

ORDINANCE # 4846  
RECYCLING ORDINANCE

AN ORDINANCE CREATING A RECYCLING CODE  
OF THE VILLAGE OF ARPIN

THE VILLAGE BOARD OF THE VILLAGE OF ARPIN, DO ORDAIN AS FOLLOWS:

1.01 TITLE. RECYCLING ORDINANCE FOR THE VILLAGE OF ARPIN, ORDINANCE #  
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1.02 FINDINGS AND DECLARATION OF PURPOSE. THE VILLAGE BOARD OF THE VILLAGE OF ARPIN HEREBY FINDS AND DETERMINES THAT: THERE IS AN INCREASING NECESSITY TO CONSERVE NATURAL RESOURCES IN LANDFILL SPACE AND TO PROMOTE RECYCLING AS MANDATED BY STATE LAW. IN THE AGE OF SHORTAGES, CONSERVATION OF RECYCLABLE MATERIAL IS AN IMPORTANT PUBLIC CONCERN. IT IS THE PURPOSE OF THIS CODE TO PROMOTE RECYCLING, COMPOSTING, AND RESOURCE RECOVERY THROUGH THE ADMINISTRATION OF A MANDATORY RECYCLING PROGRAM, AS PROVIDED IN s. 159.11, WISCONSIN STATUTES, AND CHAPTER NR 544, WISCONSIN ADMINISTRATIVE CODE, BY THE VILLAGE OF ARPIN IN ORDER TO PROTECT AND PROMOTE THE PUBLIC HEALTH, SAFETY, AND WELFARE.

1.03 STATUTORY AUTHORITY. THIS ORDINANCE IS ADOPTED AS AUTHORIZED UNDER s. 159.09(3)(b), WISCONSIN STATUTES.

1.04 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 RESTRICTIONS, THE PROVISIONS OF THIS ORDINANCE SHALL APPLY.

1.05 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, WISCONSIN 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.

1.06 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.

1.07 APPLICABILITY. THE REQUIREMENTS OF THIS ORDINANCE APPLY TO ALL PERSONS WITHIN THE BOUNDARIES OF THE VILLAGE OF ARPIN.



1.08 ADMINISTRATION. THE PROVISIONS OF THIS ORDINANCE SHALL BE ADMINISTERED BY THE VILLAGE BOARD OF THE VILLAGE OF ARPIN.

1.09 EFFECTIVE DATE. THE PROVISIONS OF THIS ORDINANCE SHALL TAKE EFFECT ON AUGUST 1, 1994.

1.10 DEFINITIONS. FOR THE PURPOSE OF THIS ORDINANCE THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANINGS ASCRIBED TO THEM IN THIS SECTION:

(1) "ALUMINUM CANS" SHALL INCLUDE USED BEVERAGE CANS ONLY.

(2) "BAGS" SHALL BE CLEAR, COLORLESS PLASTIC BAGS DESIGNATED FOR REFUSE; WITH SUFFICIENT WALL STRENGTH TO MAINTAIN PHYSICAL INTEGRITY WHEN LIFTED BY TOP. WITH A CAPACITY NOT TO EXCEED THIRTY GALLONS AND A LOADED WEIGHT OF NO MORE THAN FIFTY POUNDS.

(3) "CONTAINER GLASS" SHALL INCLUDE CONTAINER GLASS ONLY. GLASS DOES NOT INCLUDE CERAMIC CUPS, DISHES, OVENWARE, PLATE GLASS, SAFETY AND WINDOW GLASS, HEAT RESISTANT GLASS SUCH AS PYREX, LEAD-BASED GLASS SUCH AS CRYSTAL, OR TV TUBES.

(4) "BI-METAL CONTAINER" MEANS A CONTAINER FOR CARBONATED OR MALT BEVERAGES THAT IS MADE PRIMARILY OF A COMBINATION OF STEEL AND ALUMINUM.

(5) "CORRUGATED CARDBOARD" SHALL INCLUDE CORRUGATED CARDBOARD ONLY. DOES NOT INCLUDE WAXED CARDBOARD OR CHIPBOARD SUCH AS CEREAL BOXES, SHOE BOXES, AND SIMILAR MATERIALS.

(6) "HDPE" MEANS HIGH DENSITY POLYETHYLENE PLASTIC CONTAINERS MARKED BY THE SPI CODE NO. 2.

(7) "LDPE" MEANS LOW DENSITY POLYETHYLENE PLASTIC CONTAINERS MARKED BY THE SPI CODE NO. 4.

(8) "MAGAZINES" MEANS MAGAZINES AND OTHER MATERIALS PRINTED ON SIMILAR PAPER.

(9) "MAJOR APPLIANCE" MEANS A RESIDENTIAL OR COMMERCIAL AIR CONDITIONER, CLOTHES DRYER, CLOTHES WASHER, DISHWASHER, FREEZER, OVEN, MICROWAVE OVEN, FURNACES, BOILERS, DEHUMIDIFIERS, WATER HEATERS, REFRIGERATOR OR STOVE.

(10) "MIXED OR OTHER PLASTIC RESIN TYPES" MEANS PLASTIC CONTAINERS MARKED BY THE SPI CODE NO. 7.

(11) "MIXED PAPERS" SHALL INCLUDE ALL GRADES OF PAPERS: INCLUDING WHITE, COLORED, LEDGER, SHINY, COATED, CARBONLESS OR NCR PAPERS; ENVELOPES, INCLUDING WINDOWED, LABELED, AND KRAFT; MAGAZINES, PHONE BOOKS COMPUTER PRINT OUT PAPER, GLUED PADS AND TABLETS, FILE FOLDERS, KEY PUNCH CARDS, SPIRAL NOTEBOOKS, CEREAL BOXES, SHOE BOXES, ETC. CAN

INCLUDE PAPER CLIPS AND STAPLES. DOES NOT INCLUDE HAND TOWELS OR OTHER PAPER PRODUCTS FROM RESTROOMS, OR SOILED NAPKINS AND PAPER PLATES. ALSO DOES NOT INCLUDE CARBON PAPER, CELLOPHANE, OR ANY WAXED PAPER.

(12) "MULTIPLE FAMILY DWELLING" MEANS A PROPERTY CONTAINING FIVE (5) OR MORE RESIDENTIAL UNITS, INCLUDING THOSE WHICH ARE OCCUPIED SEASONALLY.

(13) "NEWSPAPERS" SHALL INCLUDE NEWSPAPERS AND NEWSPAPER ADVERTISEMENTS. DOES NOT INCLUDE CATALOGUES, MAGAZINES, CARDBOARD, OR OTHER PAPER PRODUCTS.

(14) "NON-RESIDENTIAL FACILITIES AND PROPERTIES" MEANS COMMERCIAL, RETAIL, INDUSTRIAL, INSTITUTIONAL AND GOVERNMENTAL FACILITIES AND PROPERTIES. THIS TERM DOES NOT INCLUDE MULTIPLE FAMILY DWELLINGS.

(15) "OFFICE PAPER" MEANS HIGH GRADE PRINTING AND WRITING PAPERS FROM OFFICES IN NON-RESIDENTIAL FACILITIES AND PROPERTIES.

(16) "PERSON" INCLUDES ANY INDIVIDUAL, CORPORATION, PARTNERSHIP, ASSOCIATION, LOCAL GOVERNMENTAL UNIT, AS DEFINED IN s.66.229(1)(a), WISCONSIN STATUTES, STATE AGENCY OR AUTHORITY, OR FEDERAL AGENCY.

(17) "PETE" MEANS POLYETHYLENE TEREPHTHALATE PLASTIC CONTAINERS MARKED BY THE SPI CODE NO. 1.

(18) "PLASTIC BOTTLES" SHALL INCLUDE ONLY PLASTIC BOTTLES CLEARLY MARKED WITH THE RECYCLING EMBLEM, ENCIRCLING THE #1 (PET OR PETE) OR THE #2 (HDPE). DOES NOT INCLUDE MOTOR OIL BOTTLES, EVEN IF THEY ARE LABELED #1 OR #2.

(19) "PS" MEANS POLYSTYRENE PLASTIC CONTAINERS MARKED BY THE SPI CODE NO. 6.

(20) "PVC" MEANS POLYVINYL CHLORIDE PLASTIC CONTAINERS MARKED BY THE SPI CODE NO. 3.

(21) "POSTCONSUMER WASTE" MEANS SOLID WASTE OTHER THAN SOLID WASTE GENERATED IN THE PRODUCTION OF GOODS, HAZARDOUS WASTE, AS DEFINED IN s.144.44(7)(a)1., WISCONSIN STATUTES.

(22) "RECYCLABLE MATERIALS" INCLUDES LEAD ACID BATTERIES; MAJOR APPLIANCES; WASTE OIL; YARD WASTE; ALUMINUM CANS; CONTAINER GLASS; CORRUGATED CARDBOARD; MIXED PAPERS; NEWSPAPERS; #1 THROUGH #7 PLASTICS; TIN CANS; AND WASTE TIRES.

(23) "SOLID WASTE" HAS THE MEANING SPECIFIED IN s.144.01(15), WISCONSIN STATUTES.

(24) "SOLID WASTE FACILITY" HAS THE MEANING SPECIFIED IN a.144.43(5), WISCONSIN STATUTES.



(25) "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.

(26) "TIN CANS" SHALL INCLUDE TIN COATED METAL CANS, AND STEEL CONTAINERS.

(27) "WASTE TIRE" MEANS A TIRE THAT IS NO LONGER SUITABLE FOR ITS ORIGINAL PURPOSE BECAUSE OF WEAR, DAMAGE OR DEFECT.

(28) "YARD WASTE" MEANS LEAVES, GRASS CLIPPINGS, YARD AND GARDEN DEBRIS, AND BRUSH, INCLUDING CLEAN WOODY VEGETATIVE MATERIAL NO GREATER THAN SIX (6) INCHES IN DIAMETER. THIS TERM DOES NOT INCLUDE STUMPS, ROOTS OR SHRUBS WITH INTACT ROOT BALLS.

**1.11 SEPARATION OF RECYCLABLE MATERIALS. (A) OCCUPANTS OF SINGLE FAMILY AND TWO TO FOUR UNIT RESIDENCES, MULTIPLE FAMILY DWELLINGS AND NON-RESIDENTIAL FACILITIES AND PROPERTIES SHALL SEPARATE THE FOLLOWING MATERIALS FROM POSTCONSUMER WASTE:**

- (1) ALUMINUM CANS
- (2) CONTAINER GLASS
- (3) CORRUGATED CARDBOARD
- (4) MIXED PAPERS
- (5) NEWSPAPERS
- (6) #1 AND #2 PLASTIC BOTTLES
- (7) TIN CANS
- (8) WASTE TIRES
- (9) MAJOR APPLIANCES
- (10) WASTE OIL
- (11) LEAD ACID BATTERIES
- (12) YARD WASTE

**(B) THE VILLAGE BOARD OF THE VILLAGE OF ARPIN RESERVES THE RIGHT TO DESIGNATE ADDITIONAL SOLID WASTE MATERIALS AS RECYCLABLE, OR CURRENTLY COLLECTED MATERIALS AS NO LONGER RECYCLABLE IN ACCORDANCE WITH STATE LAW AND TO EITHER ADD OR DELETE THEM FROM ANY COLLECTION SERVICES PROVIDED BY THE VILLAGE OR ITS CONTRACTORS. THE VILLAGE OF ARPIN SHALL PROVIDE WRITTEN NOTICE TO SERVICE RECIPIENTS OF THIS DECLARATION.**

**1.12 SEPARATION OF RECYCLING MATERIALS EFFECTIVE JANUARY 1, 1996. EFFECTIVE JANUARY 1, 1996 OCCUPANTS OF SINGLE FAMILY AND TWO TO FOUR UNIT RESIDENCES, MULTIPLE FAMILY DWELLINGS AND NON-RESIDENTIAL FACILITIES AND PROPERTIES SHALL SEPARATE THE FOLLOWING MATERIALS FROM POSTCONSUMER WASTE UNLESS A VARIANCE HAS BEEN GRANTED BY THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES:**

- (1) FOAM POLYSTYRENE PACKAGING.
- (2) PLASTIC CONTAINERS MADE OF PETE #1 AND HDPE #2.
- (3) PLASTIC CONTAINERS OR BOTTLES MADE OF PVC #3, LDPE #4, PP #5, PS #6, AND MIXED OR OTHER PLASTIC RESIN TYPES #7.



**1.13 SEPARATION REQUIREMENTS EXEMPTED.** THE SEPARATION REQUIREMENTS OF s. 1.11 AND 1.12 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 s. 1.11 AND s. 1.12 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 s. 1.11 AND s. 1.12 FOR WHICH A VARIANCE HAS BEEN GRANTED BY THE DEPARTMENT OF NATURAL RESOURCES UNDER ss. 159.07 (7) (d) OR 159.11(2m), WISCONSIN STATUTES, OR s. NR 544.14, WISCONSIN ADMINISTRATIVE CODE.

**1.14 CARE OF RECYCLABLE MATERIALS.** TO THE GREATEST EXTENT PRACTICABLE, THE RECYCLABLE MATERIALS SEPARATED IN ACCORDANCE WITH s. 1.11 AND s. 1.12 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.

**1.15 MANAGEMENT OF LEAD ACID BATTERIES, MAJOR APPLIANCES, WASTE OIL AND YARD WASTE.** OCCUPANTS OF SINGLE FAMILY AND TWO TO FOUR UNIT RESIDENCES, MULTIPLE-FAMILY DWELLINGS AND NON-RESIDENTIAL FACILITIES AND PROPERTIES SHALL MANAGE LEAD ACID BATTERIES, MAJOR APPLIANCES, WASTE OIL, AND YARD WASTE, AND WASTE TIRES AS FOLLOWS:

(1) MAJOR APPLIANCES SHALL BE RECYCLED AT A RETAIL BUSINESS THAT SELLS APPLIANCES AND ACCEPTS USED APPLIANCES FOR THE PURPOSE OF RECYCLING, OR AT A SOLID WASTE FACILITY SUCH AS TORK LANDFILL OR VALLEY SANITATION THAT ACCEPTS APPLIANCES FOR THE PURPOSE OF RECYCLING. ANY FEE IMPOSED FOR THE RECYCLING OF USED APPLIANCES SHALL BE THE RESPONSIBILITY OF THE GENERATOR.

(2) LEAD ACID BATTERIES SHALL BE RECYCLED AT A RETAIL BUSINESS THAT SELLS LEAD ACID BATTERIES AND ACCEPTS USED BATTERIES FOR THE PURPOSE OF RECYCLING, OR AT A SOLID WASTE FACILITY SUCH AS TORK LANDFILL OR VALLEY SANITATION. ANY FEE IMPOSED FOR THE RECYCLING OF USED BATTERIES SHALL BE THE RESPONSIBILITY OF THE GENERATOR.

(3) WASTE OIL SHALL BE RECYCLED AT A RETAIL BUSINESS THAT SELLS OIL OR AUTOMOTIVE PRODUCTS AND ACCEPTS OIL FOR THE PURPOSE OF RECYCLING, AT AN OIL REFINERY SUCH AS ROCK OIL REFINERY, OR AT A SOLID WASTE FACILITY SUCH AS VALLEY SANITATION. ANY FEE IMPOSED FOR THE RECYCLING OF USED OIL SHALL BE THE RESPONSIBILITY OF THE GENERATOR.



(4) YARD WASTE SHALL EITHER BE HOME COMPOSTED USING AN EFFECTIVE BACKYARD COMPOST SYSTEM, OR TRANSPORTED TO THE VILLAGE COMPOST SITE. NO YARD WASTE SHALL BE DISPOSED OF AS GENERAL WASTE.

(5) WASTE TIRES SHALL BE RECYCLED AT A RETAIL BUSINESS THAT SELLS TIRES OR AUTOMOTIVE PRODUCTS AND ACCEPTS WASTE TIRES FOR THE PURPOSE OF RECYCLING, OR AT A SOLID WASTE FACILITY SUCH AS VALLEY SANITATION. ANY FEE CHARGED FOR THE RECYCLING OF USED TIRES SHALL BE THE RESPONSIBILITY OF THE GENERATOR.

**1.16 PREPARATION AND COLLECTION OF RECYCLABLE MATERIALS.** EXCEPT AS OTHERWISE DIRECTED BY VILLAGE BOARD OF THE VILLAGE OF ARPIN, OCCUPANTS OF SINGLE FAMILY AND TWO TO FOUR UNIT RESIDENCES SHALL DO THE FOLLOWING FOR THE PREPARATION AND COLLECTION OF THE SEPARATED MATERIALS SPECIFIED IN s. 1.11(1) THROUGH (7):

(A) ALL RECYCLABLES SHALL BE COMMINGLED IN THE 18 GALLON RECYCLING BIN PROVIDED BY THE VILLAGE OF ARPIN AND PLACED CURBSIDE BY 7:00 A.M. ON THE SCHEDULED COLLECTION DAY.

- (1) ALUMINUM CANS SHALL BE EMPTY AND SHALL INCLUDE USED BEVERAGE CANS ONLY.
- (2) CONTAINER GLASS SHALL BE CLEANED, WITH CAPS AND NECK RINGS REMOVED. LABELS CAN REMAIN ON GLASS. GLASS MUST BE COLOR SEPARATED INTO CLEAR, BROWN, AND GREEN, PLACE BLUE GLASS WITH GREEN GLASS. GLASS SHOULD NOT BE BROKEN. GLASS DOES NOT INCLUDE CERAMIC CUPS, DISHES, OVENWARE, PLATE GLASS, SAFETY AND WINDOW GLASS, HEAT RESISTENT GLASS SUCH AS PYREX, LEAD-BASED GLASS SUCH AS CRYSTAL, OR TV TUBES.
- (3) CORRUGATED CARDBOARD SHALL BE CLEAN, AND MUST BE FLATTENED AND BUNDLED IN BUNDLES. DOES NOT INCLUDE WAXED CARDBOARD OR "CHIPBOARD" SUCH AS CEREAL BOXES, SHOE BOXES, AND SIMILAR MATERIALS.
- (4) MIXED PAPERS SHALL BE BUNDLED IN BUNDLES OR PLACED IN A BROWN PAPER GROCERY BAG. INCLUDES ALL GRADES OF PAPERS: INCLUDING WHITE, COLORED, LEDGER, SHINY, COATED, CARBONLESS OR NCR PAPERS; ENVELOPES, INCLUDING WINDOWED, LABELED, AND KRAFT; MAGAZINES, PHONE BOOKS, COMPUTER PRINT OUT PAPER, GLUED PADS AND TABLETS, FILE FOLDERS, KEYPUNCH CARDS, POST-IT NOTES, SPIRAL NOTEBOOKS, CEREAL BOXES, SHOE BOXES, ETC. CAN INCLUDE PAPER CLIPS AND STAPLES. DOES NOT INCLUDE HAND TOWELS OR OTHER PAPER PRODUCTS FROM RESTROOMS, OR SOILED NAPKINS AND PAPER PLATES. ALSO DOES NOT INCLUDE CARBON PAPER, CELLOPHANE, OR ANY WAXED PAPER.
- (5) NEWSPAPER SHALL BE BUNDLED IN BUNDLES OR PLACED IN A BROWN PAPER GROCERY BAG. INCLUDES NEWSPAPER AND NEWSPAPER ADVERTISEMENTS ONLY. DOES NOT INCLUDE CATALOGUES, MAGAZINES, CARDBOARD, OR OTHER PAPER PRODUCTS.



- (6) PLASTIC BOTTLES #1 AND #2 SHALL BE CLEARLY MARKED WITH THE RECYCLING EMBLEM, ENCIRCLING THE #1 (PET OR PETE) OR THE #2 (HDPE). DOES NOT INCLUDE MOTOR OIL BOTTLES, EVEN IF THEY ARE LABELED #1 OR #2. CAPS MUST BE REMOVED. LABELS CAN REMAIN ON PLASTIC. CLEAN AND FLATTEN ALL BOTTLES.
- (7) TIN CANS SHALL BE CLEAN, LABELS MUST BE REMOVED, BOTH ENDS MUST BE CUT OUT, AND CANS MUST BE FLATTENED. CUT OUT ENDS ARE RECYCLABLE. TIN CANS WITH "MOLDED OR ROUND BOTTOMS" CAN BE RECYCLED WITHOUT THE "MOLDED OR ROUND BOTTOM" REMOVED, PROVIDED THE CAN HAS BEEN RINSED AND LABELS HAVE BEEN REMOVED. INCLUDES TIN COATED METAL CANS AND STEEL CONTAINERS.

1.16(B) THE HAULER HAS THE RIGHT TO REJECT OR LEAVE AT THE CURB ANY RECYCLABLE MATERIAL THAT IS NOT PREPARED ACCORDING TO THE SPECIFICATIONS OF THIS ORDINANCE s.1.16(A)(1) THROUGH (7), OR IN EDUCATION MATERIALS PROVIDED BY THE CONTRACTOR OR THE VILLAGE OF ARPIN TO THE SERVICE RECIPIENTS. MATERIALS MAY ALSO BE REJECTED IF NOT SEPARATED FROM SOLID WASTE, PLACED IN THE PROPER CONTAINER, OR ARE NOT DESIGNATED RECYCLABLE MATERIALS FOR COLLECTION. THE HAULER ALSO HAS THE RIGHT TO REFUSE TO PICK UP ANY SOLID WASTE IF IT CONTAINS RECYCLABLE CONTAINERS AND MATERIALS. IN SUCH CASES, THE HAULER SHALL NOTIFY IN WRITING THE GENERATOR OF THE MATERIALS ABOUT THE REASONS FOR REJECTING THE ITEMS.

1.16(C) EFFECTIVE JANUARY 1, 1995 OCCUPANTS OF SINGLE FAMILY, TWO TO FOUR UNIT RESIDENCES AND OWNERS OF MULTIPLE FAMILY DWELLINGS AND NON-RESIDENTIAL FACILITIES AND PROPERTIES ARE REQUIRED TO USE CLEAR, COLORLESS PLASTIC GARBAGE BAGS AS DEFINED IN THIS ORDINANCE FOR THE COLLECTION OF SOLID WASTE. THE PURPOSE OF THE CLEAR BAGS IS FOR DETERMINING COMPLIANCE WITH THIS ORDINANCE.

**1.17 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 s. 1.11(1) THROUGH (7) AND s. 1.12(1) THROUGH (2):

(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 AND DELIVERY OF THE RECYCLABLE 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, 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 s. 1.11(1) THROUGH (7) AND s.1.12(1) THROUGH (2) FROM SOLID WASTE IN AS PURE A FORM AS IS TECHNICALLY FEASIBLE.

**1.18 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 s. 1.11(1) THROUGH (7), AND s. 1.12:

(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, 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 S. 1.11 (1) THROUGH (7) AND s. 1.12 FROM SOLID WASTE IN AS PURE A FORM AS IS TECHNICALLY FEASIBLE.

**1.19 PROHIBITIONS 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(1) THROUGH (8) OR s. 1.12 WHICH HAVE BEEN SEPARATED FOR RECYCLING, EXCEPT WASTE TIRES MAY BE BURNED WITH ENERGY RECOVERY IN A SOLID WASTE TREATMENT FACILITY.

**1.20 UNLAWFUL REMOVAL OF RECYCLABLES.** IT SHALL BE UNLAWFUL FOR ANY PERSON, UNLESS UNDER CONTRACT WITH OR LICENSED BY THE VILLAGE OF ARPIN, TO COLLECT OR REMOVE ANY RECYCLABLE MATERIAL THAT HAS BEEN DEPOSITED OR PLACED AT THE CURB FOR THE PURPOSES OF COLLECTION FOR RECYCLING.



**1.21 UNLAWFUL BURNING:** IT SHALL BE UNLAWFUL TO BURN OR BURY SOLID WASTE AND RECYCLABLES BY PERSONS ON RESIDENTIAL AND NON RESIDENTIAL PROPERTIES. OPEN BURNING SHALL BE PERMITTED ONLY OF CLEAN WOOD AND PAPER.

**1.22 ENFORCEMENT.** (1) ANY AUTHORIZED OFFICER, EMPLOYEE OR REPRESENTATIVE OF THE VILLAGE OF ARPIN 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 VILLAGE OF ARPIN 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 THE VILLAGE POLICE 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 MAY BE ASSESSED AS FOLLOWS:

(a) ANY PERSON OR LEGAL ENTITY VIOLATING ANY OF THE PROVISIONS OF THIS ORDINANCE SHALL UPON CONVICTION THEREOF FORFEIT NOT LESS THAN \$20.00 FOR THE FIRST VIOLATION, \$40.00 FOR THE SECOND VIOLATION WITHIN TWO YEARS, AND \$75.00 FOR A THIRD OR SUBSEQUENT VIOLATION WITHIN TWO YEARS, PLUS COSTS OF PROSECUTION, EACH DAY SUCH VIOLATION CONTINUING CONSTITUTING A SEPARATE OFFENSE AND IN DEFAULT CONSTITUTING A SEPARATE OFFENSE. IN DEFAULT OF PAYMENT OF FORFEITURE AND COSTS SHALL BE IMPRISONED IN THE WOOD COUNTY JAIL UNTIL PAYMENT OF SUCH FORFEITURES AND COSTS OF PROSECUTION, BUT NOT EXCEEDING THIRTY (30) DAYS FOR EACH VIOLATION OF THIS ORDINANCE.

ADOPTED THIS 19th DAY OF JULY, 1994.

PUBLISHED THIS 19th DAY OF JULY, 1994.

THE VILLAGE OF ARRIN

BY: [REDACTED]  
DANIEL VAN NATTA (PRESIDENT)

BY: [REDACTED]  
ROY VOIGHT (CLERK)