

## **Town of Oakland Solid Waste, Garbage, and Recycling Regulation Ordinance**

The Oakland Town Board, Township of Oakland, Douglas County, Wisconsin, does ordain as follows:

### **Section 1. Purpose.**

The purpose of this ordinance is to ensure that safe, efficient, and environmentally acceptable waste management procedures are practiced in the Town of Oakland. The further purpose of the ordinance to provide for the removal and disposal of garbage, refuse, and recyclables generated in the Town of Oakland to protect the public health, safety, and welfare of the residents of the town.

### **Section 2. Authority; Establishment.**

The Town Board of the Town of Oakland, having been authorized by the Town meeting under Sec. 60.10(2)(c), Wis. Stats., to exercise village powers, and pursuant to 66.0405, Wis. Stats., enacts this ordinance providing for the removal of solid waste, garbage, and recyclable materials.

### **Section 3. Definitions.**

- (a) Licensed waste hauler: Designated waste hauler contracted by the Town of Oakland to collect Municipal Solid Waste.
- (b) Garbage: Waste resulting from the handling, preparation, cooking and consumption of food, waste from the handling, storage and sale of produce.
- (c) Landfill: A solid waste facility for solid waste disposal.
- (d) Person: Includes any individual, corporation, partnership, association, local government unit, as defines in Sec. 66.299(1)(a), Wis. Stats., state agency or authority or federal agency.
- (e) Recycle bin: - Recyclable containers issued to residents of the Town for the collection of recyclable material.
- (f) Refuse: All matters produced from community or industrial life, subject to decomposition, not defined as sewage.
- (g) Refuse cart: Wheeled cart provided to each resident by the Town for holding solid waste, garbage and refuse until time of collection.
- (h) Site: The property on which the applicant intends to apply sludge. Each real estate tax parcel as found on the tax rolls of the Town shall constitute a separate "site".
- (i) Sludge: The accumulated residual solids ( usually in aqueous solution) generated through the treatment or pumping of residential wastewater, including raw septic tank, dry well or holding tank materials, whether liquid or solid.
- (j) Solid Waste: Has the meaning specified in Sec. 289.01(33), Wis. Stats.
- (k) Toxic Wastes: Toxic and/or hazardous wastes, including but not limited to pesticides, acids, caustics, pathological, radioactive, flammable, explosive or similar harmful chemical wastes and any other substances defined as toxic or hazardous pursuant to any regulations, administrative codes, rules or statutes of the State of Wisconsin and/or ordinances or rules of the County of Douglas.
- (l) Yard Waste: Leaves, grass clippings, yard and garden debris and brush, including clean woody vegetable material no greater than (6) inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

#### **Section 4. Dumping Prohibited.**

(a) No person, firm or corporation owning land, leasing it or having an interest therein whatsoever, which is located in the Town of Oakland, shall deposit or cause to be deposited upon any town road, water, or grounds, or on any property site located in the Town of Oakland, any dead animal, rubbish, refuse, junk, filth, offal, industrial or municipal solid or liquid waste material including sludge, sewage (excluding animal waste used as fertilizer) or waste liquids of any kind or nature, except as set forth in Section 5.

(b) No person shall permit any drain, overflow of sewer from any building, shop, dwelling, pool or other structure to empty or run into or on any road or any body of water.

(c) This section shall not apply to the sprinkling of clean sand, salt or salt derivatives upon icy roadways.

#### **Section 5. Sewerage Sludge Disposal.**

Any sewage or sludge disposal on any town lands shall be done in accordance with all Douglas County, State of Wisconsin, and Wisconsin DNR laws and restrictions.

#### **Section 6. Collection of Solid Waste.**

(a) Commercial/Industrial Waste and Construction/Demolition Waste. Commercial/industrial waste and construction/demolition waste shall be collected by private contract of the owner. This waste shall be collected in such manner and frequency as needed to protect the public safety and welfare of the Town of Oakland.

(b) Domestic Waste. Domestic waste shall be collected by the Town's designated waste hauler from all year-round residences on a weekly basis provided such waste is properly handled, prepared, contained, stored and located in refuse containers. Seasonal residents will be provided weekly service when in residence.

(1) All domestic waste shall be drained and kept in a refuse cart. All domestic waste must fit in refuse cart for collection. Domestic waste not in the cart will not be collected.

(2) All containers for the storage and collection of domestic waste shall be maintained in such a manner as to prevent the creation of a nuisance to public health and safety.

(3) All domestic waste shall be separated from all other waste and placed by the owner at the end of the roadside. Stones, concrete, dirt, yard waste, tires, lead acid batteries, waste oil, antifreeze, medical waste, and hazardous substances are not allowed in the solid waste stream, and are banned materials from landfilling and incineration, and shall not be picked up.

(4) Refuse carts shall be placed so as not to interfere with snow removal or postal delivery service.

(5) Further rules and regulations concerning the collection, storage, and disposal of domestic waste shall be as set forth in the Town's Policy Manual as established by the Town Board from time to time.

(c) Haulers of Refuse. The Town Board shall contract with a hauling service. All contracts shall be ratified at a Town Board meeting following all notification and posting requirements set forth in Wisconsin State Statutes. Such haulers shall be required to have approved truck bodies closed on the top and all sides, with a door in the rear or on the side. No person shall use

any other type truck for this purpose; nor shall any refuse materials be deposited or be permitted to fall and remain on any street or public place. Solid waste shall not include recyclables which are separated and recycled.

### **Section 7. Collection of Recyclable Waste.**

#### **(a) Commercial/Industrial Recyclable Waste and Construction/Demolition Recyclable Waste.**

Commercial/industrial recyclable waste and construction/demolition recyclable waste shall be collected by private contract of the owner. This recyclable waste shall be collected in such manner and frequency as needed to protect the public safety and welfare of the Town of Oakland.

**(b) Domestic Recyclable Waste.** Domestic recyclable waste shall be collected by the Town from all residences on a bi-weekly basis provided such waste is properly handled, prepared, contained, stored and located in conformance with this ordinance. Regulations concerning the collection of domestic waste shall follow guidelines set forth by the Douglas County Recycling Coordinator in accordance with the Douglas County Ordinance 3.8 - Mandatory Recycling Ordinance.

### **Section 8. Hazardous household waste.**

Hazardous household waste shall be delivered by residents and businesses to designated Douglas County Hazardous Collection Facilities. Locations of facilities can be obtained from the Douglas County Recycling Coordinator.

### **Section 9. Electronics and Appliances.**

Electronics and appliances shall be taken by residents to designated collections locations or businesses for a charge.

### **Section 10. Refuse/Recyclables Collection Fees.**

**(a)** Special Assessment payments for refuse/recyclables shall be made yearly and collected on each year's tax roll for all residential customers on a per dwelling, per unit basis.

**(b)** Seasonal residents shall be charged a prorated fee determined by the Town Board.

**(c)** Newly constructed dwelling shall be charged on a prorated, per-dwelling-unit fee for the remainder of the calendar year for which the service is to be rendered.

**(d)** The special assessments for refuse/recyclable collection shall be set by the Town Board.

### **Section 11. Severability.**

If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

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## SECTION 12 – REPEAL:

All ordinances not in conformity herein or heretofore enacted on the same subject matter are hereby repealed.

## SECTION 13 – EFFECTIVE DATE:

Following passage by the Town Board, this ordinance shall take effect the day after the date of publication or posting as provided by Sec. 60.80, Wis. Stats.

Adopted by the Oakland Town Board of the Township of Oakland, Douglas County, Wisconsin, this  
11<sup>th</sup> day of May, 2021

## APPROVED BY:

Jack Byrd  
Jack Byrd, Town Chair

## ATTEST:

Laurie K. Dolsen  
Laurie K. Dolsen, Town Clerk

Date Posted: May 17, 2021

Date Published: May 21, 2021