

# TITLE 13

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## **Solid Waste Management**

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# Chapter 1

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## Solid Waste Department

### 13-1-1 Solid Waste Department

#### Sec. 13-1-1 Solid Waste Department.

- (a) **Creation.** There is hereby created a Columbia County Solid Waste Department to provide leadership and work in partnership with the county's local units of government to provide environmentally and economically viable solutions to solid waste issues.
- (b) **Purpose.** The Department will operate and manage the Recycling and Composting operations as well as keeping the Committee and the County Board apprised of changes in Solid Waste rules and regulations that affect the residents of Columbia County.
- (c) **Planning.** The Department shall prepare and update long range plans in ten year increments which set forth the policies and goals to provide efficient and ecologically safe disposal of solid waste.
- (d) **Specialized Waste.** The department shall plan for and provide information, guidance, and assistance as to the disposition of specialized, difficult items, such as, hypodermic needles, appliances, tires, paints, etc.
- (e) **Emergency Waste Removal.** The department shall work with the Wisconsin Department of Natural Resources and Columbia County Emergency Management Department to deal with the clean up of waste from a natural or manmade disaster.

# Chapter 2

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## Recycling

### 13-2-1 Recycling

### 13-2-2 Columbia County Responsible Unit

#### Sec. 13-2-1 Recycling.

Columbia County shall be the "Responsible Unit" for recycling, pursuant to Wisconsin Act 335 and Sec. 159.09 (B), Wis. Stats., for all municipalities within the county except: City of Wisconsin Dells and Town of Newport.

To fulfill the responsibilities required of Columbia County as a "Responsible Unit", as set forth in N.R. 544, the Columbia County Solid Waste Department shall provide education, establish a collection system and processing system for recyclable materials, enforce the Recycling Ordinance established by the County Board, and be provided with sufficient staff and equipment to implement a recycling program. The recycling operation shall be managed by the Solid Waste Director.

#### Sec. 13-2-2 Columbia County Responsible Unit

- (a) **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 restriction, the provisions of this ordinance shall apply.
- (b) **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, 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 text amendment to this ordinance.

- (c) **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.
- (d) **Applicability.** The requirements of this ordinance apply to all persons within the Columbia County Responsible Unit.
- (e) **Administration.** The provisions of this ordinance shall be administered by the Columbia County Solid Waste Department.
- (f) **Effective Date.** The provisions of this ordinance shall take effect on March 1, 1994.
- (g) **Definitions.** For the purposes 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) "Container board" means corrugated paperboard used in the manufacture of shipping containers and related products.
  - ( 3) "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.
  - ( 4) "HDPE" means high density polyethylene, labeled by the SPI code #2.
  - ( 5) "LDPE" means low density polyethylene, labeled by the SPI Code #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, refrigerator or stove.
  - ( 8) "Multiple-family dwelling" means a property containing 5 or more residential units, including those which are occupied seasonally.
  - ( 9) "Newspaper" means a newspaper 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.
  - (12) "Other resins or multiple resins" means plastic resins labeled by SPI code #7.
  - (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, labeled by the SPI code #1.
  - (15) "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 of a retail sale.
  - (16) "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. 144.44 (7)(a)1, Wis. Stats.
  - (17) "PP" means polypropylene, labeled by the SPI code #5.
  - (18) "PS" means polystyrene, labeled by the SPI code #6.
  - (19) "PVC" means polyvinyl chloride, labeled by the SPI code #3.
  - (20) "Recyclable materials" includes lead acid batteries; major appliances; waste oil; yard waste; aluminum containers; 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.
  - (21) "Solid waste" has the meaning specified in s. 144.01 (15), Wis. Stats.
  - (22) "Solid waste facility" has the meaning specified in s. 144.43 (5), Wis. Stats.
  - (23) "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.
  - (24) "SPI Code #" means Society of Plastics Industry Symbols.
  - (25) "Waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
  - (26) "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.
- (h) **Separation of Recyclable Materials.** Occupants of single family and 2 to 4 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
- (i) **Separation, Requirements Exempted.** The separation requirements of Sec. 43.08, Wis. Stats., do not apply to the following:
- (1) Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties that send their postconsumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials specified in Sec. 43.08, Wis. Stats., from solid waste in as pure a form as is technically feasible.
  - (2) Solid waste which is burned as a 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 Sec. 43.08 (5) through (15), Wis. Stats., for which a variance has been granted by the Department of Natural Resources under s. 159.11 (2m), Wis. Stats., or s. NR 544.14, Wis. Administrative Code.
- (j) **Care of Separated Recyclable Materials.** To the greatest extent practicable, the recyclable materials separated in accordance with Sec. 43.08, Wis. Stats., 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.
- (k) **Management of Lead Acid Batteries, Major Appliances, Waste Oil and Yard Waste.** Occupants of single family and 2 to 4 unit residences, 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 returned to the retailer whom sold the replacement battery or contact Columbia County Solid Waste Department.
  - (2) Major appliances shall be traded into the appliance dealer or contact Columbia County Solid Waste Department for proper disposal options.
  - (3) Waste oil shall be dropped off at the Highway 16 recycling center or your local oil recycling facility.
  - (4) Yard waste shall be composted on site or leaves and grass clippings can be composted at an approved central location.

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- (1) **Preparation and Collection of Recyclable Materials.** Except as otherwise directed by Columbia County Responsible Unit, occupants of single family and 2 to 4 unit residences shall do the following for the preparation and collection of the separated materials specified in Sec. 43.08 (5) through (15), Wis. Stats.:
- (1) Aluminum containers shall be cleaned and/or rinsed and drain off all liquids. Put into the proper container provided at a drop off site or put out for curbside collection, as required by local ordinance.
  - (2) Bi-metal containers shall be cleaned and/or rinsed and drain off all liquids. Put into the proper container provided at a drop off site or put out for curbside collection, as required by local ordinance.
  - (3) Corrugated paper or other container board shall be flattened, remove any wax or plastic liners. Put into the proper container provided for cardboard at a drop off site or put out for curbside collection, as required by local ordinance.
  - (4) Foam polystyrene packaging shall be put into the proper container provided for plastic at a drop off site or put out for curbside collection, as required by local ordinance.
  - (5) Glass containers shall be "CLEAR, BROWN, or GREEN" bottles and jars, separate by color and remove lids and caps and put in trash, labels can remain. Put into the proper container provided for glass at a drop off site or put out for curbside collection, as required by local ordinance.
  - (6) Magazines shall be clean and dry, and put into the proper container provided for paper at a drop off site or put out for curbside collection, as required by local ordinance.
  - (7) Newspaper consists of newspaper, non-corrugated cardboard and mixed paper; clean paper, no wax coated, carbon or tissue paper. Put into the proper container provided at a drop-off site or put out for curbside collection, as required by local ordinance.
  - (8) Office paper shall be clean, no carbon or tissue paper, put into the proper container provided at a drop off site or put out for curbside collection, as required by local ordinance.
  - (9) Rigid plastic containers shall be prepared and collected as follows:
    - a. Plastic containers made of PETE, including soda and liquor bottles, etc., labeled with SPI Code #1 shall have caps removed and rinsed and put into the proper container provided for plastic at a drop-off site or put out for curbside collection, as required by local ordinance.
    - b. Plastic containers made of HDPE, including milk jugs, laundry bottles, household bottles, labeled with SPI code #2, NO PESTICIDE CONTAINERS. Bottles shall have caps removed, be rinsed, put into the proper containers provided for plastic at a drop-off site or put out for

- curbside collection, as required by local ordinance.
        - c. Plastic containers made of PVC, identified with the SPI Code #3. After January 1, 1996, put into the proper containers provided for plastic at drop-off sites.
        - d. Plastic containers made of LDPE, identified with the SPI Code #4. After January 1, 1996, put into the proper containers provided for plastic at drop-off sites.
        - e. Plastic containers made of PP, identify with the SPI Code #5. After January 1, 1996, put into the proper containers provided for plastic at drop-off sites.
        - f. Plastic containers made of PS, identify with the SPI Code #6. After January 1, 1996, put into the proper containers provided for plastic at drop-off sites.
        - g. Plastic containers made of other resins or multiple resins, identify with the SPI Code #7. After January 1, 1995, put into the proper containers provided for plastic at drop-off sites.
  - (10) Steel containers shall be rinsed, labels removed, and put into the proper containers provided at drop-off sites or put out for curbside collection, as required by local ordinance.
  - (11) Waste tires shall be left with the retailer who sold the replacement tires, or contact the Columbia County Solid Waste Department.
- (m) **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. 43.08 (5) through (15), Wis. Stats.:
    - a. Provide adequate, separate containers for the recyclable materials.
    - b. Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program.
    - c. Provide for the collection of the materials separated from the solid waste by the tenants and the delivery of the materials to a recycling facility.
    - d. Notify tenants of reasons to reduce and recycle solid waste, which materials are collected, how to prepare the materials in order to meet the 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 multiple-family dwellings if the postconsumer 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 Sec. 43.08 (5)



through (15), Wis. Stats., from solid waste in as pure a form as is technically feasible.

(n) **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 to recycle the materials specified in Sec. 43.08 (5) through (15), Wis. Stats.
- 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 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. 43.08 (5) through (15), Wis. Stats., from solid waste in as pure a form as is technically feasible.

(o) **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 Sec. 43.08 (5) through (15), Wis. Stats., which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

(p) **Statutory Authority.** This ordinance is adopted as authorized under s. 159.09 (3)(b), Wis. Stats.

(q) **Enforcement.**

- (1) For the purpose of ascertaining compliance with the provision of this ordinance, any authorized officer or representative of Columbia County Solid Waste Department 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 any authorized officer or authorized representative of the Columbia County Solid Waste Department 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 Columbia County Corporation Counsel or Columbia County Solid Waste Director to collect forfeitures. 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 the issuance of a citation under this paragraph.
- (3) Penalties for violating this ordinance are listed in the penalty section of the Columbia County Code of Ordinances.

## Chapter 3

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# Composting

### 13-3-1 Composting

#### **Sec. 13-3-1 Composting.**

Columbia County shall compost municipal solid waste at its processing site located at W7465 Highway 16, Pardeeville.

Upon recommendation of the Solid Waste Committee, a tipping fee for garbage brought to the facility will be determined by the County Board. No hazardous waste will be accepted at the site, except for collection during a Clean Sweep or similar program.

## Chapter 4

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# Prohibit Hazardous Solid Waste

**13-4-1** Prohibit Hazardous Solid Waste

**13-4-2** Enforcement

### **Sec. 13-4-1 Prohibit Hazardous Solid Waste.**

- (a) The Columbia County Solid Waste Department shall not accept Hazardous Solid Waste for disposal at the recycling/co-composting facility, except for collection during a Clean Sweep or similar program.
- (b) Haulers of solid waste who fail to abide by the facility's restriction and create potential liability to the county by delivery of hazardous waste to the facility will be subject to enforcement or fine.
- (c) The Columbia County Solid Waste Department will accept only "non-hazardous solid waste" at its recycling/co-composting facility (non-hazardous waste as defined under Department of Natural Resources Regulation NR600.03 [146]).

### **Sec. 13-4-2 Enforcement.**

- (a) Haulers who intentionally or negligently deliver hazardous waste to the facility will be responsible for the costs associated with any environmental damage, removal of said hazardous material, and any and all penalties and/or civil forfeitures which may be assessed.
- (b) Any person who violates this Chapter shall be fined as set forth in the Penalties Section. Each load of hazardous waste shall be considered a separate offense.