

**CITY OF PLATTEVILLE, WISCONSIN  
CHAPTER 11  
GARBAGE AND REFUSE COLLECTION AND DISPOSAL  
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## CHAPTER 11

### GARBAGE AND REFUSE COLLECTION AND DISPOSAL

#### 11.01 INTRODUCTION. Recycling ordinance for the City of Platteville.

- A. Findings and Declaration of Policy. The City of Platteville finds that reusable materials are currently being needlessly landfilled. Grant County currently has no landfill space. Mandatory recycling encourages conservation and reuse of certain materials, saves landfill space and prolongs the life of landfills. It is therefore declared to be the purpose of this ordinance to require mandatory recycling of recyclable items and to protect and promote health, safety, prosperity and general welfare of the people of the City of Platteville.
- B. Intent and Purpose. The purpose of this ordinance is to reduce the amount of recyclable items which are currently placed in landfills and to preserve the environment.
- C. Statutory Authority. This ordinance is adopted as authorized under Section 287.09(3)(b) Wisconsin Statutes.
- D. Severability. If any section, provision or portion of this ordinance is found unconstitutional or invalid by a court, the remainder of the ordinance shall not be affected.
- E. Applicability. This ordinance shall apply to each owner or occupant of any business, industry, place of commerce or other place providing goods or services of any kind and to each owner or occupant of any single-family residence, two-family residence or multi-family dwelling unit and to all other covered activities within the corporate limits of the City of Platteville.
- F. Administration. The provisions of this ordinance shall be administered by the Director of Public Works.
- G. 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, wherever this ordinance imposes greater restrictions, the provisions of this ordinance will govern.
- H. 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 interpretations shall control.

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**11.02 DEFINITION OF TERMS.** The following definitions shall be used for purposes of this ordinance:

- A. Brush shall include tree limbs and bushes less than 8" in diameter but more than ½ inch and tree limbs and woody stems less than ½ inch and inconvenient to bag.
- B. City shall mean City of Platteville.
- C. Collection shall mean the picking up and collecting of all garbage and refuse which is deposited in standard containers. Collection shall also include the transporting of such garbage and refuse.
- D. City of Platteville Marked Bag is a specially marked bag issued by the City. These bags are used to designate proper bags for disposal. This bag is being phased out and replaced by City of Platteville stickers.
- E. City of Platteville Sticker is a specially made item that is issued by the City of Platteville for residents to use to designate proper bags for disposal. They may be used on excess solid waste containers or on yard waste containers commercially produced. When placed on yard waste containers, it is required that the yard waste container be a biodegradable bag.
- F. Commercial shall refer to a structure containing wholly or in part an establishment for goods or services.
- G. Garbage shall mean animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food, including small game. All wet garbage shall be drained and wrapped and deposited in a standard container(s) as defined below. Newspaper used as a wrapper for wet garbage need not be recycled.
- H. Industrial shall mean a manufacturing operation or its equivalent operating wholly or partly within the City boundaries.
- I. Institutional shall mean any school, college, church, hospital, nursing home or public building wholly or partly within the City boundaries.
- J. Multi-Family Residential shall mean a structure with accommodations for more than two (2) families under common ownership. These include fraternities, sororities, mobile home parks, and apartment buildings, but exclude condominiums.
- K. Newspaper means a newspaper and other materials printed on newsprint.
- L. Recyclable Materials for purposes of this ordinance, means and 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

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of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins; steel containers; waste tires and bi-metal containers.

- M. Recycling shall mean the collection and marketing of designated materials for reprocessing or reuse.
- N. Refuse means all matters produced from industrial or community life, subject to decomposition, not defined as sewage.
- O. Residential shall mean a building having accommodations for and occupied exclusively by no more than two (2) families, having the status of single family or duplex dwelling units, regardless of zoning status. Condominiums where individual units of a structure, identified as individual tax roll parcels, are occupied by a single-family are also considered residential, despite having more than two (2) families in the same structure.
- P. Sewage means the water carried wastes created in and to be conducted away from residences, industrial establishments and public buildings as defined in Wisconsin Statutes Section 101.01(12), with such surface water or groundwater as may be present.
- Q. Solid Waste means any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid or contained gaseous materials resulting from industrial, commercial, mining and agricultural operations and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Wisconsin Statutes Chapter 281, or special nuclear or by-product material as defined under Wisconsin Statutes Section 196.47 and 16.11(2)(m).
- R. A Standard Garbage or Refuse Container, under this ordinance, shall be a can or container of not more than thirty-five (35) gallon capacity or equivalent which has a tight fitting lid and handles and which is waterproof or a plastic garbage bag or bags of suitable strength and not to exceed the same size and capacity. If the container has a liner, that liner shall also be a plastic bag not exceeding the same size and capacity.
- S. Yard Wastes shall include, but not be limited to, grass clippings, holiday trees, leaves, brush clippings, branches less than ½" in diameter and two (2) feet in length, weeds, and garden debris. Other materials not specified but may be included if suitable for compost and approved by the Director of Public Works.

**11.03 GENERAL PROVISIONS**

- A. No burying. It is unlawful for any person to bury or landfill solid waste or recyclables within the boundaries of the City.
- B. No burning. Burning of solid waste and/or recyclables is prohibited. (Refer to nuisance ordinances.)
- C. No dumping. 1. It shall be unlawful for any person to dispose of or dump garbage in any street, alley or other public place within the City of Platteville or in any receptacles or private property without the owner's consent.  
  
2. No person shall place for collection any garbage at the curb not owned or occupied by such person.
- D. Garbage from outside of municipality. It is unlawful to bring refuse from outside the corporate limits into the City of Platteville for disposal unless authorized by agreement with the municipality or by agreement between haulers licensed by the state and with the City of Platteville.
- E. Non disposable materials. 1. It shall be unlawful for any person to place for disposal any of the following wastes: hazardous and toxic waste, chemicals, explosives, flammable liquids and paint.  
  
2. It is unlawful for any person to introduce chemical, petroleum waste or other liquid wastes into the City storm water drainage system.
- F. Provide space for recycling in public buildings. A person in the City of Platteville owning or occupying a new public building or a public building that is remodeled or expanded by 50% or more in floor area, shall provide a designated area for the separation, temporary storage and collection of solid waste and recyclables either within or adjacent to the building. All new construction of commercial or multi-family structures in the city shall comply with COMM 61-65, Space for Recyclable Material.
- G. Antiscavenging or Unlawful removal of recyclables. It shall be unlawful for any person, unless under contract with or licensed by the City, to collect or remove any recyclable material that has been deposited or placed at the curb or in a container adjacent to a home or nonresidential building for the purpose of recycling.
- H. Storage. The storage of garbage, refuse and/or recyclables on a property must comply with Platteville Municipal Code 5.03 Health and Human Safety.
- I. Separation requirements exempted. The separation requirements of Section 11.05 do not apply to the following:

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1. Occupants of residential, multi-family residential, commercial, industrial and institutional facilities and properties that send their post-consumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials specified in Section 11.05(a)(1), (b)(1), (c)(1) and including the following: lead acid batteries, major appliances, waste oil, bi-metal containers, corrugated paper or other container board, foam polystyrene packaging, glass containers, magazines, office paper, rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins, steel containers and waste tires 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 as follows: aluminum containers, bi-metal containers, corrugated paper or other container board, foam polystyrene packaging, glass containers, magazines, newspaper, office paper, rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins, steel containers and waste tires for which a variance has been granted by the Department of Natural Resources under Section 287.11(2m), Wisconsin Statutes, or s.NR 544.14, Wisconsin Administrative Code.
- J. Care of separated recyclable materials. To the greatest extent practicable, the recyclable materials separated in accordance with Section 11.05(a)(1) and (c)(1) 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.
- K. Management of lead acid batteries, major appliances, waste oil, waste tires and yard waste. Occupants of residential, multi-family residential, commercial, industrial and institutional facilities and properties shall manage lead acid batteries, major appliances, waste oil, waste tires and yard waste as follows:
1. Lead acid batteries, major appliances, waste oil and waste tires shall be disposed of at an approved facility.
  2. Yard waste shall be maintained in accordance with Section 11.04 A.3., Section 11.04 B.8. or Section 11.04 c.8. City of Platteville Municipal Code as applicable.
- L. Preparation and collection of recyclable materials. Except as otherwise directed by the City of Platteville, occupants of residential, multi-family residential, commercial,

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industrial and institutional facilities and properties shall do the following for the preparation and collection of the separated materials specified as follows:

1. Aluminum containers shall be rinsed free of product residue. The containers shall be placed in the approved recycling bin and placed upon the curb on the day designated for collection.
2. Bi-metal containers shall be rinsed free of product residue. The containers shall be placed in the approved recycling bin and placed upon the curb on the day designated for collection.
3. Corrugated paper board shall be free of debris, flattened, stacked and tied and placed upon the curb on the day designated for collection.
4. Foam polystyrene packaging shall be rinsed free of product residue. The containers shall be placed in the approved recycling bin and placed upon the curb on the day designated for collection.
5. Glass containers (clear, green and brown) shall be rinsed free of product residue, lids and metal rings removed and discarded in the regular garbage. The containers shall be placed in the approved recycling bin and placed upon the curb on the day designated for collection.
6. Magazines shall be free of debris, stacked and tied or placed in bin and placed upon the curb on the day designated for collection.
7. Newspapers shall be free of debris, stacked and tied or placed in bin and placed upon the curb on the day designated for collection.
8. Office paper shall be free of debris and placed in the approved recycling bin and placed upon the curb on the day designated for collection.
9. Rigid plastic containers shall be prepared and collected as follows:
  - (a) Plastic containers made of PETE, labeled by the SPI code #1, but including only soda and clear liquor bottles, shall be rinsed free of product residue and caps shall be removed and discarded in the regular garbage. The containers shall be placed in the approved recycling bin and placed upon the curb on the day designated for collection.
  - (b) Plastic containers made of HDPE, labeled by the SPI code #2, but including only milk, mild detergent and water bottles, shall be rinsed free of product residue and caps shall be removed and discarded in the regular garbage. The containers shall be placed in the approved

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recycling bin and placed upon the curb on the day designated for collection.

- (c) Plastic containers made of PVC, labeled by the SPI code #3, shall be rinsed free of product residue and caps shall be removed and discarded in the regular garbage. The containers shall be placed in the approved recycling bin and placed upon the curb on the day designated for collection.
- (d) Plastic containers made of LDPE, labeled by the SPI code #4, shall be rinsed free of product residue and caps shall be removed and discarded in the regular garbage. The containers shall be placed in the approved recycling bin and placed upon the curb on the day designated for collection.
- (e) Plastic containers made of PP, labeled by the SPI code #5, shall be rinsed free of product residue and caps shall be removed and discarded in the regular garbage. The containers shall be placed in the approved recycling bin and placed upon the curb on the day designated for collection.
- (f) Plastic containers made of PS, labeled by the SPI code #6, shall be rinsed free of product residue and caps shall be removed and discarded in the regular garbage. The containers shall be placed in the approved recycling bin and placed upon the curb on the day designated for collection.
- (g) Plastic containers made of other resins or multiple resins, shall be rinsed free of product residue and caps shall be removed and discarded in the regular garbage. The containers shall be placed in the approved recycling bin and placed upon the curb on the day designated for collection.

- 10. Steel containers shall be rinsed free of product residue. The containers shall be placed in the approved recycling bin and placed upon the curb on the day designated for collection.

M. 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 following materials: aluminum containers, bi-metal containers, corrugated paper or other container board, foam polystyrene packaging, glass containers, magazines, newspaper, office paper, rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins, steel containers and waste tires which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.



**11.04 SOURCE SEPARATION AND PREPARATION REQUIRED.** The owners or occupants of each residence and non-residential enterprise shall prepare solid waste for collection in accordance with the procedures set forth in this section.

- A. Residential. The owners or occupants of each residence within a structure housing one or two residences shall:
1. Separate or cause to be separated and prepare or cause to be prepared for collection the following: recyclable materials, garbage, lead acid batteries, major appliances, waste oil, yard waste and waste tires in accordance with Section 11.03 K & L.
  2. Service and Collection –
    - (a) Each dwelling is entitled to two containers or bags of garbage waste to be serviced by the residential garbage contractor. Two family dwellings are entitled to four containers or bags of garbage waste. Additional garbage waste must be bagged in a City of Platteville marked bag which may be obtained at City Hall or selected retail stores at a cost established by the City Manager. When City of Platteville marked bags have run out, additional garbage waste must be in additional container(s) or bag(s) as defined in 11.02 Q. with a valid City of Platteville sticker affixed to the container(s) or bag(s). The contractor collecting the additional garbage waste shall remove or deface the sticker in such a way that it cannot be reused.
    - (b) Collection and disposal of garbage and refuse by the contractor shall take place at least once each week at each dwelling in the City and the contractor shall establish and make public routes and pickup times for each residence. Pickup times shall be from 7:00 a.m. to 5:30 p.m. on Mondays through Fridays. All containers for recycling and refuse shall be at the curb or near the street edge for collection by 7:00 a.m. on the day designated for collection. Such containers shall not be put out for collection earlier than 3:00 p.m. of the day preceding the scheduled collection day. No pickups shall be made at residences at any other times except by prior arrangement between the contractor and the resident(s) involved. All containers for recycling and refuse shall be removed from the front yard by 5:30 p.m. on the day following collection.
    - (c) Recyclable items will be collected each week, or as designated by the City Manager, on the same day as garbage/refuse collection and will be collected at the curb, as defined above. The owners or occupants of each residence shall be required to purchase a plastic recycling bin from the City for the purpose of separation and collection. The City Manager may promulgate reasonable rules regarding the recycling of designated materials, including the amount charged for recycling bins.

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- (d) The City or its contractor shall not be obligated to pick up garbage containers or yard waste containers weighing over fifty (50) pounds each, or to collect solid waste or recyclables set out or prepared in a manner other than as required by this ordinance. The contractor may decline to pick up the entire collection and shall attach a tag to the container stating the reason(s) for refusing the collection.
  - (e) There shall be no collection on the following holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. The route normally picked up on the above listed holidays shall be done on the following working weekday. Other variations of the pick-up schedule are permitted, but they must be advertised in advance.
  - (f) The City shall establish one pick-up in the spring and one in the fall to remove materials from residential areas. Types of materials approved for pick-up, the dates and the procedures will be determined and published by the Director of Public Works.
  - (g) Disposal of materials generated from construction, demolition or remodeling projects requiring a building permit shall be the responsibility of the homeowner.
3. Yard Wastes – The City will pick up and dispose of yard wastes placed at the curb during spring and fall clean-up periods as established in Section 11.04 A.2(f). The dates and procedures will be established and published by the Director of Public Works.
- (a) Residents needing to dispose of yard waste during summer months between the spring and fall clean-up periods must place material for disposal in a City of Platteville marked bag. When City of Platteville marked bags have run out, additional yard waste must be in biodegradable container(s) or bag(s). with a valid City of Platteville sticker affixed to the container(s) or bag(s). Procedures for provision of this service will be determined and published by the Director of Public Works.
  - (b) The Director of Public Works may establish a yard waste clean-up at other times if a community-wide need exists (violent storms).
4. Brush – The City will chip and dispose of brush placed curbside in a neat pile with the tree limb ends facing the curb, in a manner that does not block or obstruct a sidewalk. Brush removal shall be done in intervals established by the Director of Public Works.

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- (a) Tree limbs and woody stems greater than 8” in diameter may be disposed by the property owner, any contractor paid by the owner, or by the City, if prior arrangements have been made with the Director of Public Works. The property owner shall pay all expenses incurred by the City for disposal of such debris.
  5. The City or its contractor shall also provide a drop off point for recyclables. The City may designate additional materials for collection at the drop off location in addition to materials designated for the residential curbside service. Disposal fees may be applied to disposal of some materials.
  6. Inspection Authority – The Department of Public Works of the City has the right to inspect recyclable materials separated for recycling and post-consumer waste intended for disposal to determine compliance with the provisions of this ordinance.
  7. Refunds – Refunds or credits will not be issued to any person not using the City’s refuse service.
  8. Materials that shall not be considered garbage or refuse or recyclable material and which must be disposed of by the property owner, are but not limited to: earth, sod, rocks, concrete, ashes, full carcasses (dressed or undressed) of dead animals, furniture, mattresses, appliances, (white goods) materials from the remodeling or construction of homes or buildings, such as plaster or scrap lumber, yard waste, tires, drain oil from engines, large appliances (washers, dryers, refrigerators, water heaters, stoves) and tree trunks or branches larger than 8” in diameter.
- B. Multi-Family Residential. The owner or owners or designated agents of each multi-family residential structure shall:
1. Separate or cause to be separated and prepare or cause to be prepared for collection the following: recyclable materials, garbage, lead acid batteries, major appliances, waste oil, yard waste and waste tires in accordance with Section 11.03 K & L.
  2. Provide adequate, separate containers, within easy access of all apartments for the collection and disposal of refuse, garbage and recyclable materials. Owners or tenants must provide their own collection and service through a licensed waste hauler in accordance with the City of Platteville’s Garbage and Refuse Collection and Disposal Ordinance.
  3. Notify tenants, including seasonal tenants, in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program and post a copy of the procedures required by this ordinance prominently near the solid waste and recycling collection area(s).

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4. Notification shall include reasons to recycle, which materials are collected, how to prepare recyclables, collection methods or sites, locations and hours of operation and a contact person or company, including a name, address and telephone number.
  5. The requirements specified in (2), (3) and (4) do not apply to the owners or designated agents of multi-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 as follows: aluminum containers, bi-metal containers, corrugated paper or other container board, foam polystyrene packaging, glass containers, magazines, newspaper, office paper, rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins, steel containers and waste tires from solid waste in as pure a form as is technically feasible.
  6. Provide for the removal of recyclables, solid waste and yard waste generated by the residents. If a contractor is employed for removal of solid waste and recyclables the contractor must be a licensed waste handler.
  7. Inspection Authority – The Department of Public Works of the City has the right to inspect recycling and solid waste storage and receiving areas in all multi-family facilities in the City.
  8. The disposal of yard waste and brush shall be the responsibility of the property owner. It is illegal to send yard waste for disposal with solid waste or recyclables.
- C. Commercial and Industrial and Institutional: Owners or designated agents for commercial structures in the City must:
1. Separate or cause to be separated and prepare or cause to be prepared for collection the following: recyclable materials, garbage, lead acid batteries, major appliances, waste oil, yard waste and waste tires in accordance with section 11.03 K & L.
  2. Provide adequate and separate containers for collection and disposal of refuse, garbage and recyclable wastes generated as part of the operation of the business and wastes generated by employees and customers at that location. Owners or designated agents must provide their own collection and service through a licensed waste hauler in accordance with the City of Platteville's Garbage and Refuse collection and Disposal Ordinance.

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3. Notify employees, including seasonal employees, at the time of hiring and post a copy of the written procedures required by this ordinance prominently near solid waste and recycling collection location(s).
4. Notification shall include reasons to recycle, which materials are collected, how to prepare recyclables, collection methods or sites, locations and hours of operation and a contact person or company, including a name, address and telephone number.
5. The requirements specified in (2), (3) and (4) 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 as follows: aluminum containers, bi-metal containers, corrugated paper or other container board, foam polystyrene packaging, glass containers, magazines, newspaper, office paper, rigid plastic containers made of PETE, HDPE, PVC, PP, PS and other resins or multiple resins, steel containers and waste tires from solid waste in as pure a form as is technically feasible.
6. Provide for the removal of recyclables, solid waste and yard waste generated by employees and customers. If a contractor is employed for removal of solid waste and recyclables the contractor must be a licensed waste handler.
7. Inspection Authority – The Department of Public Works of the City has the right to inspect recycling and solid waste storage and receiving areas on all commercial and institutional facilities in the City.
8. The disposal of yard waste and brush shall be the responsibility of the property owner. It is illegal to send yard waste for disposal with solid waste or recyclables.

### **11.05 LICENSED WASTE HANDLER**

- A. No person or business shall engage in the collection, purchase, transportation or disposal of solid waste or recyclables generated within the City without having first obtained a license from the City unless:
  1. The person is an employee on duty of the City.
  2. The person is collecting and transporting solid waste generated at his own residence or non-residential enterprise.

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3. The person is collecting and transporting solid waste generated at the residence of a relative of that person, the person makes no charge for that service and no license is otherwise required by the State of Wisconsin.
  4. The person has obtained a waiver of the licensing requirement by the approval of the City Council.
- B. City license procedures are covered in Chapter 31.
- C. Waste haulers who collect solid waste or recyclables in the City 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 City.
- D. No person or corporation shall engage in the business of hauling recyclables within the City without being licensed by DNR under section NR 502.06, Wisconsin Administrative Code unless licensing has been waived by the City Council in accordance with Section 11.05A4.
- E. Waste handlers operating in the City are required to maintain and report in writing to the City at least twice each year the types and amounts of materials removed from the City. Licensed haulers transferring solid waste not generated in the City need not report those quantities. Reports shall include: the amount of solid waste, the amounts of recyclables processed and/or marketed by item and the final disposal location of solid waste. The amounts of solid waste shall be determined by weighing the material. The amounts of recyclable material may be estimated by weighing a sample of each material collected unless otherwise specified and required differently by the DNR. The sample shall be the total material of each type collected for a complete disposal cycle (i.e., if the material is picked up weekly then the sample must be one weeks collection). A sample must be taken for each reporting period. The report shall include the sample weights for reporting period.
- F. All solid waste must be sent to a licensed landfill, or a licensed incinerator.
- G. Waste haulers may not dispose in a landfill or burn in a solid waste facility any recyclable materials (aluminum containers, bi-metal containers, corrugated paper or other container board, foam polystyrene packaging, glass containers, magazines, newspaper, office paper, rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins, steel containers and waste tires from solid waste) generated in the City that have been separated for recycling, except waste tires may be burned with energy recovered in a solid waste treatment facility. Material losses of recyclables due to weather damage shall be permitted, but the quantities and type of material transferred from recyclable to refuse shall be reported as part of the solid waste haulers semi-annual report to the City.

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- H. Recyclable materials and refuse, upon placement at the curb, shall become the property of the hauler. Recyclable materials, upon collection by any permitted collector, shall become the property of the contractor.
- I. The City Council reserves the right to designate additional solid waste materials as recyclable or currently collected materials as no longer recyclable and to either add or delete them from any collection services provided by the municipality or its contractors. The municipality shall provide written notice to its service recipients of this declaration.
- J. The City shall establish the time of collection of solid waste and recyclables.
- K. All containers used for the transportation and collection of solid waste shall be constructed such that material does not fall out or leak. Vehicles shall be kept in good repair and clean. If solid waste shall escape from any container or vehicle, the operator shall return the solid waste to the container or vehicle and clean the area thoroughly.
- L. Solid waste cannot be commingled with recyclables for storage or transportation.
- M. Any contractor operating in the City shall not transport for processing any recyclables to a processing facility unless that facility has been approved by the City and the facility is approved by the WI DNR under Section NR 544.16, Wisconsin Administrative Code.

### **11.06 ENFORCEMENT/PENALTIES**

- A. A violation of any of the provisions in Section 11.03 A-K & M may be subject to the penalties as set out in Section 11.06 D.
- B. A violation of the required source separation and preparation in addition to any incurred cost may result in the following actions and/or penalties:
  - 1. One and two family residence – Any garbage/refuse or recyclables placed for pick-up which are not prepared as required in Section 11.03 L or Section 11.04 A, will not be picked up and may result in the entire collection being refused.

The occupant of the residence may:

- (a) correct the violation and retain the material for the next regular pickup, and if this results in material for disposal in excess of the two (2) container limit the resident shall be responsible to use a City of Platteville marked bag for the overload, or

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- (b) contact the City for an investigation. The City, within twenty-four hours, shall investigate tagged containers/bags and if no violation is found as a result of correction by the occupant or by mistake on the part of the contractor, the City Department of Public Works will deliver the material to the contractor for disposal. If a violation is confirmed, the City will not deliver the material to the contractor and it will be the responsibility of the occupant to lawfully dispose of the tagged material.
  2. Multi-family residential: Failure to comply with Section 11.03 L or Section 11.04 B may result in a penalty as set out in Section 11.06 D.
  3. Commercial and industrial and institutional: Failure to comply with Section 11.03 L or Section 11.04 C may result in a penalty as set out in Section 11.06 D.
- C. Any person who violates section 11.03 M or section 11.05 may be required to forfeit \$50.00 for a first violation, may be required to forfeit \$200.00 for a second violation and may be required to forfeit \$2000.00 for a third or subsequent violation.
- D. Any person who violates a provision of the City of Platteville Municipal Code Chapter 11 shall be subject to the following penalties:
  1. First offense: Issuance of a warning by the City of Platteville Director of Public Works.
  2. Second offense within a 12 month period: Issuance of a citation by the Director of Public Works. The fine shall be \$10.00 plus court costs and loss of collection services for a period of 30 days.
  3. Third and Subsequent Offenses within a 12 month period: Issuance of a citation by the Director of Public Works. The fine shall be \$50.00 plus court costs and the loss of collection services for a period of 6 months.

The issuance of a warning or 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 warning or citation under this ordinance.