

Chapter 3

Refuse Disposal and Collection

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Sec. 8-3-1 Title; Collection Service.

- (a) **Title.** This Chapter shall be known as the Solid Waste Management Ordinance of the City of Onalaska, hereinafter referred to as Ordinance or Chapter.
- (b) **Garbage and Refuse Collection Service.** All residential and commercial garbage and refuse collection service shall be provided by City personnel or by private firms under contract with the City.

Sec. 8-3-2 Declaration of Policy.

It is hereby declared to be the purpose and intent of this Chapter to enhance and improve the environment and promote the health, safety and welfare of the City by establishing minimum standards for the storage, collection, transport, processing, separation, recovery and disposal of solid waste. It is also the intent of this Chapter to promote recycling, composting and resource recovery through the effective refuse collection and recycling program, as provided in Sec. 287.11, Wis. Stats., and Ch. NR 544, Wis. Adm. Code.

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Sec. 8-3-3 Effective Date.

The provisions of this Chapter regarding recycling collection and enforcement shall take effect as of January 1, 1995. All other provisions shall take effect and be in force from and after passage and publication.

Sec. 8-3-4 Definitions.

- (a) For the purpose of this Chapter, the following words and phrases shall have the meanings given herein unless different meanings are clearly indicated by the context.
- (1) **Agricultural Establishment.** An establishment engaged in the rearing and slaughtering of animals and the processing of animal products or orchard and field crops.
 - (2) **Aluminum Container.** An aluminum container for food or beverages.
 - (3) **BI-Metal Container.** A container for beverages that is made primarily of a combination of steel and aluminum.
 - (4) **Board of Public Works.** The City of Onalaska, Board of Public Works.
 - (5) **Brush Site.** A site designated by the City of Onalaska Board of Public Works where citizens may drop off brush, shrubs, branches, and other tree waste meeting criteria established by the Board.
 - (6) **Bulky Waste.** Items whose large size precludes or complicates their handling by normal collection, processing or disposal methods.
 - (7) **City Service Dwelling.** Any building containing four (4) or less dwelling units or any condominium that receives refuse collection service from the City of Onalaska.
 - (8) **Commercial Unit.** Commercial units shall be all property other than residential units and shall include boarding houses, motels and resorts.
 - (9) **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.
 - (10) **Demolition Wastes.** That portion of solid wastes consisting of wastes from the repair, remodeling or reconstruction of buildings, such as lumber, roofing and sheathing scraps, rubble, broken concrete, asphalt and plaster, conduit, pipe, wire, insulation and any other materials resulting from the demolition of buildings and improvements.
 - (11) **Disposal.** The orderly process of discarding useless or unwanted material.
 - (12) **DNR.** The Wisconsin Department of Natural Resources.
 - (13) **Dump.** A land site where solid waste is disposed of in a manner that does not protect the environment.
 - (14) **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.

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- (15) **Garbage.** Includes every refuse accumulation of animals, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit or vegetables originally used for foodstuffs.
- (16) **Glass Container.** A container in which food or beverages are sold that are made of clear, green, or brown glass. Drinking glasses or crystal are not included.
- (17) **Hazardous Waste.** Those wastes such as toxic, radioactive or pathogenic substances which require special handling to avoid illness or injury to persons or damage to property and the environment.
- (18) **Household Non-Combustible Recyclable Materials.** Aluminum, steel, and bi-metal containers and glass containers.
- (19) **Industrial Waste.** Waste material, except garbage, rubbish and refuse, directly or indirectly resulting from an industrial processing or manufacturing operation.
- (20) **Landfill.** A landsite where solid waste is disposed of in a manner to provide protections for the environment, in accordance with state regulations.
- (21) **Litter.** Solid waste scattered about in a careless manner, usually rubbish.
- (22) **Major Appliance.** A residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, stove, furnaces, boilers, dehumidifiers, water heaters, and any other appliances designated by the Board of Public Works.
- (23) **Multiple Family Dwelling.** A building under one (1) ownership containing five (5) or more dwelling units, including those which are occupied seasonally.
- (24) **Newspaper.** Newspapers printed on newsprint.
- (25) **Non-Residential Facilities and Properties.** Commercial, retail, industrial, institutional, and governmental facilities and properties. This term does not include multiple family dwellings.
- (26) **Non-Residential Solid Waste.** Solid waste from agricultural, commercial, industrial or institutional activities or a building or group of buildings consisting of four (4) or more dwelling units.
- (27) **Person.** Any individual, corporation, partnership, association, local governmental unit, as defined in Sec. 66.0131(1), Wis. Stats., state agency or authority or federal agency.
- (28) **Plastic Container.** 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.
- (29) **Plastic Bottle.** A Number 1 or Number 2 Type Plastic Bottle or Jug.
- (30) **Postconsumer Waste.** Solid waste other than solid waste generated in the production of goods, hazardous waste as defined in Sec. 144.61(5), Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in Sec. 144.44(7)(a)1, Wis. Stats.

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- (31) **Private Collection Services.** Collection services provided by a person licensed to do same by the DNR.
- (32) **Recyclable Materials.** Includes lead acid batteries; major appliances, waste oil; yard waste; aluminum containers; glass containers; plastic bottles; newspaper; steel containers; waste tires; and bi-metal containers, and other items or materials that may be designated by the Board of Public Works.
- (33) **Recyclable Waste.** Waste material that can be remanufactured into usable products and shall include, by way of enumeration but not by way of limitation, glass, plastics, newspapers, cardboard, metals (aluminum, steel, tin, brass, etc.). Recyclable Waste also includes all waste material, including garbage, rubbish and industrial waste and shall, by way of enumeration but not by way of limitation, include grass, leaves, sticks, tree branches and logs, stumps, stone, cement, boards, furniture or household appliances, garden debris.
- (34) **Residential Solid Waste.** All solid waste that normally originates in a residential environment from residential dwelling units.
- (35) **Residential Unit.** Residential unit shall mean an individual household capable of independent habitation by a family unit. A single family dwelling shall be considered to be one (1) residential unit; multi-family dwelling shall be considered to be multiple residential units, the number of residential units to equal the number of family units to be housed therein. Residential units shall not include boarding houses, motels or resorts.
- (36) **Rubbish.** Includes combustible and noncombustible waste material, except rocks, concrete, bricks and similar solid materials, plaster or dirt, that is incidental to the operation of a building and shall include, by way of enumeration but not by way of limitation, tin cans, bottles, rags, paper, cardboard, sweepings.
- (37) **Scavenging.** The uncontrolled removal of materials at any point in solid waste management.
- (38) **Solid Waste.** Garbage, rubbish and other useless, unwanted or discarded material from agricultural, residential, commercial, industrial or institutional activities. Solid waste does not include solid or dissolved material in domestic sewage. [Meaning specified in Sec. 144.01(15), Wis. Stats.].
- (39) **Solid Waste Facility.** Has the meaning specified in Sec. 144.43(5), Wis. Stats.
- (40) **Solid Waste Treatment.** Any method, technique or process which is designed to change the physical, chemical, or biological character, or composition of solid waste. Treatment includes incineration.
- (41) **Steel Container.** A steel food or beverage container, commonly referred to as a tin can.
- (42) **Storage.** The interim containment of solid waste in an approved manner after generation and prior to collection and ultimate disposal.
- (43) **Storage Areas.** Areas where persons place containers during non-collection days as well as areas where containers are set out on collection day.
- (44) **Waste Tire.** A tire that is no longer suitable for its original purpose because of wear, damage, or defect.

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- (45) **Yard Waste.** Leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than one-half (1/2) inch in diameter. This term does not include stumps, roots, or shrubs with intact root balls.
- (46) **Yard Waste Site.** A site designated by the City of Onalaska Board of Public Works where citizens may drop off non-woody yard waste.
- (47) **Enclosures for Dumpsters.**
 - a. All dumpsters shall be enclosed in an appropriately sized enclosure so as to ensure the safety of persons providing garbage collection. Enclosures are required for all refuse and recycling dumpsters.
 - b. Appropriately sized enclosures are:
 - 1. For one (1), one and one-half (1.5) or two (2) cubic yard dumpsters the enclosure must be no less than:
 - 60" deep
 - 120" wide
 - 110" minimum, unobstructed, gate opening (when gate is fully open).
 - 2. For a three (3) and four (4) cubic yard dumpsters the enclosure must be no less than:
 - 118" deep
 - 140" wide
 - 110" minimum, unobstructed, gate opening (when gate is fully open).
 - 3. For a six (6) cubic yard dumpster the enclosure must be no less than:
 - 150" deep
 - 140" wide
 - 110" minimum, unobstructed, gate opening (when gate is fully open).For dumpsters over six (6) cubic yards, location and access approval from the City Department is necessary prior to installation.
 - c. All enclosures shall be six (6) feet in height and be constructed of an opaque material on all four (4) sides.
 - d. All dumpsters shall have a side gate opening for access to recycling carts which opening shall be no less than thirty-six (36) inches in width (when gate is fully open).
 - e. Multiple dumpsters within the same enclosure require the sum of their enclosure size requirements as stated above.
 - f. No garbage shall be collected from dumpsters in inappropriately sized enclosures.
 - g. All persons who presently have dumpsters in inappropriately sized enclosures shall have until June 1, 1996 to comply with its provision.

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- (48) **Dumpster Sizing.** Recommend dumpster size for multiple family residential use shall be a minimum of one-half (0.5) cubic yard per unit. E.g. four (4) unit = two (2) cubic yards; six (6) unit = three (3) cubic yards, etc. If the property owner wishes to utilize a smaller size he/she shall provide adequate proof of the Inspection Department that refuse generation will be less than average at the proposed site. If loose debris becomes a problem at any dumpster location, the Inspection Department in its discretion, may require pick-up more frequently or larger sized dumpster.

Sec. 8-3-5 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 up this litter. Litter not collected shall not be allowed to accumulate. Violation will result in the occupant and/or owner being notified to clean up his area with continued violation resulting in the owner being prosecuted under the provision of this and other City Ordinances.

Sec. 8-3-6 Approved Waste and Refuse Containers.

- (a) **General Container Standards.** Suitable containers of a type approved by the City shall be provided by the property owner or tenant in which to store all solid waste except for bulky or certain yard wastes as provided for herein. Containers, in order to be approved, shall provide for efficient, safe and sanitary handling of solid wastes. They shall be maintained in a nuisance- and odor-free condition and shall be sufficient to prevent the scattering of contents by weather conditions or animals.
- (b) **Approved Containers.** All garbage created, accumulated or produced shall be deposited in containers of a type approved by the Common Council, or committee thereof. Each container for a residential unit shall be equipped with suitable handles and tight-fitting covers, shall be watertight and shall have a capacity of not less than five (5) gallons and not more than thirty-three (33) gallons. All garbage containers for residential units shall be of metal, durable plastic or other suitable, moisture-resistant materials, including clear, heavy-duty refuse disposal plastic bags, and shall not exceed thirty-three (33) gallon capacity. Other containers for multi-family residential units (such as dumpsters) may be used with the express approval of the Common Council, or committee thereof. Containers including contents shall not exceed in weight that which one (1) person can safely lift

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[sixty (60) pounds]. Metal garbage cans shall be of sufficient thickness to resist denting during normal handling by collection crews. Plastic garbage bags must be closed with a tie and shall consist of plastic material not damaged by freezing and not susceptible to melting. They shall be capable of being handled during hot and cold weather without damage during normal handling by collection crews. Plastic bags shall be of sufficient strength to allow lifting and loading of contents without tearing.

- (c) **Householder to Provide Containers.** It shall be the duty of every occupant, tenant and proprietor of any residential unit to provide, and at all times keep in a suitable place readily accessible to the garbage collector, garbage containers capable of holding all garbage which would ordinarily accumulate on such premises between the times of successive collections. The owner of any multiple dwelling shall furnish or require the tenant thereof to furnish proper garbage containers. Garbage containers located at multiple dwellings shall be marked so as to indicate the residential unit to which they belong.
- (d) **Ashes.** Cold, completely extinguished ashes may be left for collection in cardboard containers.
- (e) **Brush.** Brush is to be secured in bundles less than four (4) feet in length and weighing less than seventy (70) pounds. Leaves and grass clippings placed in closed garbage containers will be picked up as described in Sec. 8-3-6(f).
- (f) **Construction Debris.** One (1) bundle of waste lumber or other construction material not longer than four (4) feet or heavier than sixty (60) pounds may be placed for collection weekly, so long as such material is not produced from a significant remodeling, construction, or demolition project that would create more than three (3) such bundles in total. This bundle will be picked up upon notice to the City's Contractor (currently Thursday).
- (g) **White Goods.** Major appliances will be picked up upon payment of a fee to the City's Contractor; said fee shall be established by the Board of Public Works. Said appliances will be picked up upon receipt of payment and notice weekly, (currently Fridays). Furniture, carpet and other approved large items will be picked up weekly (currently Thursdays). Non-woody yard waste shall be composted on site of origin or residents of City serviced dwellings may place it in clear bags or approved containers according to Section "(O) Approved Containers." Said bags or containers shall be picked up by the City's Contractor on the approved pick-up day [currently two (2) days prior to refuse pick-up].
- (h) **Illegal Containers.** Containers not approved consist of metal barrels and drums, wooden or cardboard barrels, wheelbarrows and other such containers not approved by this Chapter. These containers will not be emptied regardless of contents or weight. The collector shall not be obligated to pick up any garbage, rubbish or trash in open boxes or bags.
- (i) **Enclosures for Dumpsters.** All dumpsters shall be enclosed in an appropriately sized enclosure so as to insure the safety of persons providing garbage collection.
 - (1) Appropriately sized enclosures are:
 - a. For a one(1) to one to two (2) cubic yard dumpster, an enclosure of not less than one hundred twenty inches (120") by one hundred inches (100", with a door on the wider side of not less than forty-two inches (42").

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- b. For a three (3) to four (4) cubic yard dumpster, an enclosure of not less than one hundred twenty inches (120") by one hundred thirty two inches (132"), with a door on the wider side of not less than forty two inches (42").
 - c. For a five (5) to six (6) cubic yard dumpster, an enclosure of one hundred fifty-seven inches (157") by one hundred thirty two inches (132"), with a door on the wider side of not less than forty-two inches (42").
 - d. For a seven (7) to eight (8) cubic yard dumpster, an enclosure of not less than one hundred eighty inches (180") by one hundred thirty-two inches (132"), with a door on the wider side of not less than forty two inches (42").
- (2) All enclosures shall be at least six (6) feet high and be constructed of an opaque material.
 - (3) No garbage shall be collected from dumpsters in inappropriately sized enclosures.
 - (4) All persons who presently have dumpsters in inappropriately sized enclosures shall have sixty (60) days from the effective date of this Subsection to comply with its provisions.

Sec. 8-3-7 Preparing Refuse and Recyclables.

- (a) **City Serviced Dwelling Units.**
 - (1) **Recyclables to Be Separated.** Occupants of City serviced dwellings shall separate all household recyclable materials from refuse and prepare them for recycling according to requirements established and publicized by the Board of Public Works.
 - (2) **Special Handling Recyclables.** No person shall place any lead acid battery, waste oil, motor vehicle tire or tractor tire with post-consumer waste. Any person having waste oil, lead acid battery, or said tires shall take it to an appropriate private retail recycler, or designated City disposal site if available.
 - (3) **White Goods.** All discharged major appliances shall be delivered to a facility licensed by the Wisconsin Department of Natural Resources to recycle appliances. Citizens may arrange to have major appliances collected at their home by contacting the City's Contractor and paying a fee to the Contractor. Said fee shall be established by the City of Onalaska Board of Public Works.
 - (4) **Refusal to Collect Refuse In Violation.** The City and its contracted refuse hauler may refuse to collect refuse, recyclables, yard waste or woody yard waste if they are not prepared in accordance with the requirements established by the City. The City and its Contractor shall refuse to collect any refuse containing combustible recyclable materials.
- (b) **Refuse Collection for Multiple Family Dwellings.** The owner or operator of any multiple family dwelling [consisting of five (5) or more dwelling units) shall be required to provide a dumpster or dumpsters of appropriate size as recommended by the City's Inspection Department for the deposit of refuse. All dumpsters shall be placed at safe convenient locations for use and pick-up. All new dumpsters shall be enclosed on all sides by a minimum of six (6) foot opaque fence. Any existing dumpster that proves to be an

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ongoing problem for scattered debris will be required to be enclosed by a six (6) foot opaque fence on all sides.

- (c) **Business Refuse.** Every business establishment shall provide for the prompt removal and proper disposal of all refuse generated by or at that business establishment. This shall include all buildings or facilities used wholly or partly for non-residential purposes, including those owned or occupied by non-profit organizations. Refuse generated by or at a business establishment shall not be placed along with or mixed with refuse generated at a City serviced dwelling for collection by the City.
- (d) **Prohibition on Placing Recyclable Materials in Refuse.**
 - (1) **General Prohibition.** The following materials shall be separated from post consumer solid waste. Mixing of these recyclable materials with post-consumer solid waste from residential, commercial, industrial, or other sources is prohibited.
 - a. Aluminum containers.
 - b. Lead acid batteries.
 - c. Waste oil.
 - d. Waste tires from motor vehicles, trailers or tractors.
 - e. Glass containers.
 - f. Steel or bi-metal containers.
 - g. Major appliances.
 - h. Yard waste.
 - i. Plastic Bottles
 - j. Newspaper
 - (2) **Prohibition of Combustible Recyclables in Waste Delivered to Landfill.** The following combustible materials may be mixed with post consumer waste that is delivered to NSP, but shall not be mixed in significant quantities with waste delivered to a landfill or other disposal site:
 - a. Corrugated paper or other container board.
 - b. Foam polystyrene packaging.
 - c. Office paper.
 - d. Magazines and other materials printed on similar paper, including glossy newspaper inserts.
 - e. Rigid plastic containers, including those made of , PVC (#3), LDPE (#4), PP (#5), PS (#6) and other resins or multiple resins (#7).
 - (3) **Prohibition on Disposal of Recyclable Materials.** Materials separated and collected for recycling shall not be mixed with refuse or disposed of at any landfill or incinerator, without the written permission of the Board of Public Works, except waste tires may be burned with energy recovery in a facility licensed by the Wisconsin Department of Natural Resources. Board of Public Works permission may be granted only to allow disposal of contaminated or unmarketable recycle materials.
- (e) **Recycling Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings.**
 - (1) **Responsibilities of Owners.** Owners or designated agents of multiple-family dwellings shall do all of the following to recycle household, recyclable materials:

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- a. Provide adequate, separate containers for the recyclable materials at a location convenient to tenants.
 - 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 recyclable materials separated from the solid waste by the tenants.
 - 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.
- (2) **Exemptions.** The preceding requirements of Subsection (e)(1)a. - d. for the owners or designated agents of multiple-family dwellings do not apply if the refuse generated within the multi-family dwelling is delivered to and treated at a processing facility licensed by the Wisconsin Department of Natural Resources that recovers for recycling all non-combustible recyclable material in a pure form as is technically and practically feasible.
- (3) **Compliance Audit.** The City's Inspection Department shall audit up to fifteen percent (15%) of all non-residential recycling programs for compliance annually.
- (f) **Recycling Responsibilities of Owners or Designated Agents of Non-Residential Facilities and Properties.**
- (1) **Owners Responsibilities.** Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle all non-combustible materials:
 - 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 recyclable materials separated from the solid waste by the users, tenants, occupants and the delivery of the materials to a recycling facility.
 - d. Notify users, tenants, and occupants 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) **Exemptions.** The preceding requirements of Subsection (f)(1) a. - d. for the owners or designated agents of non-residential facilities or properties dwellings do not apply if the refuse generated within the facility or property is delivered to and treated at a processing facility licensed by the Wisconsin Department of Natural Resources that recovers for recycling all non-combustible recyclable materials in a pure a form as is technically and practically feasible.
 - (3) **Compliance Audit.** The City's Inspection Department shall audit up to fifteen percent (15%) of all non-residential recycling programs for compliance annually.

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- (g) **Reporting Requirements for Private Recyclers.** All licensed waste haulers or salvage dealers in the City of Onalaska shall report quarterly to the City the quantity in weight of each of the following materials that they have collected for recycling. Such data shall be reported to the Public Works Office no later than forty-five (45) days after the end of March, June, September and December each year.
- (h) **Enforcement.**
 - (1) **Inspections.** For the purpose of ascertaining compliance with the provisions of this Section, an authorized representative of the Board of Public Works 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 for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.
 - (2) **Citations.** Any person who violated a provision of this Section may be issued a citation by the City of Onalaska Police Department or an authorized agent of the Board of Public Works. 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 Subsection.

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 shall be placed immediately behind the curb of the public street for collection. Yard and bulky wastes from residential units shall likewise be placed in neat, orderly fashion behind the curb. During winter months, solid 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 in which to place his wastes or he shall place it in his driveway. Collection crews will not collect residential solid waste unless it is placed at the curb of a public street. Residential units shall bring their solid waste to the public right-of-way for collection. Should collection crews be unable to discharge contents of garbage cans into collection vehicles using normal handing procedures, the cans, including contents, will be left at curb side. The owner shall make provisions to assure that the solid waste therein can be collected on the next collection day. Collection crews will not empty garbage cans by means other than dumping.

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- (2) No garbage containers or other containers for refuse other than those of the City shall be placed, kept, stored or located within the right-of-way of a street or alley; provided, however, that the Common Council 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) **Restriction on Time of Placement.**
 - (1) All receptacles and containers for refuse and rubbish and all bundles of rubbish shall be placed in collection locations as designated in Subsection (a) above only after 4:00 p.m. on the evenings prior to the regular collection 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) City employees or employees of licensed collectors will not enter any structures to remove garbage or refuse.
- (c) **Collection Schedule.**
 - (1) The designation of the day or days of refuse collection shall be made by the Common Council, or committee thereof, and such information shall be advertised so that all occupants, tenants and proprietors of all residential units will be advised of the correct collection schedule. Unless hardship is shown, caused by extreme weather conditions or other hazardous situations, refuse shall be collected from all residential units weekly.
 - (2) The occupant, tenant or proprietor of a new residential unit shall notify the City Clerk that collection of refuse from such place is required.
- (d) **Materials Deposited in Garbage Containers.** Rubbish, except broken glass, may be deposited in garbage containers. Liquid garbage shall not be deposited in such containers. Kitchen garbage shall be drained of all moisture and completely wrapped in paper or plastic before it is placed or deposited in garbage containers.
- (e) **Residential Rubbish Collected with Garbage.** The City will cause to be collected and disposed of all rubbish which is deposited in garbage containers for residential units as approved in Subsection (d) above.
- (f) **Collection and Disposal of Refuse Other Than by City.** Refuse which is not collected by the City, its agents, employees or contractors may be collected and disposed of by private rubbish haulers. All vehicles used to transport rubbish shall be provided with equipment to prevent rubbish from blowing out of, falling from or otherwise escaping from such vehicle. All rubbish haulers shall comply with all applicable rules and regulations established by the Common Council or Committee thereof.

Sec. 8-3-9 Prohibited Activities and Non-Collectable Materials.

- (a) **Dead Animals.** It shall be unlawful to place any dead animal, or parts thereof, in a container for collection provided, however, this Section shall not apply to animal parts from food preparation for human consumption.

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- (b) **Undrained Food Wastes.** It shall be unlawful to place any garbage or other food wastes in a container for collection unless it is first drained and wrapped.
- (c) **Ashes.** It shall be unlawful to place hot ashes for collection. [See Sec. 8-3-5(c).]
- (d) **Improper Placement.** It shall be unlawful to place, or allow to be placed, any solid waste upon the roads, streets, public or private property within the City contrary to the provisions of this Chapter.
- (e) **Compliance With Chapter.** It shall be unlawful to store, collect, transport, transfer, recover, incinerate or dispose of any solid waste within the boundaries of the City contrary to the provisions of this Chapter.
- (f) **Improper Transportation.** It shall be unlawful to transport any solid waste in any vehicle which permits the contents to blow, sift, leak or fall therefrom. If spillage does occur, the collection crew shall immediately return spilled materials to the collection vehicle and shall properly clean, or have cleaned, the area. All vehicles used for the collection and transportation of solid waste shall be durable, easily cleanable and leak-proof, if necessary, considering the type of waste and its moisture content. Collection vehicles shall be cleaned frequently to prevent nuisances and insect breeding and shall be maintained in good repair.
- (g) **Interference With Authorized Collector.** No person other than an authorized collector shall collect or interfere with any garbage after it shall have been put into a garbage receptacle and deposited in the proper place for the collector, nor shall any authorized person molest, hinder, delay or in any manner interfere with an authorized garbage collector in the discharge of his duties.
- (h) **Scavenging.** It shall be unlawful for any person to scavenge any solid waste placed for collection.
- (i) **Private Dumps.** It shall be unlawful for any person to use or operate a dump.
- (j) **Burning of Waste.** It shall be unlawful for any person to burn solid waste in any manner, except as provided elsewhere in this Code of Ordinances.
- (k) **Non-Collectible Materials.** It shall be unlawful for any person to place for collection any of the following wastes:
 - (1) Hazardous waste;
 - (2) Toxic waste;
 - (3) Chemicals;
 - (4) Explosives or ammunition;
 - (5) Drain or waste oil or flammable liquids;
 - (6) Large quantities of paint;
 - (7) Tires.
- (l) **Animal or Human Wastes.** It shall be unlawful for any person to place animal wastes and/or human wastes for collection. These wastes should be disposed of in plastic bags or in the sanitary sewer system. Such items as "kitty litter" may be placed for collection if animal wastes are removed prior to disposal.
- (m) **Hospital Wastes.** It shall be unlawful for any person to place for collection any pathogenic hospital wastes.

Refuse Disposal and Collection

8-3-9

- (n) **Building Waste.** All waste resulting from remodeling, construction or removal of a building, roadway or sidewalk shall be disposed of by the owner, builder or contractor.
- (o) **Waste Motor Oil Recycling.** No person shall dispose of any waste motor oil by placing it with refuse for regular collection by the City, by pouring it on the ground, into storm sewers, ditches or waterways, or into gutters or City streets. Any person wishing to dispose of waste motor oil shall utilize the City recycling tank maintained at the site of the City Garage, or at any other legal waste motor oil site.
- (p) **Yard Waste.** Yard waste shall not be disposed of with any other type of waste or refuse. Yard waste shall be disposed of and deposited for pick up in accordance with the provisions of this Chapter.
- (q) **Waste Tires/Tires.** In order to prevent encephalitis infections, tires may not be disposed of or stored outside where they may collect rain, water and harbor a breeding place for mosquito's.

Sec. 8-3-10 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 City 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 other animals, or which otherwise becomes injurious to the public health is prohibited and declared to constitute a nuisance.

Sec. 8-3-11 Refuse from Outside the Municipality.

It is 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 City of Onalaska.

Sec. 8-3-12 Restriction on Hours of Refuse Collection.

It shall be unlawful for any person, firm, or corporation to collect refuse in the City of Onalaska between the hours of 9:00 p.m. and 5:00 a.m..