

**TOWN OF GRANT  
PORTAGE COUNTY, WISCONSIN  
RECYCLING ORDINANCE  
ORDINANCE NO. 09-03**

The town board of the Town of Grant, Portage County, Wisconsin, by the ordinance, adopted on proper notice with a quorum vote of a majority of the town board present and voting adopted, at the Town of Grant Monthly Board Meeting on September 9, 2009, Recycling Ordinance # 09-03, to take effect **January 1, 2010**. At which time Town of Grant Recycling Ordinance dated July 1, 1994 shall be discontinued.

The purpose of this ordinance is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in s. 287.09, Wis. Stats., and Chapter NR 544, Wis. Administrative Code or any of its successor provisions, or as may be amended from time to time.

A copy of the full text of Recycling Ordinance #09-03 may be obtained at the Transfer Station at 8840 Griffith Ave., Wisconsin Rapids, from Transfer Station attendant, by calling the Town Clerk at 715-423-9193, or viewed at the Town of Grant Hall at 9011 County Road WW, Wisconsin Rapids.

**TOWN OF GRANT  
PORTAGE COUNTY, WISCONSIN  
MUNICIPAL SOLID WASTE ORDINANCE  
ORDINANCE NO. 09-04**

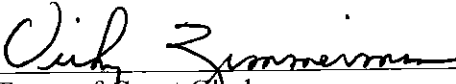
The town board of the Town of Grant, Portage County, Wisconsin, by the ordinance, adopted on proper notice with a quorum vote of a majority of the town board present and voting adopted, at the Town of Grant Monthly Board Meeting on September 9, 2009, Municipal Solid Waste Ordinance #09-04, to take effect **January 1, 2010**. At which time Town of Grant Refuse and Recycling Ordinance, dated March 25, 1992 shall be discontinued.

Following are some of the rules and regulations, but not limited to the following:

- All municipal solid waste and recycling shall originate or be generated from within the Town of Grant.
- Mandatory recycling per s.s. 287, Wis. Stats.
- Items not accepted at the Town of Grant Transfer Station and Recycling Center may be transported by the generator to any licensed landfill or transfer facility in Wisconsin.
- Municipal solid waste from commercial or industrial sources generated within the Town of Grant will only be allowed under Conditional Use Permit.

A copy of the full text of Municipal Solid Waste Ordinance #09-04 may be obtained at the Transfer Station at 8840 Griffith Ave., Wisconsin Rapids, from Transfer Station attendant, by calling the Town Clerk at 715-423-9193, or viewed at the Town of Grant Hall at 9011 County Road WW, Wisconsin Rapids.

Dated October 5<sup>th</sup>, 2009

  
Town of Grant Clerk

*Published Oct. 8, 2009*

**TOWN OF GRANT**  
**PORTAGE COUNTY WISCONSIN**  
**RECYCLING ORDINANCE**  
ORDINANCE NO. 09-03

**Repeal of Former Ordinance**

The prior ordinance, Town of Grant Recycling Ordinance, Portage County, State of Wisconsin, dated July 1, 1994 shall be discontinued at the time of the effect of this ordinance. This ordinance shall take effect in full force after a public hearing has been held for residents' information and it has been publicly noted according to Wisconsin Stats. 60.80(5).

**SECTION 1: 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 s. 287.09, Wis. Stats., and Chapter NR 544, Wis. Administrative Code or any of its successor provisions, or as may be amended from time to time.

**SECTION 2: STATUTORY AUTHORITY**

This ordinance is adopted as authorized under s. 287.09(3)(b), Wis. Stats., or any of its successor provisions, and by ordinance of the Town of Grant Town Board.

**SECTION 3: 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 of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in Chapter NR 544, Wis. Administrative Code or its successor provisions, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the Chapter NR 544, or its successor provisions, standards in effect on the date of the adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance.

**SECTION 4: VALIDITY**

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

**SECTION 5: APPLICABILITY**

The requirements of this ordinance apply to all persons within the physical boundaries of the Town of Grant.

## SECTION 6: ADMINISTRATION

The provisions of this ordinance shall be administered by the Town of Grant Board or its designated person or persons.

## SECTION 7: DEFINITIONS

1. "Attendant" shall refer to, for the purpose of this ordinance, any person or persons employed by the Town of Grant who is on the premises of the transfer station 8840 Griffith Avenue for the purpose of carrying out the duties set forth by the governing Town Board.
2. "Bi-metal container" means a container for carbonated or malt beverages that are made primarily of a combination of steel and aluminum.
3. "Container board" means corrugated paperboard used in the manufacture of shipping containers and related products.
4. "HDPE" means high density polyethylene plastic containers marked by the SPI Code No. 2.
5. "LDPE" means low density polyethylene plastic containers marked by the SPI Code No. 4.
6. "Magazines" means magazines and other materials printed on similar paper.
7. "Major appliance" means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, water heater, or similar goods.
8. "Multiple-family dwelling" means a property containing 2 or more residential units, including those which are occupied seasonally.
9. "Newspaper" means newspapers and other materials printed on newsprint.
10. "Non-residential facilities and properties" means commercial, retail, industrial, institutional and governmental facilities and properties. This term does not include multiple family dwellings.
11. "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, telephone books or other bound materials.
12. "Mixed paper" means paper accepted for recycling other than those mentioned above. Mixed paper includes envelopes and papers received via the mail, telephone books, TV guides and various schoolwork ledgers and notebook paper.
13. "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.
14. "PETE" means polyethylene terephthalate plastic containers marked by the SPE Code No. 1.
15. "PP" means polypropylene plastic containers marked by the SPI code No. 5.
16. "PS" means polystyrene plastic containers marked by the SPI code No. 6.
17. "PVC" means polyvinyl chloride plastic containers marked by the SPI Code No. 3.
18. "Postconsumer waste" as defined in s. 287.01(7) means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in s. 291.01(7), Wis. Stats., waste from construction and demolition of structures, scrap

automobiles, or high volume industrial waste, as defined in s. 289.01(17), Wis. Stats.

19. "Recyclable Materials" has the meaning specified in s. 287.01(8), Wis. Stats.
20. "Solid waste" has the meaning specified in s. 289.01(33), Wis. Stats.
21. "Solid waste facility" has the meaning specified in s.289.01(35), Wis. Stats.
22. "Solid waste treatment" has the meaning specified in s.289.01(39), Wis. Stats.
23. "Waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
24. "Yard waste" means leaves, grass clippings, yard 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.

#### SECTION 8: SEPARATION OF RECYCLABLE MATERIALS

Pursuant to NR544.06 Wis. Administrative Code, or its successor provisions or as may be amended from time to time, all persons in the Town of Grant, including but not limited to those listed below, are subject to the separation of recyclable materials provisions of this ordinance:

1. Occupants of single-family
2. Multiple-family dwellings, and
3. Non-residential facilities and properties.

All persons identified above shall separate and keep clean of debris and contaminants the following materials from their solid 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) Glass containers
- i) Magazines or other materials printed on similar paper
- j) Newspapers or other materials printed on newsprint
- k) Office paper
- l) Mixed paper
- m) Plastic containers currently accepted for recycling
- n) Steel containers, and waste tires

#### SECTION 9: SEPARATION REQUIREMENTS EXEMPTED

The obligation to separate materials does not apply to Postconsumer Wastes, as noted in s. 291.01(7) and 289.01(17), Wis. Stats., or its successor provisions, burned as a supplemental fuel at a facility, if less than 30% of the heat input is derived from the Postconsumer Waste. Materials which receive a variance from the Wisconsin DNR are also exempted from this requirement.

## SECTION 10: CARE OF SEPARATED RECYCLABLE MATERIALS

To the greatest extent practicable, the recyclable materials separated in accordance with s. 1.11 shall be clean and kept free of contaminants such as food or product residue, oil or grease, or other non-recyclable materials. The Town of Grant has the right to reject, including but not limited to, any of the following materials:

1. Hazardous wastes, including household hazardous wastes, toxic wastes, free liquid in any containers, including paints and solvents, pesticides, excluding non-agricultural pesticide containers if properly cleaned, not contaminated and approved by the Town Board for separation and for recyclable material collection.
2. Medical wastes
3. Asbestos
4. Sludge wastes
5. Industrial or commercial wastes from any industrial or commercial facility or operation.
6. Waste from pollution control equipment.
7. Residue and debris from clean-up of a chemical discharge or chemical residue and debris from any facility or operation using chemicals in any commercial, agricultural or industrial processes.
8. Ash waste
9. Hazardous and toxic demolition and construction wastes and demolition and construction wastes containing asbestos, bio-medical wastes, septage (human or otherwise) wastes.
10. Animal fecal wastes
11. Dead animals
12. Brush or trees, wood treated with chemical preservatives
13. Explosive materials
14. Any other contaminated recyclable materials as determined by the Town Board or its contractor.

No person may in any recyclable material knowingly collect any of the above noted wastes, materials, contaminated recyclable materials and any other recyclable materials that are not of marketable quality or that are placed for recyclable material collection in an unmarketable condition, unless provided written permission by the Town Board. This prohibition shall apply to any contractor for the Town.

Recyclable materials shall be stored in a manner which protects them from wind, rain, and other inclement weather conditions.

## SECTION 11: MANAGEMENT OF LEAD ACID BATTERIES, MAJOR APPLIANCES, WASTE OIL AND YARD WASTE

Occupants of single family and, multiple-family dwellings and non-residential facilities and properties shall manage lead acid batteries, major appliances, waste oil, and yard waste as follows:

1. Lead acid batteries shall be traded-in at the place of business where purchased or may be accepted at the transfer station.
2. Major appliances may be dropped off at specified site as mandated by a resolution of the Town Board for a fee.
3. Waste oil shall be placed in designated container as instructed by attendant.
4. Yard waste, excluding branches and limbs less than 6 inches in diameter, shall be composted by residents at their own expense. Branches and limbs less than 6 inches in diameter shall be placed in designated areas as instructed by attendant.
5. Fluorescent light bulbs may be dropped off at the Transfer station at the designated disposal station.

#### SECTION 12: PREPARATION AND COLLECTION OF RECYCLABLE MATERIALS

Except as otherwise directed by the Town Board, occupants of single family and multiply family residences shall do the following for the preparation and collection of the separated materials specified in s. 1.11.

1. Aluminum containers shall be clean and free of any hazardous or toxic wastes and placed in receptacle designated by attendant.
2. Bi-metal containers shall be clean and free of any hazardous or toxic wastes and have labels and lids removed. Lids may be recycled by placing in can and then pinching can top out-of-round and then placed in receptacle designated by attendant.
3. Corrugated paper or other container board shall be clean, dry and free of any hazardous or toxic wastes. It should be flattened and reduced to a size for easy handling.
4. Glass containers shall be clean, free of any hazardous or toxic waste, have lids removed. Keep glass intact for safe handling.
5. Magazines or other materials printed on similar paper shall be clean, free of hazardous or toxic wastes, and placed unbundled in designated receptacle.
6. Newspapers or other materials printed on newsprint shall be clean, free of hazardous or toxic wastes and placed in designated receptacle.
7. Office paper shall be clean, free of hazardous or toxic wastes and placed in designated receptacle.
8. Mixed paper shall be clean, free of hazardous or toxic wastes and placed in designated receptacle.
9. Plastic containers shall be clean, free of hazardous or toxic waste, have lids removed, and placed in designated receptacle.
  - a) Steel containers may be clean, free of any hazardous or toxic waste, have lids removed, and placed in designated receptacle.
  - b) Waste tires may be collected once or twice annually for a fee determined by the Town Board of Supervisors.

#### SECTION 13: 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 for recycling the materials specified in s. 1.11:

- a) Provide tenants at the time of renting or leasing the dwelling and at least annually thereafter the established Town Solid Waste and Recycling brochure. Inform tenants which materials are collected, how to prepare in order to meet the processing requirements, collection methods or sites, locations and hours of operation. Contact information: Grant Town Hall, 9011 County Highway WW, 423-9193.
2. The requirements specified in (1) do not apply to the owners or designated agents of multiple-family dwellings if the post consumer waste generated within the dwelling is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in s. 1.11 from solid waste in as pure a form as is technically feasible.

#### SECTION 14: RESPONSIBILITIES OF OWNERS OR DESIGNATED AGENTS OF NON-RESIDENTIAL FACILITIES AND PROPERTIES

1. Owners or designated agents of non-residential facilities and properties shall do all of the following for recycling the materials specified in s. 1.11:
  - a) Provide adequate, separate containers for the recyclable materials.
  - b) Provide tenants at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established Town Solid Waste and recycling brochure. Inform tenants which materials are collected, how to prepare in order to meet the processing requirements, collection methods or sites, locations and hours of operation. Contact information: Grant Town Hall, 9011 County Highway WW, 423-9193.
2. The requirements specified in (1) do not apply to the owners or designated agents of multiple-family dwellings if the post consumer waste generated within the dwelling is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in s. 1.11 from solid waste in as pure a form as is technically feasible.

#### SECTION 15: PROHIBITION ON DISPOSAL OF RECYCLABLE MATERIALS

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 which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility. By using the Transfer Station, the user/resident releases all claim to the deposited items, including any and all claims to monetary proceeds, but that the user is not released from any responsibility for any materials that are hazardous or toxic under state or federal law, or are otherwise not compliant with the terms of this ordinance.

#### SECTION 16: ENFORCEMENT

1. Any authorized officer, employee or representative of the Town of Grant may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and non-residential facilities and

properties, solid waste disposal facilities and solid waste treatment facilities, and any records relating to recycling activities, for the purpose of ascertaining compliance with the provisions of this ordinance. No person may refuse access to any authorized officer, employee or authorized representative of the Town of Grant who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection at Transfer Station.

2. Any person who violates a provision of this ordinance may be issued a citation by any member of the Town Board to collect a forfeiture. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude this issuance of a citation under this paragraph.
3. Penalties for violating this ordinance may be assessed as follows:
  - a) Any person who violates s. 1.18 or does not have a valid permit for alternate means of disposal may be required to forfeit \$50 for a first violation, \$200 for a second violation, and not more than \$2,000 for a third or subsequent violation.
  - b) Any person who violates a provision of this ordinance, other than s. 1.18, may be required to forfeit not less than \$10 nor more than \$1,000 for each violation.

#### SECTION 17: RECYCLABLE MATERIAL COLLECTION SCHEDULE

The Town Board of may establish the dates and times of authorized placement and collection for recyclable materials, wastes, or other materials, where these materials or wastes are to be collected in the Town by the Town, by any contractor of the Town or by any permitted collector of the Town. The Town Clerk shall post in three places within Town boundaries a notice of the collection schedule with these notices to be provided at least one week before any recyclable material collection schedule is changed.

#### SECTION 18: PERMITTING

1. No person may engage in the use, operation or business of collecting solid waste or recyclable material for consideration within the Town without being licensed or permitted by the DNR under NR 502.06 Wis. Adm. Code or its successor provision.
2. No person in the Town may continue to place recyclable material for collection at any location in the Town any unauthorized recyclable materials.

#### SECTION 19: FEE RESPONSIBILITY AND FEE STRUCTURE

Any person requesting to be excused from the mandatory participation in the Town recycling program shall make arrangements with a private or public licensed hauler or transporter for proper disposal of the designated recyclable materials. The person requesting to be excused from the provisions of the ordinance shall furnish to the Town Clerk a copy of a contract for recycling services from a licensed or permitted entity. Any fees due and owing as a result of recycling services furnished to persons



who elect to proceed under a private or public arrangement negotiated by said persons shall be strictly the responsibility of said persons, and shall not inure or be charged back to the Town of Grant in any form.

SECTION 20: FEE ASSESSMENT

The Town of Grant shall establish fees for service for the payment of collection services for solid waste and recyclables. Fees shall be assessed on each parcel of improved property in the township, and be charged as a line item on the tax roll pursuant to s. 66.60 (16), Wis. Stats. on a yearly basis.

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The Town of Grant voted to adopt this ordinance on Sept 9, 2009  
Resolution #: 09-03

Signed:

Stewart Schuel

Chairperson

Richard L. Kuter

Supervisor

Jay Foster

Supervisor

Witnessed:

Vicky Zimmerman

Town Clerk

Sept 9, 2009

Dated

Oct. 12, 2009

Posted: Town Hall, Transfer Station, Oak & Townline

Published in paper Oct. 8, 2009