

ORDINANCE No. 2023-02
RECYCLING ORDINANCE
Town of New Hope, Portage County, WI

The Town Board of the Town of New Hope, Portage County, Wisconsin, ordains as follows:

1.01 Title. Recycling Ordinance for the Town of New Hope.

1.02 Purpose. The purpose of this ordinance is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in s. 287.11, Wis. Stats., and Chapter NR 544, Wis. Administrative Code.

1.03 Statutory Authority. This ordinance is adopted as authorized under s. 287.09(3)(b), Wis. Stats., and the Town of New Hope, Portage County, WI.

1.04 Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with any existing rules, regulations, ordinances or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall apply.

1.05 Interpretation. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in Chapter NR 544, Wis. Administrative Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the Chapter NR 544 standards in effect on the date of the adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance.

1.06 Severability. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

1.07 Applicability. It is deemed mandatory that all residents of the Town of New Hope shall participate in the recycling program. The requirements of this ordinance apply to all persons within the Town of New Hope.

1.08 Administration. The provisions of this ordinance shall be administered by the Town of New Hope.

1.09 Effective Date. The provisions of this ordinance shall take effect on June 22, 2023.

1.11 Separation and Preparation of Recyclable Materials. Except as otherwise directed by the Town of New Hope, occupants of single family and 2-to-4 unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from postconsumer waste for the preparation and collection of the single stream. Harter's Recycling uses single stream recycling: do not bag any recyclable material. Any acceptable recyclable material (1.11 (1) through (4) should be clean and and dry, and placed in the designated recycling bin provided for each residence for curbside pickup. Do not mix recycling with garbage.

Acceptable and non-recyclable (1) - (4) material is as follows:

1) Recyclable Metals:

- a. Aluminum cans, pans (only uncoated, no non-stick pans) and containers
- b. Bi-metal containers (uncoated)
- c. Steel containers
- d. Aluminum foil
- e. Screens and scrap metal (if small enough to fit recycling dumpster)

Non-recyclable Metals:

- a) Tire rims (too large for bin – see Scrap Metal Dealer or Portage Co. Solid Waste)
- b) Aerosol cans, compressed canisters
- c) Coat hangers (donate to thrift store)
- d) Non-stick cookware (because of the coating- polytetrafluoroethylene aka Teflon)

Note: Portage Co. Solid Waste accepts these

2) Recyclable Plastics:

- a) PETE/PET (Polyethylene Terephthalate) marked with “1” recycling code (Examples: include soda and water bottles, some juice and liquor bottles, cooking oil containers, food jars, frozen food or other trays, clamshell packaging, aspirin bottles)
- b) HDPE (High-Density Polyethylene) marked with a “2” recycling code (Examples: containers for household cleaning chemical products such as laundry detergent, fabric softener, bleach; milk, juice, water, and shampoo bottles, butter, sour cream, yogurt, cottage cheese tubs)

Non-recyclable Plastics:

- a) PVC and V (Polyvinyl Chloride) marked with “3” recycling code (Examples: plastic tubing, kids’ toys, plastic trays and furniture, vinyl siding, piping, windows, plastic shower curtains/liners, plastic table clothes (repurpose, trash)
- b) LDPE (Low Density Polyethylene) marked with a “4” recycling code (Examples: plastic wrappings , dry cleaning and shopping bags; bags that hold newspapers, sliced bread loaves, fresh produce, toothpaste tubes, squeeze bottles) (trash or return to some grocery stores)
- c) PP (Polypropylene) marked with a “5” recycling code (Examples: clean empty syrup and medicine bottles, plastic straws, some food containers)
- d) PS (Polystyrene or Styrofoam), marked with a “6” recycling code (Examples: disposable coffee cups and plates, egg cartons, coolers, to-go food containers, packing peanuts (consider reusing or donating to shipping service), foam polystyrene packaging) (trash)
- e) Most bottle caps and lids (plastic #5 - trash)

3) Recyclable Paper: Note: Recycling of clean paper and dry cardboard is required by law.

- a. Clean, dry flattened corrugated paper or other container board (excluding wet cardboard and soiled pizza and fast-food boxes which should be discarded as garbage) **NOTE: it is illegal not to recycle clean dry cardboard**
- b. Newspapers, phone books, magazines, catalogs (including glossy paper), mail (plastic windows ok), office paper, shredded paper, greeting cards, instruction manuals
- c. Paper bags, regular gift wrap (not laminated or embellished with metallics, glitter, etc.)
- d. Clean pizza boxes and food containers, milk and juice containers, paper towel/toilet paper cardboard tubes
- e. Document Shredding: Secure document shredding is available at Portage Co. Solid Waste; a limit of three bank sized boxes may be brought at one time, with a modest fee per box.

Non-Recyclable Paper:

- a) Hard-cover books and paperbacks (donate or trash)
- b) Paper towels, napkins, tissues (trash)
- c) Coffee/drink cups (trash)
- d) Coated, leak-proof, or soiled paper plates and cups (trash)
- e) Greasy/soiled pizza boxes and food containers, frozen food containers, wet cardboard (trash)
- f) Wax or parchment paper (trash)
- g) Photographic paper (trash)

4) Recyclable Glass:

- a) Bottles and jars (unbroken)

Non-Recyclable Glass: (Portage Co. Solid Waste, Special Recycling Events)

- a) Broken glass (trash if packaged in a sealed box)
- b) Mirrors (donate or trash)
- c) Broken drinking and wine glasses, broken window (trash if wrapped or put in sealed box)
- d) Ceramics, plates, cups, drinking glasses, mugs, pottery, flower pots, baking/cooking glass (measuring cups, pie pans, casserole dishes, mixing bowls) (donate, trash if wrapped in newspaper or put in sealed box)
- e) Flower vases, glass home décor (donate, trash)

For items s. 1.11(5) through (16) that are not accepted in the recycling curbside pick-up by Harter’s Recycling:

- A. The Portage County Transfer Facility accepts all non-recyclable materials listed above, and items posted below; special fees may apply. Please call the Portage County Transfer Facility for information (transfer by resident required).
- B. The Town of New Hope holds a Recycling Special Event in the Fall, accepting batteries, tires, appliances, electronics, waste oil; special fees may apply.
 - a. Other townships may hold similar recycling events. Special fees may apply. When possible, those events will be posted on the Town of New Hope Website.
- C. Some retail stores will accept and remove used appliances when being replaced. Special fees may apply.
- D. Some groceries will take plastic grocery bags.

For items not accepted by Harter's recycling collection specified in s. 1.11(5) through (16):

- 5) Prescription Drugs and Sharps:
 - a. Prescription Drugs and Medication Disposal: **Do not flush, put in trash, or pour onto ground.** Unused medication should be sealed in a plastic bag and taken to the Plover or Stevens Point Police Station or the Portage Co. Sheriff's Office during normal business hours.
 - b. Sharps Disposal: **Do not put sharps or sharps containers in your recycling or trash container.** Used needles, lancets, and other sharps must be disposed of separately from regular trash or recyclables; place in a hard, puncture-resistant container with secure lids or caps (sharps containers or thick-walled plastic detergent or bleach bottles with screw caps), label the container 'sharps'; bring to Metro Market Pharmacies (Stevens Point & Plover), Hometown Pharmacies (Stevens Point & Plover), or Portage Co. Solid Waste (Plover).
- 6) Clothing or Linens (use donation programs or local food pantries, trash)
- 7) Construction or Remodeling Debris:
 - a. Asbestos shingles, siding, etc. (contact Portage Co. Solid Waste for Asbestos Remediation)
 - b. Construction/Remodeling Materials (except asbestos), doors, cabinets, lumber, windows, sinks, toilets, hot tubs, satellite dish, compressors, tools, treated lumber, small sheds (Portage Co. Solid Waste)
- 8) Batteries:
 - a. Alkaline, carbon zinc, zinc-air, silver oxide batteries (flashlights, toys, clocks, portable electronics, smoke alarms, remote controls, calculators, transistor radios, garage door openers, hearing aids, medical devices, watches, greeting cards) (trash)
 - b. Lithium batteries (and devices that contain them, like laptops, cell phones, notebooks, tablets, computer peripherals, other portable electronics with screens **must be recycled** (Portage Co. Solid Waste, Special Recycling Events)
 - c. Alkaline Manganese (rechargeable), Lithium/Lithium Ion (Li/Li-ion), Nickel-Cadmium (Ni-Cd - rechargeable) and Nickel-Metal Hydride (Ni-HM), Sealed Lead Acid (Pb - rechargeable): Flashlights, toys, clocks, portable electronics, smoke alarms, remote controls, power tools, power banks, electronic cigarettes/vaping devices, cellphones, computer packs, R/C hobby vehicles, video cameras, wheelchairs, ATV's, metal detectors, cameras watches, hearing aids, small portable electronics, computer motherboards, greeting cards (Recycling encouraged)
 - d. Lead Car Batteries (Portage Co. Solid Waste, Special Recycling Events)
- 9) Major Appliances and Furniture shall be hauled away at owner's expenses. (Portage Co. Solid Waste or donate)
 - a. Major Appliances may be removed by sales service center where new appliances are purchased and delivered (Portage Co. Solid Waste); usually fees apply.
 - b. Furniture, mattresses, grills: (Portage Co. Solid Waste or donate)
 - c. Electronics (because of heavy metals), computers, cell phones, mercury thermometers, ICSD smoke detectors (contain radioactive material) (return to stores like Best Buy; dispose at Special Recycling Events or Portage Co. Solid Waste)
 - d. Exercise equipment, piano, swing sets (Portage Co. Solid Waste or donate)
 - e. Snow blowers, lawn mowers, riding lawn mowers, boats that are 16-feet or shorter (Portage Co. Solid Waste or donate)
- 10) Light bulbs and ballasts: Since many light bulbs contain metals such as mercury, those must be recycled:
 - a. tube- and compact-style fluorescent bulbs, including compact fluorescent lamps (CFLs)
 - b. mercury vapor bulbs – i.e., high-intensity lamps with blue-white, originally used as farmyard lights
 - c. metal halide bulbs – i.e., newer, more efficient high-intensity lights
 - d. high and low-pressure sodium vapor bulbs – i.e., yellow lights used for outdoor security lighting.
(Special Recycling Events and Portage Co. Solid Waste)
- 11) Fire Extinguishers may be brought to Summit Companies in Stevens Point; 4916 Kirschling Ct. Please call 715.342-8876 with questions.
- 12) Tanglers (hoses, wires, chains, or electronic cords): (trash)
- 13) Fireworks (soak 24 hours, double bag, dispose in trash)
- 14) Hazardous Waste: hazardous materials such as pesticides, herbicides, cleaners, paints, chemicals, gas, cleaning solutions, mothballs, and aerosols may be brought to the Hazardous Waste Collection program (PCSW), which runs March through November by appointment only. Call 715-346-1931. Fees apply. Very small quantity generators, businesses and farms may inquire about their disposal options by calling 715-346-1931. **Do not flush, put in trash, or pour onto ground.**
 - a. Paint – fill half of the can with Kitty Litter, let dry 2-4 days until solid (trash or Portage Co. Solid Waste)
 - b. Waste oil and antifreeze (Special Recycling Events or Portage Co. Solid Waste)
 - c. Motor oil, antifreeze, car batteries, cooking oil (Portage Co. Solid Waste, Special Recycling Events)

- 15) Tires: (NOTE: Illegal to throw in trash because of inner steel belts) (Special Recycling Events, Portage Co. Solid Waste at owner's expense, left with service center where new tires are purchased.)
- 16) Yard Waste: Yard waste (leaves, most weeds, fruit and vegetables, plant clippings, or woody debris less than 6 inches in diameter cannot be placed in trash, and should be composted; use a mulching mower.
- Wood, brush, and leaves may be burned, but a burning permit may be needed; chipping branches and brush or using it in fireplaces is also an option.
 - Noxious and/or Invasive species such as garlic mustard, Japanese knotweed, or buckthorn are accepted as trash if they are bagged.
 - Compose unused fruit and vegetables whenever possible.

1.12 Prohibitions on Dumping or Disposing of Solid Wastes: It is unlawful for any person to dump or otherwise dispose of any solid waste upon any street, valley, highway, land, stream or waters within the Town of New Hope.

1.13 Prohibitions on Disposal of Recyclable Materials Separated for Recycling. No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any of the materials specified in s. 1.11 (5) through (15) which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

1.14 Enforcement and Forfeiture.

- 1) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the Town of New Hope OR Harter's Fox Valley Disposal may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of single-family dwellings, multiple-family dwellings and non-residential facilities and properties, and any records relating to recycling activities, which shall be kept confidential when necessary to protect proprietary information.
- 2) No person may refuse access to any authorized officer, employee or authorized representative of the Town of New Hope OR Harter's Fox Valley Disposal who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.
- 3) Any person who violates a provision of this ordinance shall be subject to a forfeiture of \$50, plus costs of collection for each occurrence. Each violation shall constitute a separate offence. A citation will be issued by the Town of New Hope to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this paragraph.

1.15 Definitions. The term "recyclables" shall include, but is not limited to, any item determined by the State of Wisconsin per Statute 159 (1991-92) to be eligible for recycling. The word "refuse" shall pertain to all garbage and non-recyclable items allowed in dumpsters for transfer to a landfill site. For the purpose of this ordinance:

- 1) "Bi-metal container" means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.
- 2) "Container board" means corrugated paperboard used in the manufacture of shipping containers and related products.
- 3) "Foam polystyrene packaging" means packaging made primarily from foam polystyrene that satisfies one of the following criteria:
 - a) Is designed for serving food or beverages.
 - b) Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
 - c) Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.
- 4) "Glass Container" means a glass bottle, jar or other packaging container used to contain a product that is the subject of a retail sale and does not include ceramic cups, dishes, oven ware, plate glass, safety and window glass, heat resistant glass such as Pyrex, lead based glass such as crystal, or TV tubes.
- 5) "HDPE" means high density polyethylene, labeled by the SPI code # 2.
- 6) "LDPE" means low density polyethylene, labeled by the SPI code # 4.
- 7) "Magazines" means magazines and other materials printed on similar paper.
- 8) "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.
- 9) "Multiple-family dwelling" means a property containing 5 or more residential units, including those which are occupied seasonally.
- 10) "Newspaper" means a newspaper and other materials printed on newsprint.

- 11) "Non-residential facilities and properties" mean commercial, retail, industrial, institutional and government facilities and properties. This term does not include multiple family dwellings.
- 12) "Office paper" means high grade printing and writing papers from offices in nonresidential facilities and properties. Printed white ledger and computer printout are examples of office paper generally accepted as high grade. This term does not include industrial process waste.
- 13) "Other resins or multiple resins" mean plastic resins labeled by the SPI code # 7.
- 14) "Person" includes any individual, corporation, partnership, association, local government unit, as defined in s. 66.0131(1)(a), Wis. Stats., state agency or authority or federal agency.
- 15) "PETE" or "PET" means polyethylene terephthalate, labeled by the SPI code # 1. 3
- 16) "Plastic container" means an individual, separate, rigid plastic bottle, can, jar or carton, except for a blister pack, that is originally used to contain a product that is the subject of a retail sale.
- 17) "Postconsumer waste" means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in s. 291.01(7) Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in s. 289.01(17)., Wis. Stats.
- 18) "PP" means polypropylene, labeled by the SPI code # 5.
- 19) "PS" means polystyrene, labeled by the SPI code # 6.
- 20) "PVC" means polyvinyl chloride, labeled by the SPI code # 3.
- 21) "Recyclable materials" includes lead acid batteries; major appliances; waste oil; yard waste; aluminum containers; corrugated paper or other container board; foam polystyrene packaging; glass containers; magazines; newspaper; office paper; rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins; steel containers; waste tires; and bi-metal containers.
- 22) "Solid waste" has the meaning specified in s. 289.01(33), Wis. Stats.
- 23) "Solid waste facility" has the meaning specified in s. 289.01(35), Wis. Stats.
- 24) "Solid waste treatment" means any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. "Treatment" includes incineration.
- 25) "Waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
- 26) "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.

1.16 Separation Requirements Exempted. The separation requirements of s. 1.11 do not apply to the following:

- 1) Occupants of single family and 2-to-4-unit residences, multiple-family dwellings and non-residential facilities and properties that send their postconsumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources that recover the materials specified in s. 1.11 from solid waste in as pure a form as is technically feasible.
- 2) Solid waste which is burned as a supplement fuel at a facility if less than 30 % of the heat input to the facility is derived from the solid waste burned as supplement fuel.
- 3) A recyclable material specified in s. 1.11(5) through (15) for which a variance has been granted by the Department of Natural Resources under s. 287.11(2m), Wis. Stats., or s. NR 544.14, Wis. Administrative Code.
- 4) The Town of New Hope Board reserves the right to designate additional solid waste materials as recyclable or currently collected materials as no longer recyclables in accordance with state law and to either add or delete them from any collection services provided by the municipality or its contractors. The municipality shall provide in written notice to its service recipients of this declaration.

1.17 Responsibilities of Owners or Designated Agents of Non-Residential Facilities and Properties.


- 1) Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in s. 1.11(5) through (15):
 - a) Provide adequate, separate containers for the recyclable materials.
 - b) Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.
 - c) Provide for the collection of the materials separated from the solid waste by the users, tenants and occupants and the delivery of the materials to a recycling facility.
 - d) Notify users, tenants and occupants of reasons to reduce and recycle, which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or sites, locations and hours of operation, and a contact person or company, including a name, address and telephone number.
- 2) The requirements specified in 1) do not apply to the owners or designated agents of non-residential facilities and properties if the postconsumer waste generated within the facility or property is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in s. 1.11 (5) through (15) from solid waste in as pure a form as is technically feasible.

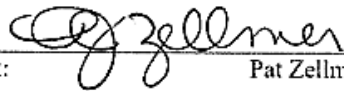
This Ordinance shall become effective on June 22, 2023.

Adopted this 21st day of June, 2023, by a majority of the Town Board, by a roll call vote
By the Town Board of the Town of New Hope, Portage County:


Todd Knepfel Town Chairman


Timm Raddatz Town Supervisor


Ray Reser Town Supervisor

Attest:  Pat Zellmer Clerk

Please note that this ordinance shall take effect upon publication or posting as set forth in s. 60.80, Wis. Stats.

This ordinance was prepared by Town of New Hope Clerk Pat Zellmer, directed by Attorney Jann Charette, Wisconsin Towns Association (715) 526-3157.