

ORDINANCE # 110
RECYCLING ORDINANCE

AN ORDINANCE CREATING A RECYCLING CODE
OF THE TOWN OF EAU PLEINE

THE TOWN BOARD OF THE TOWN OF EAU PLEINE, DO ORDAIN AS FOLLOWS:

1.01 TITLE. RECYCLING ORDINANCE FOR THE TOWN OF EAU PLEINE. ORDINANCE # 110.

1.02 FINDINGS AND DECLARATION OF PURPOSE. THE TOWN BOARD OF THE TOWN OF EAU PLEINE DETERMINES THAT: RECOVERY OF RECYCLABLE MATERIAL IS AN IMPORTANT PUBLIC CONCERN. THERE IS AN INCREASING NECESSITY TO CONSERVE NATURAL RESOURCES IN LANDFILL SPACE AND TO PROMOTE RECYCLING AS MANDATED BY STATE LAW. IT IS THE PURPOSE OF THIS CODE TO PROMOTE RECYCLING, COMPOSTING, AND RESOURCE RECOVERY THROUGH THE ADMINISTRATION OF AN EFFECTIVE RECYCLING PROGRAM, AS PROVIDED IN s. 159.11, WISCONSIN STATUTES, AND CHAPTER NR 544, WISCONSIN ADMINISTRATIVE CODE, BY THE TOWN OF EAU PLEINE 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 TOWN OF EAU PLEINE.

1.08 ADMINISTRATION. THE PROVISIONS OF THIS ORDINANCE SHALL BE ADMINISTERED BY THE TOWN BOARD OF THE TOWN OF EAU PLEINE.

1.09 EFFECTIVE DATE. THE PROVISIONS OF THIS ORDINANCE SHALL TAKE EFFECT ON JULY 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) "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.

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

(4) "MAJOR APPLIANCE" MEANS A RESIDENTIAL OR COMMERCIAL AIR CONDITIONER, CLOTHES DRYER, CLOTHES WASHER, DISHWASHER, FREEZER, MICROWAVE OVEN, OVEN, REFRIGERATOR OR STOVE.

1(5) "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.

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

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

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

(9) "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.

(10) "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.

(11) "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.

(12) "RECYCLABLE MATERIALS" INCLUDES LEAD ACID BATTERIES; MAJOR APPLIANCES; WASTE OIL; YARD WASTE; ALUMINUM CANS; CONTAINER GLASS; CORRUGATED CARDBOARD; MIXED PAPERS; NEWSPAPERS; #1 AND #2 PLASTIC BOTTLES; TIN CANS; AND WASTE TIRES.

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

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

(15) "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.

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

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

(18) "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. 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) PLASTIC BOTTLES #1 AND #2
- (7) TIN CANS
- (8) WASTE TIRES
- (9) MAJOR APPLIANCES
- (10) WASTE OIL
- (11) LEAD ACID BATTERIES
- (12) YARD WASTE

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 CONTINUING VARIANCE HAS BEEN ISSUED:

- (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) 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) WASTE OIL SHALL BE BROUGHT TO THE RECYCLING SITE ON THE REGULAR DAY OF COLLECTION FOR THE PURPOSE OF RECYCLING, TO AN OIL REFINERY, OR TO A SOLID WASTE FACILITY. ANY FEE IMPOSED FOR THE RECYCLING OF WASTE OIL SHALL BE THE RESPONSIBILITY OF THE GENERATOR.

(2) 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. ANY FEE IMPOSED FOR THE RECYCLING OF USED APPLIANCES SHALL BE THE RESPONSIBILITY OF THE GENERATOR.

(3) LEAD ACID BATTERIES WILL BE COLLECTED AT THE RECYCLING SITE ON THE

REGULAR DAY OF COLLECTION FOR THE PURPOSE OF RECYCLING, OR AT A SOLID WASTE FACILITY THAT ACCEPTS LEAD ACID BATTERIES FOR RECYCLING. ANY FEE IMPOSED FOR THE RECYCLING OF BATTERIES SHALL BE THE RESPONSIBILITY OF THE GENERATOR.

(4) YARD WASTE SHALL BE EITHER HOME COMPOSTED USING AN EFFECTIVE BACKYARD COMPOST SYSTEM, OR LAND SPREADED ON THE RESIDENT'S ACREAGE. NO YARD WASTE MAY BE DISPOSED OF AS GENERAL WASTE.

(5) WASTE TIRES SHALL BE RECYCLED AT A RETAIL BUSINESS THAT SELLS TIRES OR AUTOMOTIVE PRODUCTS, OR AT A SOLID WASTE FACILITY. ANY FEE IMPOSED FOR THE RECYCLING OF WASTE TIRES SHALL BE THE RESPONSIBILITY OF THE GENERATOR.

1.16 PREPARATION AND COLLECTION OF RECYCLABLE MATERIALS. EXCEPT AS OTHERWISE DIRECTED BY THE TOWN BOARD OF THE TOWN OF EAU PLEINE, 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 TRANSPORTED BY THE RESIDENT TO THE COLLECTION TRAILER 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 NOT MORE THAN TWELVE (12) INCHES HIGH AND TWENTY-FOUR (24) INCHES WIDE AND THIRTY-SIX (36) INCHES LONG. DOES NOT INCLUDE WAXED CARDBOARD OR "CHIPBOARD" SUCH AS CEREAL BOXES, SHOE BOXES, AND SIMILAR MATERIALS.
- (4) MIXED PAPERS SHALL BE BUNDLED IN BUNDLES NOT MORE THAN (12) INCHES HIGH 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 NOT MORE THAN (12) INCHES HIGH, 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.

1.17 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 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 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 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 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 ENFORCEMENT. (1) ANY AUTHORIZED OFFICER, EMPLOYEE OR REPRESENTATIVE OF THE TOWN OF EAU PLEINE 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 EAU PLEINE 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 TOWN OF EAU PLEINE BOARD, THE MARATHON COUNTY SHERIFFS DEPARTMENT OR THE COUNTY HEALTH OFFICER 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) THE CITATION SHALL CONTAIN THE FOLLOWING INFORMATION:

- (A) THE NAME AND ADDRESS OF THE ALLEGED VIOLATOR;
- (B) THE ALLEGED OFFENSE
- (C) THE TIME AND PLACE OF THE OFFENSE
- (D) THE SECTION OF THE CODE VIOLATED
- (E) A STATEMENT THAT INFORMS THE ALLEGED VIOLATOR OF THE FOLLOWING:
 - (E.1) THAT THE VIOLATOR MAY MAKE A CASH DEPOSIT OF A SPECIFIED AMOUNT TO BE MAILED TO THE CLERK OF COURT WITHIN A SPECIFIED TIME.
 - (E.2) THAT IF THE VIOLATOR MAKES SUCH DEPOSIT THE VIOLATOR NEED NOT APPEAR IN COURT UNLESS THE VIOLATOR IS SUBSEQUENTLY SUMMONED.
 - (E.3) THAT IF THE VIOLATOR MAKE A CASH DEPOSIT AND DOES NOT APPEAR IN COURT, EITHER THE VIOLATOR WILL BE DEEMED TO HAVE TENDERED A PLEA OF NO CONTEST AND SUBMITTED TO FORFEITURE NOT TO EXCEED THE AMOUNT OF DEPOSIT OR THE VIOLATOR WILL BE SUMMONED INTO COURT TO ANSWER THE COMPLAINT IF THE COURT DOES NOT ACCEPT THE PLEA OF NO CONTEST.
 - (E.4) IF THE VIOLATOR DOES NOT MAKE A CASH DEPOSIT AND DOES NOT APPEAR IN COURT AT THE TIME SPECIFIED, A WARRANT WILL BE ISSUED FOR THE VIOLATOR'S ARREST;
 - (F) A DIRECTION THAT IF THE ALLEGED VIOLATOR ELECTS TO MAKE A CASH DEPOSIT, THE VIOLATOR SHALL SIGN AN APPROPRIATE STATEMENT WHICH ACCOMPANIES THE CITATION TO INDICATE THAT THE VIOLATOR HAS READ THE STATEMENT REQUIRED UNDER SUBSECTION E OF THIS SECTION AND SHALL SEND THE SIGNED STATEMENT WITH A CASH DEPOSIT.

(4) 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 \$10.00 NOR MORE THAN \$100.00 AND THE COSTS OF PROSECUTION, EACH DAY SUCH VIOLATION CONTINUING CONSTITUTING A SEPARATE OFFENSE AND IN DEFAULT CONSTITUTING A SEPARATE OFFENSE, AND IN DEFAULT OF PAYMENT OF SUCH FORFEITURE AND COSTS, SHALL BE IMPRISONED IN THE MARATHON COUNTY JAIL UNTIL PAYMENT OF SUCH FORFEITURES AND COSTS OF PROSECUTION, BUT NOT EXCEEDING THIRTY (30) DAYS FOR EACH VIOLATION OF THIS ORDINANCE. THE CASH DEPOSIT PERMITTED SHALL BE FIFTY DOLLARS (\$50.00) PLUS COSTS OF PROSECUTION.

DATED THIS 8TH DAY OF MARCH, 1994.

PASSED THIS 8TH DAY OF MARCH, 1994.

PUBLISHED THIS DAY OF MARCH, 1994.

THE TOWN OF EAU PLEINE

BY: Edward Polege
EDWARD POLEGE (CHAIRMAN)

BY: Clifford R Jerke
CLIFFORD JERKE (SUPERVISOR)

ATTEST: Eugene Makovec
EUGENE MAKOVEC
(CLERK)

BY: Raymond Carl
RAYMOND CARL (SUPERVISOR)



THE HOME TEAM ADVANTAGE

February 1, 1994

EDWARD POLEGE
TOWN OF EAU PLEINE
EP4433 HWY 97
STRATFORD, WI 54484

DEAR ED:

ENCLOSED YOU WILL FIND THREE COPIES OF THE FINAL DRAFT OF THE TOWN OF EAU PLEINE RECYCLING ORDINANCE. IN ADDITION, I HAVE INCLUDED THE PAPERS FOR PUBLISHING THE ADOPTED ORDINANCE.

PLEASE REVIEW THE ORDINANCE AT YOUR FEBRUARY 8TH MEETING AND CONTACT ME IF YOU NOTICE ANY CHANGES YOU WOULD LIKE TO MAKE. THE ACTUAL APPROVAL, OR VOTE SHOULD COME AT YOUR MARCH 8TH MEETING.

THE RESOLUTION PAGE SHOULD BE APPROVED/READ OR ENTERED INTO YOUR MINUTES OF THE FEBRUARY 8TH MEETING. I GAVE YOU THE OPTION OF CHOOSING WHICH NEWSPAPER YOU WOULD LIKE TO PUBLISH THE NOTICE IN. THE NOTICE PAGE SHOULD BE PUBLISHED AFTER YOUR FEBRUARY 8TH MEETING, BUT BEFORE FEBRUARY 21ST. THE FINAL ORDINANCE PAGE SHOULD BE PUBLISHED AFTER YOU HAVE ADOPTED THE ORDINANCE AT YOUR MARCH 8TH MEETING.

EVEN THE BEST MANDATORY RECYCLING ORDINANCE WILL NOT BE EFFECTIVE IF YOUR TOWN'S RESIDENTS DO NOT KNOW ABOUT IT. THAT IS WHY IT IS VERY IMPORTANT TO HAVE AN ONGOING EDUCATION PLAN FOR YOUR RESIDENTS. YOU WILL PROBABLY WANT TO SEND SOME SORT OF NOTICE OF THE MANDATORY PROGRAM GOING INTO EFFECT ON JULY 1 TO YOUR RESIDENTS.

IF YOU HAVE ANY QUESTIONS, OR IF I CAN PROVIDE YOU WITH ANY FURTHER INFORMATION, PLEASE CONTACT ME. I HOPE THE ORDINANCE HAS BEEN DEVELOPED TO YOUR SATISFACTION.

THANK YOU FOR ALLOWING VALLEY SANITATION TO BE OF SERVICE TO YOU.

SINCERELY,

DALE R. MARTH
SALES REPRESENTATIVE

ENCLOSURE: RECYCLING ORDINANCE, RESOLUTION, NOTICES.

P.O. BOX 668	MARSHFIELD, WI 54449-0668	TEL: (715) 387-3101	FAX: (715) 384-3445	
GREENWOOD	MEDFORD	NEILLSVILLE	VESPER	WISCONSIN RAPIDS
(715) 267-3101	(715) 748-3442	(715) 743-3430	(715) 569-4643	(715) 421-3939

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THE HOME TEAM ADVANTAGE

October 9, 1993

CHAIRMAN EDWARD POLEGE
TOWN OF EAU PLEINE
EP4433 HIGHWAY 97
STRATFORD WI 54484

DEAR CHAIRMAN EDWARD POLEGE:

WISCONSIN'S MANDATORY RECYCLING LAW IS RAPIDLY APPROACHING. AS OF APRIL 1, 1994 THE DNR IS REQUIRING YOUR MUNICIPALITY TO HAVE A MANDATORY RECYCLING ORDINANCE DEVELOPED. AS OF JANUARY 1, 1995 THE DNR REQUIRES TOWNSHIPS TO RECYCLE 83.7 POUNDS PER PERSON PER YEAR, AND CITIES AND VILLAGES TO RECYCLE 108.2 POUNDS PER PERSON PER YEAR. IN THE FUTURE MUNICIPALITIES WHICH DO NOT MEET THESE GUIDELINES WILL NOT BE ABLE TO DISPOSE OF GARBAGE AT ANY LANDFILL IN THE STATE OF WISCONSIN.

VALLEY SANITATION AND OUR AFFILIATES HAVE BEEN SERVICING MUNICIPAL, INDUSTRIAL, AND COMMERCIAL ACCOUNTS THROUGHOUT WISCONSIN SINCE 1967. WE HAVE BEEN INVOLVED IN CENTRAL WISCONSIN SINCE 1979. UTILIZING THE KNOWLEDGE AND EXPERIENCE WE HAVE OBTAINED IN OUR COMPREHENSIVE SOLID WASTE AND RECYCLING OPERATIONS, WE BELIEVE WE PROVIDE A VERY UNIQUE OPPORTUNITY FOR THE PEOPLE WE SERVICE. IN A WORD, VALLEY MEANS YOU HAVE A CHOICE IN PROFESSIONALLY PROVEN, ECONOMICALLY APPEALING AND ENVIRONMENTALLY CONSCIOUS RECYCLING AND WASTE DISPOSAL SERVICES.

VALLEY SANITATION CURRENTLY PROVIDES FIFTEEN MUNICIPALITIES WITH CURBSIDE RECYCLING SERVICE AND THIRTY-SIX MUNICIPALITIES WITH A DROP OFF RECYCLING PROGRAMS. VALLEY SANITATION WILL WORK WITH YOU TO DEVELOP A RECYCLING PROGRAM WHICH FITS THE EXACT NEEDS OF YOUR RESIDENTS.

VALLEY SANITATION RECYCLES THE FOLLOWING MATERIALS: ALUMINUM CANS, CONTAINER GLASS, CORRUGATED CARDBOARD, MIXED PAPERS, NEWSPAPERS, #1 AND #2 PLASTIC BOTTLES AND TIN CANS.

I WOULD BE HAPPY TO PROVIDE YOUR BOARD WITH A PRESENTATION ON RECYCLING OPTIONS AVAILABLE FROM VALLEY SANITATION. PLEASE CONTACT ME TO SET UP A MEETING TO DISCUSS THIS INFORMATION FURTHER.

I HOPE VALLEY SANITATION CAN PROVIDE YOUR MUNICIPALITY WITH RECYCLING SERVICE.

SINCERELY,

VICKI L. KREMER, SALES MANAGER

P.O. BOX 668 MARSHFIELD, WI 54449-0668 TEL: (715) 387-3101 FAX: (715) 384-3445

GREENWOOD
(715) 267-3101

MEDFORD
(715) 748-3442

NEILLSVILLE
(715) 743-3430

VESPER
(715) 569-4643

WISCONSIN RAPIDS
(715) 421-3939

TOWN OF EAU PLEINE

MARATHON COUNTY
STRATFORD, WIS. 54484

September 1991

Town of Eau Pleine residents can take some recyclable items to the old town garage 10 A.M. until noon every Saturday from now through November (closed Nov. 23rd). From December through March, we will be open the 2nd and 4th Saturdays of each month.

Items being recycled include:

ALUMINUM CANS: Used beverage cans only, flattened.

CONTAINER GLASS: Shall include container glass only. Glass must be washed or rinsed, with caps and neck rings removed. Labels can remain on glass. Glass must be color separated into clear, brown and green.

CORRUGATED CARDBOARD: Includes clean corrugated cardboard only. Must be bundled and tied securely in two directions. (Twine string works fine.)

MIXED PAPERS: Includes all grades of papers: including white, ledger, shiny, coated, carbonless or NCR papers; envelopes, including windowed, labelled, 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.

NEWSPAPERS: Must be bundled and tied securely in two directions (twine string works fine).

PLASTIC BOTTLES: Must include only plastic bottles clearly marked with the recycling emblem encircling the #1 (PET or PETE) or the #2 (HDPE). Caps and neck rings must be removed. Rinse all bottles.

TIN CANS: Shall include tin coated metal cans, which must be rinsed, 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 bottoms" removed, provided the can has been rinsed and labels have been removed.

BATTERIES: Automotive and other lead acid batteries.

MOTOR OIL:

Items which CANNOT BE ACCEPTED include the following:
No tires or major appliances. No 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. No hand towels, or other paper products from restrooms, or soiled napkins and paper plates. No carbon paper, cellophane or any waxed paper. Anything not properly sorted, cleaned, tied or flattened cannot be accepted.

Eau Pleine Town Board

(Feb. 16, 23, 1994)
(March 2, 1994)

NOTICE

Please take notice that the Town Board of the Town of Eau Pleine will consider the adoption of a new part of a Code of Ordinances, specifically "Chapter 110—Mandatory Recycling Ordinance" at 8:00 P.M. on Tuesday, March 8, 1994, at the Town Board meeting at the Town Hall.

You are further notified that a copy of said new part of Code—"Chapter 110 Mandatory Recycling Ordinance" will be on file and open for public inspection by appointment at the home of the Town Clerk for a period of two weeks prior to its adoption, commencing Monday, February 21, 1994 in accordance with Sec. 66.035 of Wisconsin Statutes.

Adopted this 8th day of February, 1994 by the Town Board of the Town of Eau Pleine. Edward Polege, Town Chairman. Posted by Eugene F. Makovec, Town Clerk.
(Feb. 16, 1994)

OFFICIAL NOTICE

ACCORDANT WISCONSIN

ADOPTED THIS 8TH DAY OF FEBRUARY,
EAU PLEINE.

POSTED BY:

Eugene F. Makovec
TOWN CLERK

Friday, March 11, 1994

Page 15 A

Agricultural

Farm Equipment 141

For Sale: White No. 283 Spring Tooth Harrow, excellent condition. Call 715-457-6470.

VAN-DALE EQUIP.

CLIFF RIEDEL 384-9087

Hay, Straw, Grain for Sale 142

Approximately 1000 bales of 1st crop hay. For Rent 55 acres in Arpin area. 70 acres in Hewitt area. 387-0211.

First Crop Timothy-Clover Hay. 50-60 pound bales. \$1.50 each. Call 384-9646.

First crop Timothy or clover hay \$1.25 each, 55 pound bales. Phone 659-5365.

HAY FOR SALE

Top quality. 1st & 2nd crop alfalfa hay. Delivered by semi loads.

WE ALSO BUY HAY

JERRY BRUGGEMAN 676-3689

SECOND CROP ALFALFA

HAY FOR SALE.

CALL 384-8327 AFTER 5 P.M.

800 BALES 2ND CROP HAY. CLOVER GRASS MIX. \$2/BALE. PHONE 676-3699.

NEWS-HERALD CLASSIFIED ADS

Corn for Sale 144

Cob Corn & Shell Corn. Now taking orders for high moisture corn. Call Oestreich Grain for prices. 255-8157 or 384-3384.

Legal Notices



ORDINANCE NO. 110

An ordinance to revise and consolidate, amend, supplement or codify the general ordinance and bylaws of the Town of Eau Pleine.

The Town Board of the Town of Eau Pleine, Wisconsin, do ordain as follows:

SECTION 1. The part of a code of

Legal Notices



ordinances in book form entitled, "Municipal Code of the Town of Eau Pleine, Wisconsin," having been placed on file and open to public inspection in the home of the Town Clerk for a period of two weeks, commencing February 21, 1994, in accordance with the procedure provided under Sec. 66.035 of Wis. Stats., is hereby adopted as the general code of ordinances in and for the Town of Eau Pleine, Marathon County, Wisconsin.

SECTION 2. The code of general ordinances hereby adopted shall not be deemed to repeal any ordinances of the Town of Eau Pleine or any general ordinance or part hereof relating to the following subjects and not conflicting with any of the provisions of the "Municipal Code of the Town of Eau Pleine, Wisconsin". No. 110 Mandatory Recycling Ordinance.

SECTION 3. This ordinance shall take effect upon passage and publication as required by law.

Adopted: March 8, 1994

Published: March 11, 1994

Edward Polege, Town Chairman

Clifford R. Jerke, Supervisor

Raymond Carl, Supervisor

Attested by:

Eugene F. Makovec, Town Clerk

The Community Development Authority invites sealed bids for the procurement of the following types of insurance coverages.

Fire and Extended Coverage
Comprehensive General Liability
Workers' Compensation
Coverage

Owned and Non-owned Automobile
Liability Coverage

Fidelity Bond

Umbrella

The coverage is to become effective June 1, 1994.

The bid closing date is May 2, 1994 at 2:00 p.m.

For bid information and a copy of the Invitation for Bids contact Shirley Mook, Executive Director, 601 S. Cedar, Marshfield, WI 54449; (715) 387-0528.

(March 11 & 12, 1994)

TOWN OF DAY SPECIAL MEETING NOTICE

A special Town Meeting will be held on Tuesday, March 22, 1994, 8 p.m., at the Town Hall. The purpose of the meeting is to review and discuss the proposed recycling ordinance and to become familiar with the handling and preparation of recyclables. Citizens are urged to attend and make comments and suggestions about the recycling ordinance before final adoption.

Dated March 11, 1994
Rose Theurer, Clerk

AFFIDAVIT OF PUBLICATION

STATE OF WISCONSIN
County of Wood

Patricia Adams

Being duly sworn, says that they are an agent of the MARSHFIELD NEWS-HERALD, which is a public Newspaper of general circulation, printed in the English Language, and published at the City of Marshfield, in said county and state; that an advertisement or notice of

Notice

Town of Eau Pleine

of which the printed one hereto attached is a true copy, was published in said newspaper 1 times, once in each week for 16th successive weeks; that the first publication of said notice therein was on the 16th day of Feb., 1994 and the last publication of said notice therein was on the 16th day of Feb., 1994 that the said printed copy was taken from the paper in which it was published.

Patricia Adams

Subscribed and sworn to before me this
16th day of Feb., 1994

Wanda Tobat
Commission Expires 6-11-95

Publisher's Fees
one Insertion, 15.39
Affidavit, 1.00
Total, 16.39

NOTICE
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You are further notified that a copy of said new part of Code—"Chapter 110 Mandatory Recycling Ordinance" will be on file and open for public inspection by appointment at the home of the Town Clerk for a period of two weeks prior to its adoption, commencing Monday, February 21, 1994 in accordance with Sec. 66.035 of Wisconsin Statutes.
Adopted this 8th day of February, 1994 by the Town Board of the Town of Eau Pleine. Edward Polege, Town Chairman. Posted by Eugene F. Makovec, Town Clerk.
(Feb. 16, 1994)

AFFIDAVIT OF PUBLICATION

STATE OF WISCONSIN
County of Wood

Patricia Adams

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Ordinance No. 110

Town of Eau Pleine

of which the printed one hereto attached is a true copy, was published in said newspaper 1 times, once in each week for 11th successive weeks; that the first publication of said notice therein was on the 11th day of March, 1994 and the last publication of said notice therein was on the 11th day of March, 1994 that the said printed copy was taken from the paper in which it was published.

Patricia Adams

Subscribed and sworn to before me this 11th day of March, 1994

Commission Expires 6-11-95

Publisher's Fees
one 24.51 Insertion,

1.00 Affidavit,

25.51 Total,

ORDINANCE NO. 110

An ordinance to revise and consolidate, amend, supplement or codify the general ordinance and bylaws of the Town of Eau Pleine.

The Town Board of the Town of Eau Pleine, Wisconsin, do ordain as follows:

SECTION 1. The part of a code of

ordinances in book form entitled, "Municipal Code of the Town of Eau Pleine, Wisconsin," having been placed on file and open to public inspection in the home of the Town Clerk for a period of two weeks, commencing February 21, 1994, in accordance with the procedure provided under Sec. 66.035 of Wis. Stats., is hereby adopted as the general code of ordinances for and for the Town of Eau Pleine, Marathon County, Wisconsin.

SECTION 2. The code of general ordinances hereby adopted shall not be deemed to repeal any ordinances of the Town of Eau Pleine or any general ordinance or part hereof relating to the following subjects and not conflicting with any of the provisions of the "Municipal Code of the Town of Eau Pleine, Wisconsin", No. 110 "Mandatory Recycling Ordinance."

SECTION 3. This ordinance shall take effect upon passage and publication as required by law.

Adopted: March 8, 1994

Published: March 11, 1994

Edward Pologe, Town Chairman
Clifford R. Jerke, Supervisor
Raymond Carl, Supervisor

Attested by:

Eugene F. Makovec, Town Clerk