

Town of Gibson
Manitowoc County, Wisconsin

Ordinance No. 2020-1

Amending Town of Gibson Ordinance No. 6.04, entitled An Ordinance Creating Section 6.04 of the Municipal Code of the Town of Gibson Mandatory Recycling

The Town Board of the Town of Gibson pursuant to its authority under Section 287.09, Wis. Stats, and Chapter NR 544 Wis. Administrative Code, does hereby amend the Town of Gibson Mandatory Recycling Ordinance and does ordain as follows:

1. **Section 1.02 Purpose** is hereby repealed and recreated as follows:

1.02 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 s. 287.11, Wis. Stat., and Chapter NR 544, Wis. Administrative Code.

2. **Section 1.03 Statutory Authority** is hereby repealed and recreated as follows:

1.03 Statutory Authority. This ordinance is adopted as authorized under s. 287.09(3)(b), Wis. Stats.

3. **Section 1.10 Definitions (12), (14), (19), and (20)** are hereby repealed and recreated as follows:

1.10 Definitions.

(12) Person - Includes any individual, corporation, partnership, association, local governmental unit as defined in s. 66.0131(1)(a), Wis. Stats., state agency or authority or federal agency.

(14) Postconsumer Waste - solid waste other than solid waste generated in the production of goods, hazardous waste as defined in s. 291.01(7), Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high volume industrial waste as defined in s. 289.01(17).

(19) Solid Waste - meaning specified in s. 289.01 (33), Wis. Stats.

(20) Solid Waste Facility - meaning specified in s. 289.01 (35), Wis. Stats.

4. **Section 1.12 Separation Requirements Exempted (3)** is hereby repealed and recreated as follows:

Section 1.12 Separation Requirements Exempted

(3) A recyclable material specified in s. 1.11 for which a variance or exemption has been granted by the Department of Natural Resources under ss. 287.11(2m) or 287.11(2p), Wis. Stats., or s. NR 544.14, Wis. Administrative Code.

5. **Section 1.14 Management of Lead Acid Batteries, Major Appliances, Waste Oil, and Yard Waste** is hereby repealed and recreated as follows:

1.14 Management of Lead Acid Batteries, Major Appliances, Tires, Waste Oil, and Yard Waste.

Occupants of single family, 2 to 4 unit residences, multiple family dwellings and non-residential facilities and properties shall manage lead acid batteries, major appliances, tires, waste oil, and yard waste as follows:

- (1) Lead acid batteries can be deposited at Salvage Battery and Lead Company, 175 South Rockway, Mishicot, Wisconsin or any other enterprise which accepts lead acid batteries. Any expense which may be incurred in depositing lead acid batteries shall be borne by the owner.
- (2) Major appliances shall be collected as follows:
 - (a) clothes dryers, clothes washers, dishwashers, ovens or stoves shall be deposited in the metal container located at the Recycle Center.
 - (b) air conditioners, microwaves, dehumidifiers, and refrigerators can be deposited after the appropriate fees have been paid by the owner.
- (3) Tires are no longer accepted at the Recycle Center. Tires can be taken to other enterprises which accept tires. Any expense which may be incurred in depositing tires shall be borne by the owner.
- (4) Waste oil can be deposited at the Manitowoc Fire Station, No. 1 located on Franklin Street, Manitowoc, Wisconsin 24 hours a day by ringing the doorbell at the blue door located on the South side of the station or at any other enterprise which accepts waste oil. Any expense which may be incurred in depositing waste oil shall be borne by the owner.
- (5) Yard waste shall be deposited at the Manitowoc County Yard Waste Facility on Woodlawn Drive when in operation.

6. Section 1.15 Preparation and Collection of Recyclable Materials is hereby repealed and recreated as follows:

1.15 Preparation and Collection of Recyclable Materials. Except as otherwise directed by the Gibson Town Board, occupants of single family and 2 to 4 unit residences shall do the following for the preparation of the separated materials specified in s. 1.11 (5) through (15)

- (1) Aluminum containers shall be rinsed clean; flattening the container is optional.
- (2) Bi-metal containers shall be rinsed clean; flattening the container is optional.
- (3) Corrugated paper or other container board shall be flattened; tying bundles is optional.
- (4) Foam polystyrene packaging shall be discarded with garbage.
- (5) Glass containers shall be rinsed clean, rings and lids shall be removed and discarded.
- (6) Magazines and "slick" newsprint shall be placed in brown grocery bags or tied with string in both directions.
- (7) Newspaper shall be placed in brown grocery bags or tied with string in both directions.
- (8) Office paper shall be placed in brown grocery bags.
- (9) Rigid plastic containers shall be prepared and collected as follows:
 - (a) Plastic containers marked by the SPI code of 1 through 7 shall be rinsed clean, lids removed and discarded; flattening shall be optional.
- (10) Steel containers (tin cans) shall be rinsed clean and labels removed; flattening is optional.

7. Section 1.16 Responsibilities of Owners of Designated Agents of Multiple Family Dwellings is hereby repealed and recreated as follows:

1.16 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 for recycling the materials in s. 1.11 (5) through (15):

- (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 the 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, site location and hours of operation, and a contact person including name, address and telephone number.
- (2) The requirements specified in (1) do not apply to the owners or designated agents of the 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 (5) through (15).

8. Section 1.17 Responsibilities of Owners or Designated Agents of Non-residential Facilities and Properties is hereby repealed and recreated as follows:

1.17 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 the following for recycling the materials specified in s. 1.11 (5) through (15):
- (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, site location and hours of operation, and a contact person including 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 (5) through (15) from solid waste in as pure a form as is technically feasible.

9. Section 1.19 Enforcement is hereby repealed and recreated as follows:

1.19 Enforcement.

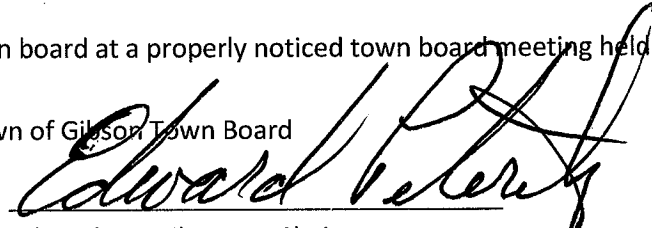
- (1) Any representative authorized by the Gibson Town Board may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, collection site and facility, collection vehicles, collection areas of multiple family dwellings and non-residential facilities and properties, 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.
- (2) No person may refuse access to any authorized representative of the Town of Gibson who requests access for the purpose of inspection and who presents appropriate credentials.

- (3) Any person who violates a provision of this ordinance may be issued a citation by the Town Board 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 shall not preclude the issuance of a citation under this paragraph.
- (4) Penalties for violating this ordinance shall be assessed as follows:
- (a) Any person who violates s. 1.18 shall be required to forfeit \$50.00 for a first violation, \$200.00 for a second violation, and not more than \$2000.00 for a third or subsequent violation.
 - (b) Any person who violates a provision of this ordinance, except s. 1.18, shall be required to forfeit not less than \$10.00 not more than \$1000.00 for each violation.

The above ordinance was approved by a quorum of the town board at a properly noticed town board meeting held on the 18th day of May, 2020.

Town of Gilson Town Board

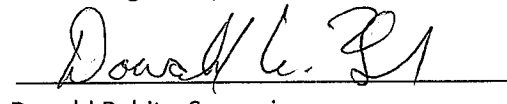
BY:



Edward Peterik, Town Chairman

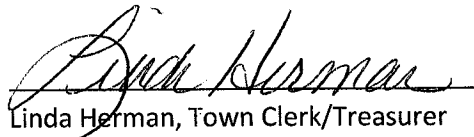


Duane Argall, Supervisor



Donald Rabitz, Supervisor

Attest:



Linda Herman, Town Clerk/Treasurer

Published: 5/22/2020

Posted: 5/22/2020