

TOWN OF FIFIELD
ORDINANCE NO. 96
REGULATION OF MUNICIPAL REFUSE DISPOSAL

The Town Board of the Town of Fifield, Price County, Wisconsin does ordain as follows:

Section I. PURPOSE

The intent of this Ordinance is to set the guideline for what can and cannot be brought to the transfer sites in the Township of Fifield and to enhance, improve the environment, and promote the health, safety, and welfare of the Town of Fifield by establishing requirements for the disposal of refuse.

Section II. REPEAL OF ORDINANCE NO. 11, 17, 19, AND 62

Ordinances No. 11, 17, 19 and 62 are hereby repealed and replaced with this ordinance, ORDINANCE NO. 94

Section III. DEFINITIONS

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.

- (a) Attendant: The person(s) that monitors and controls what can be or what cannot be placed, or brought into the transfer site.
- (b) Construction Debris: Building materials resulting from construction, remodeling, or repair operation. (Examples: Asbestos, plaster board, wall board, insulation, carpeting, carpet padding, electric wiring, painted wood, stove pipe, cement brick, and cement block) **ALSO SEE HAZARDOUS WASTE and MAJOR APPLIANCE.** Some small items may be accepted with approval of transfer site attendant.
- (c) Demolition Debris: Building materials resulting from dismantling, tearing down, or fire destroyed buildings. Also refer to construction debris for examples.
- (d) Garbage: Means discarded materials resulting from the handling, processing, storage and consumption of food. [s. 289.01(9) Wis. Stats] Also included can be: Glue, water based paint (including dried out cans), empty aerosol cans, alkaline batteries, dry cleaning solvent.
- (e) Hazardous Waste: Waste designated as hazardous by Federal and/or State laws and regulations. (Examples: Ammunition, explosives, compressed gas cylinder, sodium, halide, and mercury vapor lamps, and PCB ballasts, acetone, antifreeze, battery acid, brake fluid, fiberglass epoxy, Freon, gasoline and other fuel, empty gas can, lighter fluid, paint-oil base-lead-enamel-metal based, paint thinner, paint stripper, rust remover, shellac, transmission fluid, turpentine, ketone, acetone, mineral spirits, varnish, wood filler, wood preservative, lead pipes, lead paint, insulation, painted wood, shingles, tar paper, fiberglass, combustible material or container, cleaners, ammonia-based, floor care products, oven cleaner, aerosol cans full, fertilizer, fungicide, pesticide, pool chemical, rat poison, stump remover, weed killer, acids (sulfuric, muriatic, hydrochloric) and strong bases, mercury, Ni-CD lithium, and mercury batteries, plumbing system cleaning agents such as lye and acids, household pesticides including herbicides, insecticides, fungicides, and rodenticides, pharmaceutical, agricultural hazardous waste, thermostats and switches, loose hazardous liquids including latex paint, artist's paints and media, contract cement, driveway sealer, glue, nail polish remover, furniture polish, insect spray, metal polish-solvent-based, mothballs, shoe polish, wood and paint stripping agents such as methyl chloride, wood treatments containing Penta, creosote, or arsenic.
- (f) Major appliance: Means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater or stove. [s. 287.01(3) Wis. Stats.] This also includes water softeners, bath tubs, sink and toilets.
- (g) Multi Family: Lands with multi-family dwelling units (two or more units) including attached and detached units, apartment complexes, town homes, and condominiums.

- (h) Non-residential Waste: All refuse produced by entities that are not residential units located in the Town of Fifield, excluding any governmental and non-profit entities. (Examples are the Town of Fifield, Price County Historical Society and Churches). Any commercial enterprise is considered non-residential, such as a gas station, restaurant, grocery store, mobile home park, etc. Also included as a commercial enterprise is an entity that has obtained a conditional use Permit (CUP) through Price County. For example, short term rental (under thirty days) or a bed and breakfast.
- (i) Person: Includes any individual, corporation, limited liability company, partnership, association, local governmental unit, state agency or authority or federal agency. [s. 287.01(5m) Wis. Stats]
- (j) Residential Waste: Garbage, refuse and recyclable materials from ones resident.
- (k) Residential Non-commercial Enterprise: An enterprise which can be a rental of one's property, either through verbal or written contract. This agreement is for a period of over thirty days and as an example maybe for six months, one year, etc.
- (l) Refuse: Means all matters produced from industrial or community life, subject to decomposition, not defined as sewage. [s. 289.01(28) Wis. Stats]
- (m) Scrap Metal: Iron, steel, aluminum, copper, brass, electric motors, and lawnmowers.
- (n) Single Family: Lands with one family detached dwelling designed for human habitation including permanent, seasonal, mobile housing unit, recreational cabin and cottage.
- (o) Solid Waste: Means any garbage, refuse, and other discarded or salvageable materials from community activities.
- (p) Transfer Site: As established by the Town of Fifield this is an enclosed fenced area that contains containers and receptacles for the collection of solid waste, garbage, refuse, and recyclables.
- (q) Waste oil: All used auto crank case, transmission, motor or hydraulic oil.
- (r) White goods: Means large electrical or gas home appliances that are typically finished in white enamel such as clothes dryer, dishwasher, kitchen range, refrigerator, washing machine and air conditioner.
- (s) 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. [s. 287.01(17) Wis. Stats]

Section IV. PROHIBITED ACTIVITIES AND NON-COLLECTIBLE MATERIALS

- (a) Ashes: It shall be unlawful to place hot ashes at the transfer sites. Ashes that are cool and dry may be brought as part of yard waste.
- (b) Improper Placement: A person may not deposit, throw or place any refuse in any park, lane, alley, street, public grounds, or public place, nor place any refuse upon any private property not owned by such person. This Section does not apply to discarding of refuse at receptacles held open to the public by a business, such as a service station.
- (c) Improper Transportation: It shall be unlawful to transport any refuse or recyclable material in any vehicle where it permits the contents to blow, sift, leak or fall there from. If spillage does occur, the person shall immediately return spilled materials to the collection vehicle and shall properly clean, or have cleaned, the area.
- (d) Refuse From Outside the Municipality: It shall be unlawful to bring refuse from outside the Town limits into the Town limits for disposal at the Transfer Site, except residential waste which shall be subject to a per bag collection fee as set by the Town Board. It shall be unlawful to dispose of refuse from outside the Town limits at any other site within the Town limits
- (e) Non-residential Waste: It shall be unlawful to dispose of non-residential waste at the Transfer Site. All refuse produced by entities that are not residential units shall be collected and disposed of by the entity.

Section V. ITEMS PROHIBITED FOR DISPOSAL AT THE TRANSFER SITE

A person may not dispose

- hazardous waste,
- auto parts (including auto body repair products, oil filters, car wash- solvent-based),

- electronics (including TV, VCR, DVD player, stereo, record player, printer, desktop copier, monitor, CPU, floor copier, ink jet printer, laser printer, microwave, smoke detector, cellphone, GPS devices),
- waste oil, oil filters, tires,
- sludge, dirt, gravel, construction debris, demolition debris
- yard waste, stumps, roots or shrubs with intact root balls,
- stair climber, aerobics, exercise equipment (this includes placement in the scrap metal pile).
- scrap metal, major appliances, white goods,
- mattresses, furniture (i.e. overstuffed chairs, couches, love seat)

Some prohibited items such as the electronics, white goods, scrap metal, waste oil, oil filters, tires, yard waste, untreated lumber, etc. may be brought to the transfer sites at a designated period specially authorized by the Town of Fifield, and then under the terms and conditions established by the Town.

Section VI. APPLICABILITY AND ENFORCEMENT

This Ordinance applies to all single family, multi family, residential non-commercial enterprise, single rental, residential rental properties of residents within the township. Properties include real and personal taxable property [s. 60.85(1)(o) Wis. Stats)].

The transfer site attendant has the authority to assist, direct, deny, and or refuse acceptant of non-authorized items. As an agent of the town, the attendant has the authority to collect money for items that are chargeable.

Section VII. PENALTY

Any person who violates any of the provisions of this Ordinance shall be subject to a penalty of \$500.00.

Section VIII. SEVERABILITY

The provisions of this Ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this Ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this Ordinance or the application to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstance shall not be affected.

Section IX. EFFECTIVE DATE

This ordinance is effective on posting or publication. The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. Stats.

Adopted this 7th day of February, 2013.

By the Town Board of the Town of Fifield:

/s/

 Frank Sevcik, Chairman

/s/

 James A. Hintz, Supervisor

/s/

 Russell G. Severt, Supervisor

ATTEST:

/s/

 Sally L. Putnam, Town Clerk