:
 - (1) Industrial users.
 - (2) Commercial users.
 - (3) Public and private institutions.
- C. Collection time and days. Garbage and refuse shall be placed in approved containers or bundles and placed at the curb, alley or roadside by 5:30 a.m. on scheduled collection days, but no sooner than 24 hours prior to collection. After collection, containers shall be removed from the curb or roadside within 24 hours. Pickup shall not be made on legal holidays but shall be made the following workday unless otherwise announced.
- D. Container and bundle regulations. [Amended by Ord. No. 19-97]
 - (1) See also Article III of this chapter regarding recycling.
 - (2) All securely wrapped garbage and refuse shall be placed in steel or plastic garbage cans with securely fitting lids or in sturdy plastic bags securely tied.

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- E. Items not to be picked up. The following items shall not be picked up:
- (1) Stone, concrete, rubble, earth or sod.
 - (2) Containers over 32 gallons or over 80 pounds.
 - (3) Construction debris.
 - (4) Leaves, lawn clippings and tree trimmings.
 - (5) Household furniture and appliances.
 - (6) Garden waste, stone, rubble, earth and sod.
 - (7) Auto parts.
 - (8) Garbage or refuse containing recyclable material enumerated in § 460-12 of this chapter.
 - (9) Garbage or refuse strewn by animals or vandals prior to collection. It is the responsibility of each Village resident to clean up refuse scattered around the collection site.
- F. Special collections. Village residents may arrange for pickup of items enumerated in Subsection E above by contracting with the Village contractor or other contractor(s) for removal, the cost of which shall be paid by the resident.

§ 460-11. Violations and penalties.

Any person who shall violate any provision of this article shall be subject to a penalty as provided in § 1-4 of this Code.

ARTICLE III

Recycling

[Adopted by Ord. No. 9-89 (§§ 11.08 and 11.10 of the 1985 Code)]

§ 460-12. Separation of recyclable materials required. [Amended by Ord. No. 19-97]

It shall be mandatory for all persons to separate the recyclable materials designated below from waste collected by the Village or from waste collected by private collectors which shall be deposited in the Portage County landfill, as follows:

- A. Newsprint, with inserts, excluding contaminated papers.
- B. Magazines/catalogs, excluding Readers Digest, TV Guide, junk mail, and books (hard cover and paperback).
- C. Telephone books, with covers removed.
- D. Corrugated and container board cardboard.
- E. Aluminum and steel cans (food and aerosol).
- F. Glass, including clear, green and brown bottles and jars.

- G. Plastic containers, including No. 1 clear and green bottles only, No. 2 bottles, jugs and wide-mouth containers, any colors (tubs, cups and pails of five quarts or less).
- H. Waste oil.
- I. Lead acid batteries (vehicle).

§ 460-13. Residential collection of recyclable materials. [Amended by Ord. No. 19-97; Ord. No. 5-09]

- A. Required containers.
 - (1) One-, two- and three-family dwellings. Steel and aluminum cans, glass and plastics shall be placed in reusable bins or cans, maximum size 32 gallons, preferably with lid or cover. Plastic bags are prohibited. ⁴
 - (2) Multifamily dwellings and mobile home courts. Owners or managers of multifamily dwellings of four or more units and mobile home courts shall make arrangements for appropriate containers for recyclable materials. Such owner or manager shall be responsible for informing the building or mobile home residents of the recycling arrangements and the residents shall be responsible for complying with such arrangements.
- B. Preparation for collection. Aluminum and steel cans, glass and plastic containers may be mixed together and shall be placed in appropriate containers as provided in Subsection A above. Paper and cardboard listed in § 460-12A through D above shall be flattened, bundled and tied or bagged, and all cans, glass and plastic containers should be rinsed and free of foreign materials; labels on cans shall be removed; labels on glass and plastic containers need not be removed. Drain and waste oil shall be placed in secure, capped containers not exceeding five gallons and clearly marked "oil." Batteries may be placed in cans or carts.
- C. Time of collection. Recyclable materials shall be placed in approved containers at the curb, alley or roadside by 5:30 a.m. on scheduled days, but no sooner than 24 hours prior to collection. After collection, containers shall be removed from the curb or roadside within 24 hours. Pickup shall not be made on legal holidays but shall be made the following workday unless otherwise announced.

§ 460-14. Scavengers prohibited.

All recyclable materials placed for Village pickup, as provided in § 460-13C above, shall be deemed the property of the Village and no person shall disturb or remove such material. Any person who shall violate the provisions of this section shall be subject to a forfeiture of \$25 for the first offense and \$100 for the second and subsequent offense.

§ 460-15. Violations and penalties. ⁵

Except where another penalty is prescribed, any person who shall violate any provision of this

4. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

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article shall be subject to a penalty as provided in § 1-4 of this Code.

ARTICLE IV
Materials Recovery Facility
[Adopted by Ord. No. 16-93 (§§ 11.09 and 11.10 of the 1985 Code)]

§ 460-16. Conditions of operation.

- A. Materials recovery facility (MRF) operations shall not commence until the Community Development Manager has certified that the contract to operate the MRF is in compliance with all the provisions of this Code, the site plan has been approved by the Plan Commission and all of the conditions of the conditional use permit have been complied with. Certification will not be unreasonably withheld.
- B. Portage County shall provide liability for the MRF operation with a certificate of insurance being provided to the Village prior to startup of operations.
- C. The MRF shall process only materials approved in Ch. NR 544, Wis. Adm. Code, and rags made from surplus unusable clothing. Requests to add additional materials shall be reviewed by the Village. Permission to add new materials shall be approved by the Village Board.
- D. The MRF shall comply with all provisions of this Code.
- E. Recyclable deliveries by municipalities, businesses or licensed contract haulers shall be in containers specified by DPRA, the Portage County Solid Waste Board consultant. Shipment of processed recyclables shall also be in containers specified by DPRA. All containers and vehicles entering or leaving the MRF shall be covered or enclosed so as not to allow materials to blow out. The operator agrees to hold any vehicles delivering recyclables in nonapproved containers and immediately notify the Village. The Village shall immediately deliver a citation to the driver at the MRF site.
- F. Waste oil shall be delivered, stored and shipped in containers approved by the Fire Department. All waste oil handling shall be in compliance with Ch. Comm 10, Wis. Adm. Code.
- G. No collection, storage or processing of hazardous waste, except for items specified in Ch. NR 544, Wis. Adm. Code, shall be permitted at the MRF site.
- H. Vehicles using the MRF site shall use only Apache Drive to enter and leave.
- I. The MRF doors shall remain closed at all times, except for vehicles entering or leaving.
- J. No outside storage, collection or processing shall be permitted.
- K. No person other than municipalities, businesses or licensed haulers shall be permitted to drop off recyclables in the MRF building or on the MRF grounds.
- L. Any and all recyclables that reasonably relate to recycling hauling to the MRF site that fall to the roadside or surrounding area along CTH B and Apache Drive east of the I-39 bypass

shall be picked up daily by the MRF operator.⁶

§ 460-17. Illegal dumping.

It shall be illegal for any person, municipality, business or licensed hauler to dump, dispose or deposit recyclable materials or refuse on or near the MRF grounds at any time other than during normal business hours. Any person found guilty of violating this section shall be subject to a forfeiture of not more than \$200. Each occurrence shall constitute a separate violation.

§ 460-18. Violations and penalties.⁷

Except where another penalty is prescribed, any person who shall violate any provision of this article shall be subject to a penalty as provided in § 1-4 of this Code.

ARTICLE V

Solid Waste Transfer Facility

[Adopted at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

§ 460-19. Conditions of operation.

- A. The solid waste transfer facility shall comply with all requirements of the Department of Natural Resources for location, operations, and transport of solid waste.
- B. The site plan shall be approved by the Village of Plover Plan Commission and shall have an exterior similar to the materials recovery facility (MRF) building, provided that the floor shall be designed as a concrete structural floor with an additional four inches of concrete wear surface to protect against infiltrations, that a Knox Box® shall be provided for emergency access, and that the water main shall be extended to provide a fire hydrant within 150 feet of the facility.
- C. The facility will be under the supervision of the Portage County Solid Waste Department with any change subject to the approval of the Village of Plover.
- D. The hours of operation for collecting solid waste shall not exceed Monday through Friday 7:30 a.m. to 3:30 p.m. and Saturday 7:30 a.m. to 12:00 noon unless approved by the Village of Plover.
- E. The wastewater produced from the operation shall be directed to the Village of Plover sewer system, subject to discharge requirements by the Village of Plover.
- F. All loads shall be inspected by the operator for compliance with delivery only during posted hours with an attendant on duty.
- G. All inbound and outbound loads shall be covered or tarped.
- H. The transfer facility shall not accept for disposal any sewage solids, sludge, asbestos and waste containing free liquids or infectious or hazardous waste.

6. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

7. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- I. Burning of solid waste is prohibited.
- J. No storage of solid waste shall be allowed outside the structure.
- K. No solid waste materials shall be handled outside the structure.
- L. Any litter from transferring waste to or from this facility shall be policed on a daily basis by the operator.
- M. Storage of solid waste at the facility shall not exceed 24 hours, except:
 - (1) In an emergency with notification to the Village of Plover.
 - (2) Recyclable materials stored in specified areas.
- N. Good management practices shall be employed at the facility, including but not limited to wetting materials to control dust, adding commercial deodorizers specially designed to minimize or eliminate solid waste odors and the continual shipping out of waste.
- O. Daily tipping area cleaning shall be required of the operator.
- P. The transfer facility shall have an alternative method of collection and transportation should the facility become inoperable.
- Q. The operator shall work with the Village of Plover Water System Manager to determine if additional groundwater monitoring wells are needed.
- R. Village of Plover officials shall be allowed at-will inspections of the facilities to determine compliance.
- S. The additional truck traffic for this facility will require Portage County to upgrade County Trunk B from County Trunk R to Kennedy to include four lanes of traffic and turn lanes. Design and timing of the upgrade shall be negotiated with the Village of Plover.
- T. All solid waste brought to this facility shall be from within Portage County unless negotiated with the Village of Plover.

§ 460-20. Illegal dumping.

It shall be illegal for any person, municipality, business or licensed hauler to dump, dispose or deposit recyclable materials or refuse on or near the solid waste transfer facility grounds at any time other than during normal business hours. Any person found guilty of violating this section shall be subject to a forfeiture of not more than \$200. Each occurrence shall constitute a separate violation.

§ 460-21. Violations and penalties.

Except where another penalty is prescribed, any person who shall violate any provision of this article shall be subject to a penalty as provided in § 1-4 of this Code.