

GARBAGE COLLECTION AND REMOVAL ORDINANCE OF THE
TOWN OF WASCOTT

WHEREAS, it is the responsibility of the Town of Wascott, Board of Supervisors, in the exercise of its police powers to regulate and provide for the removal of and disposal of garbage and refuse generated in the Town of Wascott in order that the health, safety and welfare of all persons in the Town of Wascott may be protected.

NOW, THEREFORE, the Town of Wascott, Board of Supervisors, in regular meeting assembled, do hereby ordain that the Garbage Collection and Removal Ordinance be hereby adopted and effective on January 1, 1990 and that the ordinance be posted in three (3) public places in the Town of Wascott and that proof of such posting be filed with the Town Clerk at least one (1) day prior to set effective date, and that a permanent copy of said ordinance be placed on file in the records of the Town Clerk of the Town of Wascott for public inspection at all reasonable times.

I. INTENT

A. The purpose of this ordinance is to help ensure that efficient, nuisance-free and environmentally acceptable solid waste management procedures are practiced in Douglas County.

B. It is the purpose of the Town of Wascott, Board of Supervisors, in the exercise of its police powers to regulate and provide for the removal of and disposal of garbage and refuse generated in the Town of Wascott in order that the health, safety and welfare of all persons in the Town of Wascott may be protected.

C. It is the intent of the Town of Wascott, Board of Supervisors, that all sections and provisions of this ordinance have an independent existence and should any section or provision be declared invalid or unconstitutional by a court of competent jurisdiction, it is the intent of the Town of Wascott, Board of Supervisors, that any section or provision so declared shall be severable from and shall not affect the validity of the remainder of the ordinance.

II. DEFINITIONS

As used in this legislation:

1. "Licensed hauler" shall mean that person to whom the Township has issued a license to transport Municipal Solid Waste (MSW) and whom the Township has designated for purposes of transporting said solid waste to the landfill owned and operated by the City of Superior, Douglas County, Wisconsin.

Said licensed hauler shall collect the charge directly from the Township for the cost of transport and removal.

2. "Person" or "Owner" means any human being, partnership, corporation, firm, company, association, society or group,

3. "Solid Waste" shall have the meaning specified in S. NR 144.01 (15) Stats.

4. "Hazardous Waste" shall have the meaning specified in S. NR 181.12.

5. "Infectious Waste" means solid waste which contains pathogens with sufficient virulence and quantity so that exposure to the waste by a susceptible host could result in an infectious disease.

6. "Municipal Solid Waste" (MSW) means solid waste generated primarily by residents and commercial activities.

7. "Garbage" shall have the meaning specified in S. 144.01 (4) Stats.

8. "Refuse" shall have the meaning specified in S. 144.43 (4) Stats.

III. DUTY OF OWNER TO REMOVE AND DISPOSE OF MUNICIPAL SOLID WASTE.

A. It shall be the duty of the owner of every residential and commercial structure to provide for not less than weekly disposal of all MSW generated by such dwelling units to the designated town collection facility.

B. REMOVAL OF OFFENSIVE MATTER FROM PREMISES-AUTHORITY OF TOWNSHIP.

Whenever MSW, dead animals or parts thereof or other putrescible materials shall not be contained or removed as required by this chapter, the Town Constable or any member of the Board of Supervisors may direct the removal of such material by the licensed hauler. In such event, the licensed hauler shall within the time specified by the Town Constable or any member of the Board of Supervisors, (which time shall not be less than within twenty-four (24) hours of being so directed, Saturdays, Sundays and holidays excluded), make such collection and removal. Whenever such Town Constable or member of the Board of Supervisors directs a licensed hauler to remove material from any premises pursuant to this section, he or she shall make written record of such action and provide a copy to the licensed hauler. If such collection and removal requires an expenditure of time and effort comparable to that required for ordinary collections, the collector shall be paid at his regular rate for ordinary collections. If such collection requires time and effort in excess of that required for ordinary collections, the collector shall be paid a reasonable hourly rate determined by the Board of Supervisors. The fee for such collection shall be paid by the Township and recovered from the owner of the premises from which such collection and removal is made.

C. REMOVAL OF OFFENSIVE MATTER FROM PREMISES-NOTICE TO OWNER.

Whenever the Town Constable or a member of the Board of Supervisors shall deem it necessary to remove, at the expense of the owner, any MSW, manure, dead animals or parts thereof as provided in the preceding section, the Town Constable or a member of the Board of Supervisors shall personally serve a written notice upon the owner or agent of the property affected or, if the owner or agent cannot be found, by posting said notice on the premises setting forth the fact that such removal has been ordered and granting the owner or agent a reasonable period of time for the completion for such removal. Such time allowance shall in no case be less than twenty-four (24) hours and no more than forty-eight (48) hours.

D. REMOVAL OF OFFENSIVE MATTER FROM PREMISES-DUTY OF OWNER.

Every owner or agent served with a notice, as described in the preceding section, shall cause an abatement of the nuisance or health hazard described in such notice within the time limits prescribed by such notice.

E. DUTY OF LICENSED HAULER TO OPERATE IN ACCORDANCE WITH LANDFILL REGULATION.

It shall be the duty of the licensed hauler to abide by the regulation and policies of the City of Superior and Department of Natural Resources in the transportation of solid waste and depositing of solid waste at the Municipal Landfill. Failure in this regard will result in termination of the haulers access to the landfill.

F. WASTE CHARACTERIZATION.

Only the waste types and sources listed in the plan of operation approval, waste previously approved by the City of Superior and Department of Natural Resources in writing or otherwise allowed under S. NR 506 may be accepted for disposal. Hazardous waste and infectious waste will not be accepted at the Municipal Landfill.

IV.

This ordinance shall be in full force and effect from and after thirty (30) days of the date of passage and posting of this ordinance and proof of such posting is filed in in the official Town records of the Town Clerk.

Passed and Approved this 4 day of November 1989.

Harold Brown
Harold Brown, Chairman

Lyle Paske
Lyle Paske, Supervisor

Ervin Bergman
Ervin Bergman, Supervisor

Attest and filed this 4
day of November 1989.

Marilyn Scott
Marilyn Scott, Town Clerk