

## Title 8 ► Chapter 3

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# Refuse Disposal and Collection

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### **Sec. 8-3-1 Title.**

This Chapter shall be known as the Solid Waste Management Ordinance of the Village of Bangor, hereinafter referred to as this "Ordinance" or "Chapter."

*Cross-Reference:* Title 8, Chapter 4 Recycling.

### **Sec. 8-3-2 Purpose.**

- (a) The purpose of this Chapter shall be to maintain and protect public health and sanitation by removal of garbage, rubbish, and other waste material generated in the in the Village of Bangor, to eliminate dispersal of garbage, waste, and other waste material along the streets, roads, and other public and private properties in and near the Village of Bangor.

- (b) The Village Board further finds and ordains that:
- (1) Improper disposal of household sharp medical waste, such as hypodermic needles, poses a significant health risk to workers in the waste disposal industry;
  - (2) Safe disposal of household sharp medical waste is possible through inexpensive, easily obtained means, without posing an undue burden on users of household sharp medical waste; and
  - (3) Removal of household sharp medical waste from the Village's waste stream is beneficial to residents of the Village as well as the Village's waste hauler and users of County landfills.

### **Sec. 8-3-3 Definitions.**

- (a) The following definitions shall be applicable in this Chapter:
- (1) **Collector/Hauler.** The designated contractor or entity chosen by the Village Board to handle, transport, and dispose of the residential solid waste, recyclables and non-recyclables generated in the Village, or, person or persons contracting with waste generators for these services, and will enforce preparation standards for recyclable materials as well as ensure community compliance with this source separation recycling program.
  - (2) **Commercial Waste.** Waste of whatever material generated by any industrial or business establishment where any trade, occupation, industry or commerce is conducted.
  - (3) **Corrugated Cardboard.** Heavy duty Kraft paper packaging material with a corrugated medium between two (2) flat paper liners, and does not include paperboard such as for cereal or laundry detergent boxes or holders for six-packs or twelve-packs of beverage cans or bottles.
  - (4) **Curb.** The back edge or curb and gutter along a paved street or where one would be if the street was paved and had curb and gutter.
  - (5) **Deciduous Material.** Yard wastes such as leaves, grass clippings, flowers and other similar vegetation, but specifically excludes sod, dirt, twigs, fruit, vegetables and other similar material. Also included are clean woody vegetative material no greater than six (6) inches in diameter and holiday trees, but does not include tree stumps, extensive root systems or shrubs with intact root balls.
  - (6) **Demolition Wastes.** That portion of solid waste from the repair, remodeling construction or reconstruction of buildings, such as lumber, roofing and sheathing scraps, rubble, broken concrete, asphalt, plaster, conduit, pipe, wire, insulation, and other materials resulting from the demolition of buildings and improvements.
  - (7) **Dwelling Unit.** A place of habitation occupied by a normal single-family unit or a combination of persons who may be considered as equivalent to a single-family unit for the purposes of this Chapter.

- (8) **Garbage.** Discarded materials resulting from the handling, processing, storage and consumption of food.
- (9) **Glass.** Glass bottles, jars and containers and does not include window glass, drinking glasses, pyrex, light bulbs or other non-container glass.
- (10) **Good Faith.** Reasonable efforts to adhere to the policies, standards and rules of this mandatory source separation recycling program.
- (11) **Hazardous Waste or Hazardous Substance.** Those wastes or substances defined as such in NR 181, Wis. Adm. Code (including all amendments provided thereto) as provided therein pursuant to Sec. 144.62, Wis. Stats., or other acts pursuant to authority vested in the Wisconsin Department of Natural Resources to describe and list materials as such and also includes the meaning of "hazardous waste" or "hazardous substance" as described herein. Those solid wastes or substances found in household waste [notwithstanding the household waste exclusion provided in NR 181.12(4)(a), Wis. Adm. Code].
- (12) **Household Sharp Medical Waste.** Any type of product capable of puncturing or lacerating the skin that is designed or used to treat, diagnose, or prevent a disease or medical condition, including, but not limited to, scalpels and hypodermic needles.
- (13) **Multi-Family Dwelling.** A residential building intended to be the residence of four (4) or more independent family units.
- (14) **Non-recyclable Material.** All items of waste not recyclable except hazardous waste or hazardous substances.
- (15) **Other Paper.** All paper excluding newsprint materials or materials specifically excepted in the definition of "newsprint" and "corrugated cardboard," but shall include grades of fiber materials with available markets for recycling.
- (16) **Oversize and Bulky Waste.** Large items such as furniture, mattresses, carpeting, construction or demolition materials of substantial dimensions, brush and other large items whose proportions are not easily reduced.
- (17) **Person.** Any individual, corporation, organization, association, local governmental unit, as defined in Sec. 66.229(1), Wis. Stats., state agency or authority or federal agency.
- (18) **Refuse.** Combustible and non-combustible materials including, but not limited to: paper products, wood, metal, glass, cloth and products thereof in unrecoverable condition; litter and street rubbish not including yard waste; uncontaminated ashes; and building materials such as wood, concrete, glass, plaster and other intermixed materials produced in construction or demolition of structures. "Refuse" for purposes of this Chapter shall not include "oversize or bulky waste".
- (19) **Residential Solid Waste.** All solid waste that normally originates in a residential environment from residential dwelling units.
- (20) **Residential Unit.** Each living unit in the Village of Bangor designed for permanent living quarters, including single-family dwellings and units in duplexes, tri-plexes, and multi-family units and each unit in a residential condominium project.

- (21) **Scavenging.** The uncontrolled and unauthorized removal of materials at any point in solid waste management.
- (22) **Sharps Container.** A container specifically manufactured for the disposal of sharp medical waste.
- (23) **Solid Waste.** Garbage, refuse and all other discarded or salvageable solid materials, including solid waste materials, resulting from industrial, commercial and agricultural operations, and from community activities, but does not include solids or dissolved material in waste water effluents or other common water pollutants.
- (24) **Solid Waste Storage.** Safe, environmentally sound short-term containment of materials and for recyclables shall involve preserving materials in a condition meeting preparation standards.
- (25) **Tires.** For collection purposes shall mean rubber tires, from automobiles and light trucks, and other tires whose size is less than 1100 x 24.5, which are removed from rims.

### **Sec. 8-3-4 Public Collection Service Standards.**

- (a) **Collection Service Provided.** The Village of Bangor shall provide a regular scheduled collection for residential garbage and rubbish generated within the Village of Bangor corporate limits utilizing a designated hauler. Commercial and industrial users are responsible for securing their own refuse collection services.
- (b) **Collection Schedule.** The Village Board shall establish the date(s) of collection of garbage and rubbish. The Village Administrator shall publish the collection schedule at least once per year and, in addition, at any time the schedule is changed.
- (c) **Placing Solid Waste for Collection.**
  - (1) Except as otherwise specifically directed or authorized by the Village Board or its collector pursuant to this Chapter, solid waste containers/bags from all residential premises shall be placed at the curb line adjacent to the street designated in the collection schedule. Containers/bags of solid waste from all commercial, industrial, school or church premises shall be placed to the rear of the premises adjacent to the public alley or, if there is no public alley, the same shall be placed at the curb line adjacent to the street over which residential collections are made.
  - (2) The Village Board may direct or authorize the placing of solid waste containers/bags in a manner different than that provided herein in order to facilitate a more reasonable or cost-effective mode of collection for a particular premises or class of users.
  - (3) No person shall place for collection any solid waste at the curb line or alley adjacent to any premises not owned or occupied by such person.
  - (4) No person shall place any refuse or garbage on any street, alley, sidewalk or other public or private property unless the same shall be placed in authorized containers or bags for Village-authorized collection at the times and manner as herein provided.

- (d) **Special Collections for Violations.** The Village Board may authorize the collection of any garbage or rubbish which have been left at the curb or within the street right-of-way for more than twenty-four (24) hours, or non-permitted items which have been improperly left for collection, the cost of which shall be paid by the resident or property owner.

### **Sec. 8-3-5 Hospital/Medical Wastes.**

(a) **Household Sharp Medical Waste Disposal.**

- (1) Household sharp medical waste shall not be deposited in any other place or manner in the Village of Bangor than as hereinafter provided.
- (2) Acceptable means of disposing of household sharp medical waste include:
  - a. Disposal in an approved medical waste box, such as a Sharps container; or
  - b. Disposal in a heavy plastic container, such as a laundry soap bottle, providing that the lid is permanently affixed thereto using tape or another means, and the container is marked "Medical Waste: Do Not Open."

(b) **Collector to Refuse Pickup of Non-Conforming Household Sharp Medical Waste.**

The Village's collector shall refuse to pick up any solid waste or recyclables containing household sharp medical waste not separately contained and prepared as provided in this Section.

### **Sec. 8-3-6 Building Waste.**

All demolition waste resulting from remodeling, construction, or removal of a building, roadway, or sidewalk shall be disposed of by the owner, builder, or contractor. Building materials of any kind will not be disposed of by the Village or its collection service.

### **Sec. 8-3-7 Alteration of Recyclable Materials.**

It shall be unlawful to intentionally alter recyclable materials so as to render them as nonrecyclable material.

### **Sec. 8-3-8 Collection of Refuse.**

(a) **Placement for Collection.**

- (1) Residential solid waste shall be accessible to collection crews. Residential solid waste in approved containers/bags shall be placed immediately behind the curb of the public

street for collection or containers/bags shall be placed immediately adjacent to the alley if premises abut on an alley. Bulky wastes from residential units shall likewise be placed in neat, orderly fashion behind the curb. During winter months, collectable waste shall not be placed on top of the snow bank, nor shall it be placed in the roadway. The owner shall either shovel out an area behind the curb or street pavement edge in which to place his/her wastes or he/she shall place it in his/her driveway. Collection crews will not collect residential solid waste unless it is placed at the curb of a public street.

- (2) No garbage containers or bags for refuse other than those Village-authorized shall be kept or stored within the right-of-way of a street or alley; provided, however, that the Village Board may authorize the location of such containers within the public right-of-way at specified places and times when such location is necessary for the expeditious collection and disposition of refuse.
- (b) **Ashes.** Cold, completely extinguished ashes may be left for collection in cardboard containers.
- (c) **Restriction on Time of Placement.**
- (1) Receptacles, containers and/or bags for refuse and rubbish shall be placed in collection locations as designated in Subsection (a) above prior to 8:00 a.m. of the scheduled collection day, but not more than twenty-four (24) hours prior to such time.
  - (2) All receptacles, bags and containers for refuse and garbage disposal shall be removed from the curbside collection point within twenty-four (24) hours after the regular collection time.
  - (3) Village employees or employees of licensed collectors will not enter any structures to remove garbage or refuse, except by written agreement with the property owner.
  - (4) If the scheduled collection day falls on a holiday, collection will be on the following scheduled working day.
  - (5) Special collections may be made if ordered by the Village Board and will be billed to the owner.

### **Sec. 8-3-9 Garbage Accumulation; When a Nuisance.**

The accumulation or deposit of garbage, trash, or putrescible animal or vegetable matter in or upon any lot or land or any public or private place within the Village 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 animals, or which otherwise becomes injurious to the public health, is prohibited and declared to constitute a nuisance. Refuse areas shall be kept in a nuisance-and odor-free condition. Refuse shall not be allowed to accumulate. Violation will result in the occupant and/or owner being notified to clean up his area, with continued violations resulting in the owner being prosecuted under provisions of this and other Village of Bangor ordinances.

**Sec. 8-3-10 Improper Placement.**

No person shall deposit, throw, or place any garbage, offal, dead animals, combustible refuse or other deleterious matters in any park, lane, alley, street, public grounds, or public place within the Village, nor place any garbage, offal, dead animals or other refuse matter upon any private property not owned by such person without such person's consent. If not deemed noncollectible, these materials may be placed for collection on the owner's property if the same is enclosed in proper bags or containers which shall be watertight and kept so with tightly fitting covers.

**Sec. 8-3-11 Interference with Authorized Collector.**

No person other than an authorized collector shall collect or interfere with any waste 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 manner interfere with any authorized garbage collector in the discharge of his/her duties.

**Sec. 8-3-12 Condominiums and Multi-Family Dwellings.**

- (a) Each condominium association in the Village of Bangor shall be responsible for establishing compliance with this Chapter by the owner of each condominium unit, and shall submit its plan for compliance to the Village for approval and shall submit for approval of the Village any changes in such plan. Such plan may provide for the purposes of this Chapter. Each condominium unit shall be treated the same as a single residential dwelling or the entire condominium shall be treated for such purposes as a multi-family dwelling. In approving such a plan, the Village shall consider which plan under the circumstances would better promote the purpose of this Chapter.
- (b) Each owner of a multi-family building, with the consent of the Village, shall have the option of treating each unit within said building as a single-family residence or comply with the requirements of this Chapter, except that duplexes shall be treated as two (2) single-family residences.

**Sec. 8-3-13 Commercial Buildings.**

The owners of commercial, retail, industrial and governmental facilities shall be responsible for securing their own collection services and shall provide adequate separate containers for the disposal of recyclable materials as defined herein and shall regularly notify all users of said premises of such facilities, including employees, agents and customers of county and municipal recycling requirements.

### **Sec. 8-3-14 Agricultural Operations.**

Nothing in this Chapter is intended to apply to the disposal of or the accumulation of agricultural or farm wastes, products or feed accumulated upon property used in the ordinary course of farming.

### **Sec. 8-3-15 Federal and State Regulations.**

It is expected that from time to time federal and state statutes and regulations will require that items other than the items which have been deemed to be recyclable herein shall be recycled. In such event, this Chapter shall be deemed to include and shall require such other items to be recyclable hereunder.

### **Sec. 8-3-16 Violations and Enforcement.**

- (a) **Violations.** Any person who shall violate any prohibition of this Chapter, including, but not limited to, improper placement of refuse or rubbish containing recyclables contrary to Code requirements, shall be subject to forfeiture(s) as provided in Section 1-1-6 for each violation, together with any penalty assessments, costs of prosecution and/or court costs as permitted by law. In addition, collection of violating materials can be refused and the Village may direct the removal of items placed or stored in violation of Village ordinances, with the costs thereof assessed as a special charge against the property owner. Each day or incident of violation shall be deemed a separate offense and each such separate offense subject to the penalties herein. The Village of Bangor may seek to enforce the penalties under Section 1-1-6 and any other applicable provisions of this Code of Ordinances or as provided by state law.
- (b) **Enforcement.** For the purpose of ascertaining compliance with the provisions of this Chapter, any authorized official, employee or representative of the Village of Bangor may inspect refuse or recyclable materials separated for recycling, postconsumer waste intended for disposal, collection areas of multi-family dwellings and non-residential properties and facilities. No person shall refuse access to any authorized official, employee or representative of the Village of Bangor who request access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper or interfere with such an inspection.

### **Sec. 8-3-17 Special Collections for Violations.**

If any entity, including those receiving collection from a private firm, is found in violation of the collection and storage requirements of this Chapter or Title 8, Chapter 4 and fails to comply with



a notification and/or requirements of this Chapter or Title 8, Chapter 4 and fails to comply with a notification and/or citation, the Village Board or its designee shall be empowered to order a special collection to remove such violation. The person shall be notified of such special collection and the charges therefor. The special collection shall be made, and if billing plus Fifty Dollars (\$50.00) is unpaid, the bill shall be considered a lien on the property and shall be placed on the tax bill. A person shall not use the special collection provision of this Chapter to circumvent requirements for collection by a private firm.

