

CHAPTER 13  
HEALTH AND SANITATION

- 13.01 Regulation of Nuisance-Type Businesses
- 13.02 Solid Waste Collection and Mandatory Recycling
- 13.03 Penalty

**13.01 REGULATION OF NUISANCE-TYPE BUSINESSES.** (1) PERMIT REQUIRED. No person shall conduct within the Town any business which has a tendency to create a public nuisance, except upon a permit issued by the Town Board and subject to such conditions as the Board may impose.

(2) DEFINITION. A business which has a tendency to create a public nuisance is one which, unless properly regulated, may create conditions creating a public nuisance, as defined in sec. 10.02 of this Code.

(3) This section is enacted pursuant to §66.0415, Wis. Stats.

**13.02 SOLID WASTE COLLECTION AND MANDATORY RECYCLING.** (1) DEFINITIONS. The terms used herein shall be defined as follows:

(a) *Commercial Waste.* Any solid waste that accumulates in or upon property which is used for business, commerce or trade.

(b) *Commingled Recyclables.* A mixture of several recyclable materials placed in one container.

(c) *Garbage.* All kinds of organic kitchen waste resulting from the preparation of food and all decayed or spoiled food products from any source whatsoever.

(d) *Hazardous Waste.* Any waste which, because of its quantity, concentration or physical chemical or infectious characteristics, including, but not limited to, ignitability, corrosivity, reactivity or toxicity, may pose a substantial present or potential hazard to human health or the environment when improperly treated, disposed of or otherwise managed.

(e) *Household Hazardous Waste.* Those wastes resulting from products purchased by the general public or household use which, because of their quantity, concentration or physical, chemical or infectious characteristics, may pose a substantial known or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

(f) *Industrial Waste.* Any solid waste that accumulates in or upon property which is used for manufacturing or industrial purposes.

(g) *Junk Mail.* The paper portion of discarded postal mail.

(h) *Major Appliance.* A commercial or residential water heater, boiler, furnace, dehumidifier, range, microwave oven from which the capacitor has been removed, refrigerator, freezer, air conditioner, dishwasher, clothes washer, clothes dryer and television.

(i) *Medical Waste.* Infectious waste and those containers, packages and materials containing pathogens with sufficient virulence and quantity so that exposure to the waste by a susceptible host could result in disease.

(1) *Nonrecyclable Solid Waste.* Material not capable of being recycled or used again. As used herein, the term includes wastes that were at some time recyclable but in their current form are not.

(k) *Office Paper.* Paper products generated in an office consisting of, but not limited to, high grade copy paper, computer paper and envelopes.

(l) *Metal.* Metal which can be recycled, but is not a "major appliance" or metal container such as a steel or aluminum can.

(m) *Refuse.* Combustible and noncombustible rubbish, including, but not limited to, paper, wood, metal, glass, cloth and products thereof, litter, street sweepings, ashes, grit, lumber, concrete and other debris resulting from the demolition or destruction of structures.

(n) *Solid Waste.* All garbage, refuse, rubbish, recyclable material, yard waste and any other discarded or salvageable solid material.

(o) *Wood Waste.* Clean, dry, untreated wood wastes, stumps and brush greater than 6 inches in diameter that can be disposed of at a licensed wood burning facility.

(p) *Yard Debris.* Woody vegetative material, including stumps, roots or shrubs.

(q) *Yard Waste.* Leaves, grass clippings, yard and garden debris and brush.

(2) **APPLICABILITY.** This section shall apply to all persons within the Town.

(3) **IMPLEMENTATION.** The collection, removal and disposal of solid waste in the Town shall be conducted by a contractor retained by the Town under the supervision and direction of the Town Board. The Board shall be responsible for implementing and enforcing this section.

(5) **SOLID WASTE DISPOSITION.** (a) *Garbage, Refuse and Recyclables.* Town residents may dispose of garbage, refuse and recyclables at the Town Recycling Center on Saturdays between the hours of 8:00 A.M. and 2:00 P.M. All materials to be deposited shall be separated and deposited in designated bins as directed by the Recycling Center attendant. Materials not properly separated shall be rejected.

(b) *Clean-up Days.* During the first 2 weeks of May and October between the hours of 8:00 A.M. and 2:00 P.M., except Sundays, Town residents may deposit furniture, bedding, refrigerators, dehumidifiers, AC units, fluorescent bulbs and tubes, light bulbs, tires, roofing, carpeting, TV sets, computers, monitors, printers and microwaves. See the complete clean-up list and respective disposal fees on file in the office of the Town Clerk.

(c) *Hazardous Waste.* Hazardous waste materials may be disposed of during Dodge County's Clean Sweep at the location and times to be announced by the County.

(6) **PROHIBITIONS ON THE DISPOSAL OF RECYCLABLE MATERIALS.** No person may dispose of recyclable materials in a solid waste disposal facility.

(7) **ENFORCEMENT.** (a) Any authorized officer, employe or representative of the Town may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, collection sites and facilities, collection areas of multi-family dwellings, nonresidential facilities and properties, solid waste disposal facilities and solid waste treatment facilities. The Town may also request any records relating to recycling activities for the purpose of ascertaining compliance with the provisions of this section.

(b) No person may obstruct, hamper, interfere or deny access or information to any authorized officer, employe or representative of the Town who presents appropriate credentials for the purpose of inspection.

(c) Any person violating any provision of this section shall be subject to a forfeiture of not less than \$5 nor more than \$100 for each offense plus the cost of prosecution.

**13.05 PENALTY.** Any person who shall be found guilty of violation of any of the provisions of this chapter shall be required to pay a forfeiture of not less than \$25 nor more than \$200 together with the costs of prosecution and, in default of the payment of such forfeiture, shall be imprisoned in the County Jail until such forfeiture and all costs, including subsequent costs, have been paid, but not for a period exceeding 30 days.