

TOWN OF KNOWLTON, MARATHON COUNTY, WISCONSIN
AMENDMENT #3, ORD. #25 RECYCLING COMPLIANCE ASSURANCE PLAN
(CAP)

PURPOSE:

This policy will establish standard guidelines that will lead to compliance with the Town of Knowlton's recycling ordinance. The Town Board is responsible for enforcing the Town of Knowlton's recycling ordinance. The Town of Knowlton's Clerk shall follow the guidelines identified in this Compliance Assurance Plan in response to issues associated with recycling and solid waste. This plan is intended to meet the requirements of s. NR 544.04(9g), Wis. Adm. Code as well as the Town of Knowlton's recycling ordinance.

DESCRIPTION OF COMPLIANCE STRATEGIES:

Recycling Problem: Property found to have no methods for recycling in place; trash found mixed with recyclables; hauler mixes separated recyclables with trash.

Compliance Strategy:

1st Response: Town Clerk shall send a letter to property owner reminding them of the requirement to comply with local recycling ordinances. Other educational materials will also be provided as needed.

2nd Response: Town Clerk shall send a letter to property owner giving them 45 days to comply with local recycling ordinances. Copy of letter shall be sent to Town Chairman.

Enforcement Response: After 45 days has passed, the Town Board shall inspect property to determine if property is in compliance with ordinance. If found to be non-compliant, Town Chairman shall issue the property owner a citation per recycling ordinance.

This ordinance shall be effective after its passage and publication as provided by law.

Adopted: July 10, 2006
Approved: July 10, 2006
Published: July 20, 2006

AMENDED RECYCLING ORDINANCE

1.01 Title. Recycling Ordinance for the Town of Knowlton, Marathon County, Wisconsin Amendment #1 of Ordinance #25.

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. 159.11, Wis. Stats., and Chapter NR 544, Wis. Administrative Code.

1.03 Statutory Authority. This ordinance is adopted as authorized under s. 159.09(3)(b), Wis. Stats., and the Town of Knowlton.

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 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.

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 Town of Knowlton.

1.08 Administration. The provisions of this ordinance shall be administered by the Clerk of the Town of Knowlton.

1.09 Effective Date. The provisions of this ordinance shall take effect on January 1, 1995.

1.10 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 satisfies on of the following criteria:
- (a) Is designed for serving food or beverages.
 - (b) Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container
 - (c) Consists of loose particles intended to fill space 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 5 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 s. 66.299(1)(a), Wis. Stats., state agency or authority or 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 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 s. 144.61(5), Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in s. 144.44(7)(a)1., 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 s. 144.01(15), Wis. Stats.
- (22) “Solid waste facility” has the meaning specified in s. 144.43(5), 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.

1.11 Separation of Recyclable Materials. Occupants of single family and 2 and 4 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

1.12 Separation Requirements Exempted. The separation requirements of s. 1.11 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 post consumer waste to a processing facility licensed by the Wis. Dept. of Natural Resources that recovers the materials specified in s. 1.11 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) A recyclable material specified in s. 1.1(5) through (15) for which a variance has been granted by the Dept. of Natural Resources under s. 159.11(2m), Wis. Stats., or s. NR 544.14, Wis. Administrative code.

1.13 Care of Separated Recyclable Materials. To the greatest extent practicable, the recyclable materials separated in accordance with s. 1.11 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.

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

Occupants of single family and 2 to 4 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 left at the point of recyclable pick-up or taken to a retailer for repurchase.
- (2) Major appliances shall be the responsibility of the resident to contract with a recycling hauler for pick-up of the appliance or taken to a retailer for recycling.
- (3) Waste oil shall be put into plastic containers and left at the point of recycling pick-up.
- (4) Yard waste shall be kept out of the solid waste. Yard waste can be deposited at the Knowlton compost site on Hwy. C during specified times in the spring thru fall of each year.

1.15 Preparation and collection for Recyclable Materials. Except as otherwise directed by the Town of Knowlton Town Board, occupants of single family and 2 to 4 unit residences shall do the following for the preparation and collection of the separated materials specified in s. 1.11(5) through 915), allowing for minor changes in the preparation and collection requirements without going through the ordinance amending procedures:

- (1) Aluminum containers shall be clean and empty; crushing is not necessary.
- (2) Bi-metal containers shall be thoroughly clean and labels removed.
- (3) Corrugated paper or other container board shall be flattened and kept dry; break down smaller boxes and place inside largest box; wax-coated or plastic lined boxes will not be accepted.
- (4) Foam polystyrene packaging will be decided on at a later date as to collection & preparation.
- (5) Glass containers shall be separated by color; thoroughly clean; all rings, caps and roil removed; container glass only, no light bulbs, window glass, mirrors, etc.
- (6) Magazines shall be tied in stacks no higher than 10 inches.
- (7) Newspaper shall be tied in stacks no higher than 10 inches and kept dry.
- (8) Office paper shall be bundled in stacks no higher than 10 inches high and tied.
- (9) Rigid plastic containers shall be prepared and collected as follows:
 - (a) Plastic containers made of PETE, #1, shall be rinsed clean, caps and rings removed and the labels may be left on.
 - (b) Plastic containers made of HDPE, #2, shall be rinsed clean, caps and rings removed and the labels may be left on.
 - (c) Plastic containers made of PVC, LDPE, PP, PS, and other resins or multiple resins will be thoroughly rinsed with caps and rings removed.
- (10) Steel containers shall be rinsed clean; labels removed.
- (11) Waste tires shall be left with your individual retailer or taken to a tire recycling center.
- (12) No disposable materials: it shall be unlawful for any person to place for disposal any of the following wastes: Hazardous and toxic wastes, chemicals, explosives, flammable

liquids, paint, trees and stumps, construction debris, carcasses, medical wastes (unless personal needles which shall be contained in cardboard to eliminate injury to collection personnel).

(13) Open burning shall be permitted only of clean wood and paper products, as regulated under DNR rules.

(14) Special materials such as couches, mattresses, bulky items and construction material is to be taken care of by contacting the hauler and making arrangements for their collection.

(15) It shall be unlawful for any person, unless under contract with or licensed by the municipality, to collect or remove any recyclable material that has been deposited or placed at the roadside or in a container adjacent to a home or nonresidential building for the purposes of collection for recycling.

1.16 Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings and Mobile Home Parks.

(1) Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified 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 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 with the dwelling is treated at a processing facility licensed by the DNR 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.

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 of the following to recycle 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 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 post consumer waste generated within the facility or property is treated at a processing facility licensed by the DNR 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.

1.18 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 s. 1.11(5) through (15) which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

1.19 Hauler Responsibilities. Haulers who collect solid waste or recyclables in the Town of Knowlton for storage, treatment, processing, marketing or disposal shall obtain and maintain all necessary municipal and state permits, licenses and approvals prior to collecting any materials in the Town of Knowlton.

(b) The recycling haulers and processors operating in the town are required to maintain records and report in writing to the Knowlton Town Clerk at least once each year. Reports shall include: the amount of solid waste and recyclables collected and transported from the Town of Knowlton; the amount of solid waste and recyclables processed and or marketed by item type from the town of Knowlton; and the final disposal location of solid waste and recyclable material. Failure to report shall be cause for the municipality to revoke any license or sever any contract with the hauler.

1.20 Placement of recyclables and solid waste for collection. Except as otherwise specifically directed or authorized by the Tow of Knowlton Town Board, solid waste and recycling containers shall be placed at the roadside or mailbox, adjacent to the premises owned or occupied by the person, of the street designated in the published collection schedule for collection. Materials shall be placed out for collection according to the scheduled days established and published by the Town of Knowlton.

1.21 Enforcement. (1) For the purpose of ascertaining compliance with the provisions of the ordinance, any authorized officer, employee or representative of the Town of Knowlton 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 Town of Knowlton 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 Knowlton 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) Penalties for violating this ordinance may be assessed as follows:

- (a) Any person who violates s. 1.18 may be required to forfeit \$25 for a first violation, \$100 for a second violation, and not more than \$2000 for a third or subsequent violation.
- (b) Any person who violates a provision of this ordinance, except s. 1.18, may be required to forfeit not less than \$10 nor more than \$1000 for each violation.

Dated: March 14, 1994

Approved: February 14, 1994

Adopted: March 14, 1994

Published: March 17, 1994

TOWN OF KNOWLTON, MARATHON COUNTY
AMENDMENT #2 TO ORDINANCE #25
Recycling Ordinance

The Town Board of the Town of Knowlton does ordain as follows:

Under 1.10 Definitions #7 "Major Appliances":

- (1) included under this shall be boilers, dehumidifiers and water heaters
- (2) microwaves may now be disposed of in a landfill after the capacitor has been removed

Dated July 25, 1994

Approved: July 11, 1994

Adopted: July 25, 1994

Printed: July 30, 1994

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AMENDMENT #3, ORD. #25 RECYCLING COMPLIANCE ASSURANCE PLAN
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DESCRIPTION OF COMPLIANCE STRATEGIES:

Recycling Problem: Property found to have no methods for recycling in place; trash found mixed with recyclables; hauler mixes separated recyclables with trash.

Compliance Strategy:

1st Response: Town Clerk shall send a letter to property owner reminding them of the requirement to comply with local recycling ordinances. Other educational materials will also be provided as needed.

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