

CHAPTER 7
THE VILLAGE BOARD
VILLAGE OF SLINGER, WASHINGTON COUNTY, WISCONSIN

ARTICLE 7.00 PUBLIC HEALTH AND SANITATION

7.01 HEALTH OFFICER: DUTIES AND POWERS

- (1) General duties. The Health Officer under the supervision of the District State Health Officer shall:
- a. Maintain continuous sanitary supervision over his territory.
 - b. Promote the spread of information as to the causes, nature and prevention of prevalent diseases and the preservation and improvement of health.
 - c. Enforce the health laws, rules and regulations of the State Department of Health and Social Service, the State and the Village, including the laws relating to contagious diseases contained in Chapter 143, Wis. Stats.
 - d. Take steps necessary to secure prompt and full reports by physicians of communicable diseases and prompt and full registration of births and deaths.
 - e. Keep and deliver to his successor a record of all his official acts.
 - f. Make an annual report to the State Department of Health and Social Services and to the Village Board and such other reports as they may request.
- (2) Materials and Supplies. The Health Officer may procure at the expense of the Village all record books, quarantine cards and other material needed by the Board of Health, except such as are furnished by the State Department of Health and Social Services.

7.02 RULES AND REGULATIONS

The Health Officer may make reasonable and general rules for the enforcement of the provisions of this chapter and for the prevention of health nuisances and the protection of the public health and welfare and may, where appropriate, require the issuance of licenses and permits. All such requirements when approved by the Village Board shall have the same effect as ordinance, and any person violating any of such regulations and any lawful order of the Board shall be subject to a penalty as provided in S21.04 of this Code.

7.03 HEALTH NUISANCES: ABATEMENT

The Health Officer may abate health nuisances in accordance with S146.14 Wis. States., which is adopted by reference and made a part of this chapter as if fully set forth herein.

7.04 COMMUNICABLE DISEASES

Chapter 143, Wis. Stats., and Chapter 145, Wis. Adm. Code, are adopted by reference and made a part of this chapter and the Health Officer shall enforce the provisions thereof.

7.05 REGULATION OF NUISANCE TYPE-BUSINESS

- (A) Permit required. No person shall conduct within the Village any business which has a tendency to create a public nuisance, except upon permit issued by the Health Officer and subject to such conditions as he may impose.
- (B) Definition. A business which has a tendency to create a public nuisance is on which unless properly regulated may create conditions creating a public nuisance as defined in this Code.
- (C) This section is enacted pursuant to S66.052, Wis. Stats.

7.06 REGULATING REFUSE COLLECTION

- (A) **Purpose**
The purpose of this ordinance is to promote the safe and proper disposal of household solid waste generated by single and two-family properties, and multiple-family and commercial/industrial properties receiving collection January 1, 1997 in the Village of Slinger.

- (B) **Definitions**

"Approved Garbage Container" means the Village of Slinger 90 gallon container purchased by the property owner from the Village.

"Bulky Waste" means any item whose large size precludes the item from being placed in the approved container. Items include, but are not limited to: chairs, tables, mattresses, sofas, other furniture type items, carpet, etc.

"Curb Tender System" means the collection system utilized by the Village of Slinger on January 1, 1997. The system requires the use of a 90 gallon or 250 gallon container provided by the Village.

"Hazardous Waste" means any substance or combination of substances including any waste of a solid, semisolid, liquid or gaseous form which may cause or significantly contribute to any increase in mortality or an increase in serious irreversible or incapacitating reversible hazard to human health or the environment because of its quantity, concentration or physical, chemical or infectious characteristics. This term includes, but is not limited to, substances which are toxic, corrosive, flammable, irritants, strong sensitizes or explosives as determined by the Department of Natural Resources.

"Major Appliance" means a residential or commercial air conditioner, boiler, clothes dryer, clothes washer, dehumidifier, dishwasher, freezer, furnace, microwave oven, oven, refrigerator or stove.

"Non-residential Facilities and Properties" means commercial, retail, industrial, and institutional facilities and properties. This term includes multiple family dwellings greater than four units per building/property.

"Person" includes any individual, corporation, partnership, association, local governmental unit, as defined in §66.299(1)(a), Wis. Stats., state agency or authority or federal agency.

"Post-consumer Waste" means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in §291.01(7) Wis. Stats.,

waste from construction and demolition of structures, scrap automobiles, or high volume industrial waste, as defined in §289.01(17), Wis. Stats.

"Solid Waste" has the meaning specified in §289.01(33), Wis. Stats.

"Solid Waste Facility" has the meaning specified in §289.01(35), Wis. Stats.

"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.

"Storage" means the interim containment of solid waste in an approved manner after generation and prior to collection and ultimate disposal.

"Storage Area" means the area where persons place containers during non-collection days as well as areas where containers are set out on collection day.

(C) **Separation of Recyclable Materials**

Participants in the Village of Slinger Refuse Collection program shall separate those materials required by Section 7.07 of the Village of Slinger Code.

(D) **Refuse Storage Areas**

Storage areas shall be kept in a nuisance and odor free condition. Litter shall not be allowed to accumulate. Collection crews will not be responsible for cleaning up loose materials from any containers which have become ruptured or broken due to wet conditions, animals, vandalism or other cause. The occupant and/or owner shall be responsible for cleaning any litter caused by their solid waste.

(E) **Collection of Refuse**

(1) Placement for Collection - Residential solid waste in the approved container shall be placed immediately behind the curb of the public street or adjacent thereto, and must be accessible by the curb tender system. The curb tender system requires three feet (3') of clearance on either side of the container.

(2) Winter Collection - During Winter months, solid waste shall neither be placed on top of the snow bank, nor shall solid waste be placed in the roadway. The owner shall either shovel out an area behind the curb in which to place the solid waste or shall place the solid waste in their driveway.

(3) Multiple-family units, commercial and industrial properties utilizing the 250 gallon container shall make the container accessible to the Village crews using the curb tender system.

(4) As no time shall Village crews be expected to exit the vehicle to move containers to allow collection. It shall be the responsibility of all persons, firms or corporations to ensure that containers are accessible by Village crews.

- (F) **Collection of Bulky Waste**
Bulky waste shall be collected following the payment to the Village of the appropriate fee for collection of said waste.
- (G) **Weight Limits**
The approved 90 gallon container shall not exceed 200 pounds.
- (H) **Restriction on Time of Placement**
- (1) All solid waste garbage and recyclables shall be placed at the curb no earlier than twenty-four hours (24) prior to or by 7:00 am on the day of pickup.
 - (2) All containers that are tagged for violation of this ordinance 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 contractors shall not enter any structures to remove solid waste.
 - (4) White goods and bulky trash cannot be placed at the curb until such time as arrangements with the Village have been made for the removal of said item(s). Under no circumstances shall an item be placed at the curbside for more than twenty-four (24) hours.
- (I) **Recyclable Material Prohibited from Garbage and Refuse**
Recyclable items as defined in Section 7.07 of this Code are prohibited from being commingled and placed in regular garbage bags.
- (J) **Non-Collectable Materials**
- (1) Dead Animals, except animal parts from food preparation for human consumption.
 - (2) Undrained Food Wastes
 - (3) Hot Ashes
 - (4) Hazardous Waste
 - (5) Toxic Waste
 - (6) Explosives or Ammunition
 - (7) Drain or waste oil
 - (8) Flammable liquids
 - (9) Tires
 - (10) Biohazard wastes (medical waste)
 - (11) Building/construction waste
- (K) **Refuse from Outside the Municipality**
It shall be unlawful for any person, firm or corporation to place, deposit, or cause to be deposited, for collection, any waste or refuse not generated within the corporate limits of the Village. This provision shall apply to building/construction waste brought into the Village by businesses who receive Village refuse services.
- (L) **Illegal Dumping and Disposal Prohibited**
The Public Works Department shall together with the Village of Slinger Police Department be responsible for investigating illegal dumping violations in compliance with this Section, and shall work with the contractor and Superintendent of Public Works and assure in the affect of the solid waste/recycling program in the Village of Slinger.

7.07 REGULATING RECYCLING COLLECTION

- (A) **Purpose**
The purpose of this ordinance is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in §287.11, Wis. Stats., and Chapter NR 544, Wis. Administrative Code.
- (B) **Statutory Authority**
This ordinance is adopted as authorized under §287.09(3)(b), Wis. Stats.
- (C) **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.
- (D) **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.
- (E) **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.
- (F) **Applicability**
The requirements of this ordinance apply to all persons within the Village of Slinger.
- (G) **Administration**
The provisions of this ordinance shall be administered by the Village of Slinger Department of Public Works.
- (H) **Effective Date**
The provisions of this ordinance shall take effect on January 1, 1998.
- (I) **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 satisfied 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, oven, refrigerator or stove.
- (8) **"Multiple-family dwelling"** means a property containing five 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 the SPI code #7.
- (13) **"Person"** includes any individual, corporation, partnership, association, local governmental unit, as defined in §66.299(1)(a), Wis. Stats., state agency or authority of 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) **"Post-consumer waste"** means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in §291.01(07), Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in §289.01(17), 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 §289.01(33), Wis. Stats.
- (22) **"Solid waste facility"** has the meaning specified in §289.01(35), 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) **"Waste tire"** means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
- (25) **"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.

(J) **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 post-consumer 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

(K) Separation Requirements Exempted

The separation requirements of Section 7.07 (J) of this code does not apply to the following:

- (1) Occupants of single family and two to four-unit residences, multiple-family dwellings and non-residential facilities and properties that send their post-consumer waste to a processing facility licenses by the Wisconsin Department of Natural Resources that recovers the materials specified in Section 7.09 (J) 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) Recyclable material specified in §287.11(2m), Wis. Stats., or NR 544.14, Wis. Administrative Code.

(L) Care of Separated Recyclable Materials

To the greatest extent practicable, the recyclable materials separated in accordance with Section 7.07(J) 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.

(M) Management of Lead Acid Batteries, Major Appliances, Waste Tires, 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 as follows:

- (1) Lead acid batteries shall be taken to designated drop-off sites.
- (2) Major appliances shall be picked-up by approved contractor at owners cost.
- (3) Waste oil shall be taken to designated drop-off site.
- (4) Yard waste shall be taken to designated drop-off site.
- (5) Waste tires shall be taken to designated drop-off site.

(N) Preparation and Collection of Recyclable Materials

Except as otherwise directed by the Director of Public Works, occupants of single family and multi-family residences shall do the following for the preparation and collection of the separated materials specified in Section 7.07 (D) through (N):

- (1) Aluminum containers shall be collected at curbside in designated blue bags.
- (2) Bi-metal containers shall be collected at curbside in designated blue bags.
- (3) Corrugated paper or other container board shall be tied and bundled.

- (4) Foam polystyrene packaging shall be collected at curbside in designated blue bags.
- (5) Glass containers shall be collected at curbside in designated blue bags.
- (6) Magazines shall be tied and bundled.
- (7) Newspaper shall be tied and bundled.
- (8) Office paper shall be tied and bundled.
- (9) Rigid plastic containers shall be prepared and collected as follows:
 - (a) Plastic containers made of PETE shall be collected at curbside in designated blue bags.
 - (b) Plastic containers made of HDPE shall be collected at curbside in designated blue bags.
 - (c) Plastic containers made of PVC shall be collected at curbside in designated blue bags.
 - (d) Plastic containers made of LDPE shall be collected at curbside in designated blue bags.
 - (e) Plastic containers made of PP shall be collected at curbside in designated blue bags.
 - (f) Plastic containers made of PS shall be collected at curbside in designated blue bags.
 - (g) Plastic containers made of other resins or multiple resins shall be collected at curbside in designated blue bags.
- (10) Steel containers shall be collected at curbside in designated blue bags.

(O) 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 Section 7.07 (D) through (N):
 - (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 post-consumer 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 Section 7.07 (D) through (N) from solid waste in as pure a form as is technically feasible.

(P) 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 Section 7.07 (D) through (N):

(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.

(b) 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.

(2) The requirements specified in (1) do not apply to the owners or designated agents of non-residential facilities and properties if the post-consumer 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 Section 7.07 (D) and (N) from solid waste in as pure a form as is technically feasible.

(Q) 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 Section 7.07 (D) through (N) which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

(R) Enforcement

(1) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the Village of Slinger may inspect recyclable materials separated for recycling, post-consumer 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, employee or authorized representative of the Village of Slinger 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 a Village of Slinger Police Officer. 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 who violates Section 7.07(Q) may be required to forfeit \$50 for a first violation, \$200 for a second violation, and not more than \$2000 for a third or subsequent violation
 - (c) Any person who violates a provision of this ordinance, except Section 7.07(Q), may be required to forfeit not less than \$10 nor more than \$1000 for each violation.

7.16 PENALTIES

Any person, firm or corporation who violates any provision of this Chapter or regulation, rule or order made hereunder shall be subject to a forfeiture of not less than \$25.00 nor more than \$500.00, plus any applicable court costs."