

Ordinance No. 04-2015 (to replace Ordinance No. 02-2009 and codified ordinance 06/15/2008
Chapter 323

SOLID WASTE

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[HISTORY: Adopted by the Town Board of the Town of Washington 6-19-1986 as Ch. 7, Subch. II of the 1986 Code. Amendments noted where applicable.]

§ 323-1. Purpose.

The purpose of this chapter is to regulate the dumping or disposal of waste, garbage and refuse by individuals, firms, corporations and institutions within the Town of Washington. Because of the possible danger to the health, safety and welfare of the public, such dumping or disposal within the Town of Washington shall only be permitted under the terms and conditions hereinafter set forth.

§ 323-2. Authority.

By exercise of the Town's Village Powers' (Wisconsin Statutes Chapter 60.10(2)(c) and Ch. 61.34) for its commercial benefit and for the health, safety, welfare and convenience of the public; the Town intends to ensure that particular users of the Town Dump bear the expense, to the extent possible, for its operation and particularly for the disposal of other than municipal solid waste, commingled recyclables and paper, and to encourage individual removal of these particular listed materials from Washington Island.¹

§ 323-3. Definitions.²

The "Town" is the Township of Washington, Door County of Wisconsin known as Washington Island.

The "Dump" is the Washington Island Town Dump, or the Washington Island Exchange, in the process of being licensed by the Wisconsin Department of Natural Regulations as a waste transfer station.

Municipal Solid Waste (MSW) is that waste property deposited in the compressible garbage device.

¹ Clerk's Note: Amendment: Ordinance 2008-4. Approved TBM 12/10/08, Item H, 1.

² Clerk's Note: Amendment: Ordinance 2008-4. Approved TBM 12/10/08, Item H, 1.

Commingled Recyclables is that waste properly mingled with glass bottles, recyclable plastics, aluminum and bi-metal ('tin') cans.

Paper is that waste properly placed in the paper baler.

As used in this chapter, the following terms shall have the meanings indicated:

DUMPING or DISPOSAL — Includes, but is not limited to, unloading, throwing away, discarding, emptying, abandoning, discharging, or burying waste, garbage, or refuse on, into or under any property or lands, whether publicly or privately owned, within the Town of Washington, Washington Island, Wisconsin.

GARBAGE — Discarded material resulting from the handling, processing, storage, preparation, serving and consumption of food.

REFUSE — Combustible and noncombustible discarded material, including, but not limited to, trash, rubbish, paper, wood, metal, glass, plastic, rubber, cloth, ashes, litter and street rubbish, industrial waste, dead animals, and material and debris resulting from construction or demolition. (See Ch. NR 500, Wis. Adm. Code, Solid Waste Management.)

WASTE — Garbage, refuse and all other discarded or salvageable material, including waste materials resulting from industrial, commercial and agricultural operations and from domestic and public service activities.

§ 323-4. Dumping sites.

- A. No individual, firm, corporation or institution shall dump or dispose of waste, garbage or refuse within the Town of Washington, except at the Town Dump located on Gunnaugsson Road on Washington Island, except as hereinafter provided in Subsection B below.
- B. Dumping or disposing at sites in the Town of Washington other than the Town Dump may only be made after written permission is first secured from the Town employee in charge of the Town Dump. Such permission shall be withheld for any proposed dumping or disposal which is not permitted by, or conflicts in any way with, any other ordinances of the Town of Washington, County of Door, laws of the State of Wisconsin and administrative rules of regulatory agencies of the State of Wisconsin, including the Department of Natural Resources.

§ 323-5. Town Dump.

- A. **Dumping during hours.** Dumping or disposal shall be made at the Town Dump only during hours when the dump is in operation. Hours of operation of the dump shall be posted by the Town Board at the entrance to the dump on Gunnaugsson Road. Dumping inside the dump after hours or dumping outside the gate at any time shall be strictly prohibited by this chapter and shall be considered a violation thereof, except as posted at the dump site by the Town Board.
- B. **Method and place of dumping.** Dumping shall be made at the place indicated and in

accordance with the instructions of the Town Dump operator.

C. Restrictions on dumping. The Town Dump will not accept:

- (1) Any waste, garbage or refuse that is restricted from being dumped or disposed at the Town Dump by the State of Wisconsin, Department of Natural Resources, Ch. NR 500, Wis. Adm. Code. A list of restricted items is posted at the dump site.
- (2) Any fish entrails or other fish parts.
- (3) Brush, trees and stumps.
- (4) Aluminum cans. [Added 11-13-1989]
- (5) Metal cans. [Added 3-9-1992]
- (6) Plastic bottles bearing the code numbers 1 and 2. [Added 4-21-1992]

§ 323-6. Requirements^{3&5}

Fees will be collected before the materials listed below are transferred to the Town Dump for storage and/or disposal.

The fees will be collected by the Town employees operating the Dump.

The Town employee that is manager of the Dump is the arbiter of fees, species, weights and volumes, with appeal only to the Town Board.

1. Televisions: any size - \$20
2. Computer Monitors: any size \$15
3. Appliances: with heat pumps and with the motor/compressor/FREON intact - disposal fee is \$15.
4. Passenger vehicles or light truck tires – disposal fee is \$5/tire
5. Tires from large trucks fee is \$10/tire.
6. Tractor tires; disposal fee is \$20/tire.
7. Upholstered furniture such as chairs; disposal fee is \$15.
8. Upholstered furniture such as love seats; disposal fee is \$20.
9. Upholstered furniture such as couches; disposal fee is \$25.
10. Mattress or box-spring from a single bed; disposal fee is \$8.
11. Mattress or box-spring from a double bed; disposal fee is \$15.
12. Mattress or box-spring from a queen or king sized bed; disposal fee is \$20.
13. Boats, and other bulky items, with recyclable hardware removed; cut into pieces less than 16 square feet/8 cubic feet; disposal fee is \$1.50 per cubic yard.
14. Demolition materials, as from a demolished building, excluding asphalt shingles; disposal fee is \$1.50 per cubic foot
15. Asphalt shingles; disposal fee is \$2.5 per cubic foot.

§ 323-7. Applicability of state law.

³ Clerk's Note: Amendment: Ordinance 2008-4. Approved TBM 12/10/08, Item H, 1

⁵ Clerk's Note: Amendment: Ordinance 2015-4 . Approved TBM 7/21/2015

Nothing contained herein shall be deemed to limit or restrict the application of any state law or administrative regulation of any state agency of the State of Wisconsin regulating the subject of this chapter, including but not limited to Ch. 287, Wis. Stats.

§ 323-8. Violations and penalties.

The penalty for violation of any provision of this chapter shall be a forfeiture of not less than \$50 for each offense, together with costs of prosecution. The penalty for second and subsequent offenses and continuing violations shall be as provided in § 1-5 of this Code.

§ 323-9. Separability.⁴

Should a portion of this ordinance be judged unconstitutional and / or invalid by a competent jurisdiction then the remainder of this ordinance shall not be affected thereby.

⁴ Clerk's Note: Amendment: Ordinance 2008-4. Approved TBM 12/10/08, Item H, 1