TOWN OF ANGELICA

ORDINANCE 4-12-21

Shawano County, Wisconsin

GARBAGE MANAGEMENT COLLECTION SERVICE

The Town of Angelica Board of Supervisors, Shawano County, Wisconsin, ordains as follows:

Section 1. Title:
Garbage Management Ordinance of the Town of Angelica, Shawano County, Wisconsin, hereinafter referred to as "ordinance" or "article."
Garbage and refuse collection service. All garbage and refuse collection service shall be provided by an outside company contracted by the Town.

Section 2. Purpose and Intent:
It is hereby declared to be the purpose and intent of this article to enhance and improve the environment and promote the health, safety and welfare of the Town by establishing minimum standards for the storage, collection, transport, processing, separation, recovery and disposal of solid waste.

Section 3. Authorization:
This ordinance is authorized by Wisconsin State Statute 66.0627 or other applicable law.

Section 4. Definitions:
For the purposes of this article, the following words and phrases shall have the meanings given herein, unless different meanings are clearly indicated by the context.

HAZARDOUS WASTE: Those wastes such as toxic, radioactive or pathogenic substances which require special handling to avoid illness or injury to persons or damage to property and the environment.

IMPROVED PARCEL: A parcel of land within the Town limits which is listed on the Assessment Roll as having improvements.

PRIVATE COLLECTION SERVICES: Collection services provided by a person licensed to do same by the DNR.

RECYCLABLE WASTE: Includes lead acid batteries; major appliances; waste oil; yard waste; aluminum containers; corrugated paper or other container board; foam polystyrene packaging; glass containers; magazines; newspapers; office paper; plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS and mixed or other plastic resin types; steel containers; waste tires; and bimetal containers.

Section 5. Approved Waste and Refuse Containers:

A. General Container Standards: Suitable containers of a type approved by the Town shall be provided by the property owner or tenant (or in the future an approved container provided by the Town) in which to store all solid waste allowed to be collected. Containers shall provide for efficient, safe, and sanitary handling of solid wastes. They shall be maintained in a nuisance and odor-free condition and shall be sufficient to prevent the scattering of contents by weather conditions or animals.

B. Approved Containers: All residential solid waste must be placed in clear or white plastic bags that are closed by means of a tie and which then may be placed in approved containers of maximum thirty-two gallon size. Containers, including contents, shall not exceed in weight that which one person can safely lift (50 pounds). Metal garbage cans shall be of sufficient thickness to resist denting during normal handling by collection crews. Plastic garbage cans shall consist of plastic material not damaged by freezing and not susceptible to melting. They shall be capable of being handled during hot and cold weather without damage during normal handling by collection crews. Plastic bags shall be sufficient strength to allow lifting and loading of contents without tearing.

Section 6. Collection of Refuse:

A. Required Collection: All improved parcels in the Town shall be required to have its solid waste collected by the contracted provider for the Town.

B. Placement for Collection: Residential solid waste shall be accessible to collection crews. Residential solid waste in approved containers shall by placed immediately alongside the property adjoining the public street for collection. Any bulky waste from residential units shall likewise be placed in neat, orderly fashion alongside any container. During winter months, solid waste shall not be placed on top of the snowbank, nor shall it be placed in the roadway. The owner shall either shovel out an area alongside the street/road for retrieval. Collection crews will not collect residential solid waste unless it is placed at the curb of a public street or road, Residential units shall bring their solid waste to the public right-of -way for collection. Should collection crews be unable to discharge contents of garbage into collection vehicles using normal handling procedures, the cans, including contents, will be left at curbside.

C. Litter: Collection crews will not be responsible for cleaning up loose materials from any containers which have become ruptured or broken due to wet conditions, animals, vandalism, or other cause. The occupant and/or owner shall be responsible for cleaning up this litter. Litter not collected shall not be allowed to accumulate. Violation will result in the occupant and /or owner being notified to clean up his area with continued violation resulting in the owner being prosecuted under the provisions of this and other Town ordinances.

D. Collection Schedule: Municipal refuse collection services shall be on a schedule as established by the Town Board and the collection contractor.

E. Collection Costs: The cost of collection by the third-party collector shall be reviewed and adjusted on an annual basis by the Town for budgetary purposes. The cost for upcoming year shall be discussed and voted on at the Annual Budget Meeting. The cost shall then be specially charged to each Improved Parcel within the Town pursuant to Wis. Stat. 66.0627 or other applicable law. A parcel owner of an Improved Parcel may not "opt out" of this cost even if an Improved Parcel in unoccupied.

Section 7. Prohibited Activities and Non-Collectable Materials:

A. Dead Animals: It shall be unlawful to place any dead animal, or parts thereof, in a container for collection; provided, however, this section shall not apply to animal parts from food preparation for human consumption.

B. Undrained Food Wastes: It shall be unlawful to place any garbage or other food wastes in a container for collection unless it is first drained and wrapped.

C. Ashes: It shall be unlawful to place not ashes for collection.

D. Improper Placement: It shall be unlawful to place, or allow to be placed, any solid waste upon the roads, streets, public or private property within this municipality contrary to the provision of this article.

E. Interference with Authorized Collector: No person other than an authorized collector shall collect or interfere with any garbage after it shall have been put into a garbage receptacle and deposited in the proper place for the collector, nor shall any unauthorized person molest, hinder, delay, or in any manners interfere with an authorized garbage collector in the discharge of his duties.

F. Non-Collectable Materials: It shall be unlawful for any person to place for collection any of the following wastes: (1) Hazardous waste: (2) Toxic wastes; (3) Chemicals; (4) Explosives or ammunition; (5) Drain or waste oil, or flammable liquids; (6) Large quantities of paint; (7) Tires; (8) Recyclables; (9) Animal or human waste.

G. Building waste: All waste resulting from remodeling, construction, removal of a building, roadway or sidewalk shall be the responsibility of the owner, builder or contractor to dispose of from the job site by means of hauling to the Shawano County landfill or by private dumpster/contracted waste hauler.

Section 8. Garbage Accumulation/Nuisance:

The accumulation or deposit of garbage, trash, or putrescible animal or vegetable mater in or upon any lot or land or any public or private place within the Town which causes the air or environment to become noxious or offensive or to be in such a condition as to promote the breeding of flies, mosquitoes or other insects, or to provide a habitat or breeding place for rodents or other animals, or which otherwise becomes injurious to the public health is prohibited and declared to constitute a nuisance.

Section 9. Refuse from Outside Municipality:
It is unlawful for any person, firm, or corporation to place, deposit, or cause to be deposited for collection any waste or refuse not generated within the corporate limits of the Town.

Section 10. 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.

Section 11. Enforcement:
The Town of Angelica Board of Supervisors gives the authority to enforce this ordinance to the Shawano County Sheriff's Department, Town of Angelica Chairperson, or their designee, and/or the Town Board of Supervisors or their designee, and any other enforcement authority as allowed by Wisconsin Statutes.

Verbal or written warnings may be allowed at the discretion of the enforcement authority in the above paragraph.

Section 12. Effective Date: This ordinance is effective on publication or posting. The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. Stats.

Adopted this 12th day of April, 2021