

**TITLE XI**  
**Chapter 70**  
**GARBAGE COLLECTION**

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**70.01**                    **PURPOSE.**

The purpose of this chapter is to require people within the City of Blair to follow specific non-recyclable waste disposal rules.

**70.02**                    **INTERPRETATION.**

The provisions of this chapter shall be construed to be minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. In the event any term or requirement of this chapter is found to be inconsistent with or to conflict with any other term or requirement of this chapter, the less restrictive term or requirement shall control. Where a provision of this chapter is required by Wisconsin Statute, or by Wis. Adm. Code, and where the provision of this chapter is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and Wis. Adm. Code, in effect on the date of the most recent amendment to this chapter.

**70.03**                    **DEFINITIONS.**

For the purpose of this chapter, the following terms shall have the meanings indicated:

CITY: The City of Blair, Trempealeau County, Wisconsin.

CONTAMINATED DEMOLITION WASTE: Solid waste resulting from the construction, demolition or razing of buildings, roads and other structures, including but not limited to concrete, bricks, bituminous concrete, wood, glass, masonry, roofing, siding and plaster, alone or in combinations, but not including asbestos, waste paints, solvents, sealers, adhesives or other similar materials.

DISPOSABLE WASTE: All solid waste which is generated within the City, except:

- A. Recyclable materials.
- B. Unpainted and untreated wood and brush.
- C. Inert and contaminated demolition waste.
- D. Metal and major appliances.
- E. Waste tires.
- F. Yard waste.
- G. Masonry, brick, concrete, stone or other industrial or construction waste.
- H. Any item of waste exceeding four feet in any one dimension or exceeding 100 pounds in weight.
- I. Any item of waste that will likely pose a threat to health or safety in violation of any judicial decision or order, or in violation of any action of any federal, state or local government, or any agency thereof, or in violation of any applicable law or regulation.
- J. Hazardous waste:
  - a. Any waste defined as hazardous in 40 CFR 261.3, or in any successor regulations, or by the United States Environmental Protection Agency, or classified as a toxic substance or toxic waste or prohibited for incineration by any local, state or federal agency having jurisdiction over the RDF Facility.
  - b. Radioactive waste or material or hazardous waste regulated under 42 U.S.C. §§ 6921 to 6925 and regulations adopted thereunder, or any other federal, state or local law.
  - c. Hazardous substances defined in 42 U.S.C. § 6901 et seq. and any regulations promulgated thereunder.
  - d. All wastes requiring special handling to comply with local, state or federal law, including but not limited to:
    - (i) Pathological, infectious, or explosive material.
    - (ii) Oil sludge.
    - (iii) Cesspool or human waste.
    - (iv) Animal remains or waste.

e. Any type of waste which is smoldering, on fire, at its kindling point, or in the process of initiating combustion.

K. Inert Demolition Waste

L. Any other materials deemed not collectable by the City and/ or any person it hires to pick up disposable water.

INERT DEMOLITION WASTE: Clean soil, brick, building stone, concrete, reinforced concrete, broken pavement and unpainted or untreated wood.

MAJOR APPLIANCE: A large mechanical or electrical device which uses a power supply, including a residential or commercial air conditioner, a clothes dryer, a clothes washer, a dishwasher, a freezer, a microwave oven, a conventional oven, a refrigerator, a stove, a residential or commercial furnace, a boiler, a dehumidifier, or a water heater. "Major appliance" does not include microwave ovens from which the capacitor has been removed.

METAL: All products made of metal, except recyclable materials as defined in this chapter. "Metal" includes, but is not limited to, refrigerators, stoves, water heaters, tire rims, springs, bicycles, scrap metal and other similar materials.

MULTIPLE-FAMILY DWELLING: A property containing five (5) or more residential units, including those units which are occupied only seasonally.

NONRESIDENTIAL FACILITIES AND PROPERTIES: Commercial, retail, industrial, institutional and governmental facilities and properties. "Nonresidential facilities and properties" does not include multiple-family dwellings.

PERSON: Any individual, corporation, partnership, association, local governmental unit, as defined in § 66.0131(1)(a), Wis. Stats., state agency or authority or federal agency.

POST-CONSUMER WASTE: Solid waste, except:

- a. Solid waste generated in the production of goods;
- b. Hazardous waste, as defined in § 291.01(7), Wis. Stats.;
- c. Waste from construction and demolition of structures;
- d. Scrap automobiles; or
- e. High-volume industrial waste, as defined in § 289.01(17), Wis. Stats.

RECYCLABLE MATERIALS: Containers constructed with aluminum, glass, or steel, and includes bimetal containers.

RESIDENCE: Any dwelling excluding multiple-family dwellings, non-residential facilities and properties, and trailer parks.

SOLID WASTE: Has the meaning specified in § 289.01(33), Wis. Stats.

SOLID WASTE DISPOSAL: Has the meaning specified in § 289.01(34), Wis. Stats.

UNPAINTED AND UNTREATED WOOD AND BRUSH: All brush, branches, small trees, bushes, furniture and other articles made exclusively from unpainted and untreated wood, except yard waste.

WASTE TIRE: A tire that is no longer suitable for its original purpose because of wear, damage or defect.

YARD WASTE: Leaves, grass clippings, yard and garden debris and brush, including clean, woody, vegetative material no greater than six inches in diameter. "Yard waste" does not include stumps, roots or shrubs with intact root balls.

**70.05 MULTIPLE-FAMILY DWELLINGS AND TRAILER PARKS.**

(1) Owners or designated agents of multiple-family dwellings and Trailer Parks shall do all of the following:

- (a) Provide adequate containers for recyclable materials and garbage collection and collect and dispose of the same.
- (b) The City will not provide garbage services to multi-family dwellings or Trailer Parks.

**70.06 NONRESIDENTIAL FACILITIES AND PROPERTIES.**

(1) Owners or designated agents of nonresidential facilities and properties shall do all of the following:

- (a) Provide adequate containers for recyclable materials and garbage collection and collect and dispose of the same.
- (b) The City will not provide garbage services to nonresidential facilities and properties.

**70.07 CITY COLLECTION OF DISPOSABLE WASTE**

- (1) The City shall cause disposable waste to be collected curbside as provided herein.
- (2) When placed for collection, all disposable waste shall be placed in City-approved collection containers which shall be securely closed.
- (3) All collection containers placed for collection shall be placed on the curb no more than 24 hours prior to the designated time for collection. If approved in advance by the City, disposable waste may be placed at a location other than a curb if the location is accessible to authorized officers, employees, agents, or representatives of the City.
- (4) All residences in the City of Blair shall obtain a City approved collection container and participate in curbside collection. The City may charge a fee for collection containers and collection services.

**70.08 AUTHORITY TO REFUSE COLLECTION.**

City employees, agents or representatives may refuse to collect any disposable waste which is not separated, prepared or placed for collection in accordance with this chapter.

**70.09** UNAUTHORIZED REMOVAL OF WASTE.

From the time of placement of disposable waste, which has been prepared in accordance with the terms of this chapter, for curbside collection by the City or its agents or representatives, it shall be a violation of this chapter for any person who is not the owner of or the person who places such disposable waste, or an authorized officer, employee, agent, or representative of the City, to move such waste or cause such waste to be moved.

**70.10** RECYCLING

See Chapter 62 of the Ordinances for the City of Blair.

**70.11** ADMINISTRATION.

The provisions of this chapter shall be administered by the City Clerk under the supervision and authority of the City Council.

**70.12** ENFORCEMENT; VIOLATIONS AND PENALTIES.

(1) For the purpose of ascertaining compliance with the provisions of this chapter, any authorized officer, employee, agent or representative of the City may inspect recyclable materials separated for recycling, post-consumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and nonresidential facilities and properties, and any records relating to recycling activities, which shall be kept confidential when necessary to protect proprietary information. No person may refuse access to any authorized officer, employee, agent or representative of the City who requests access for purposes of inspection and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

(2) Authorized officers, employees, agents, and representatives of the City may issue a citation to and collect forfeitures from any person who violates a provision of this chapter. The issuance of a citation shall not preclude the City from proceeding under any other ordinance or law relating to the same or any other offense. Proceeding under any other ordinance or law relating to the same or any other offense shall not preclude the City from issuing a citation under this subsection.

(3) Any person who violates this chapter may be required to forfeit not less than \$10 nor more than \$1,000 for each violation, and each day of violation is a separate offense.

Adopted 11/6/2023

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