

TOWN OF BRADFORD
ORDINANCE NO. 49-2019

AN ORDINANCE AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES OF THE TOWN OF BRADFORD, RELATING TO RECYCLING.

THE TOWN BOARD OF THE TOWN OF BRADFORD, COUNTY OF ROCK, STATE OF WISCONSIN, ORDAINS AS FOLLOWS:

SECTION 1. Section 1.02 of Chapter 3 of the Code of Ordinances of the Town of Bradford is hereby amended in its entirety and restated as follows:

“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.”

SECTION 2. Section 1.03 of Chapter 3 of the Code of Ordinances of the Town of Bradford is hereby amended in its entirety and restated as follows:

“1.03 Statutory Authority. This ordinance is adopted as authorized under s. 287.09(3)(b), Wis. Stats.”

SECTION 3. Section 1.07 of Chapter 3 of the Code of Ordinances of the Town of Bradford is hereby amended in its entirety and restated as follows:

“1.07 Applicability. The requirements of this ordinance apply to all persons within the Town of Bradford and to all waste or recycling companies that collect and haul waste or materials to be recycled from the Town of Bradford. All waste and recycling haulers operating within the Town of Bradford shall annually report the actual or estimated amounts of tonnage of waste and recycling removed from the Town of Bradford to the Town Board no later than February 15 of the following year.”

SECTION 4. Section 1.10 of Chapter 3 of the Code of Ordinances of the Town of Bradford is hereby amended in its entirety and restated as follows:

“1.10 Definitions. For the purposes of this ordinance:

- (1) "Bi-metal container" means a container for carbonated or mall 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 packing 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 magazine 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" means commercial, retail, industrial, institutional and governmental facilities and properties. This term does not include multiple family dwelling.
- (12) "Office paper" means high grade printing and writing papers from offices in non-residential 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" means 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.

- (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 subject to 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 root balls."

SECTION 5. Section 1.19 (2) of Chapter 3 of the Code of Ordinances of the Town of Bradford is hereby amended in its entirety and restated as follows:

"1.19

- (2) Penalties for violating this ordinance may be assessed as follows:
 - (a) Any person who violates s. 1.18 may be required to forfeit \$50 for a first violation, \$200 for a second violation, and not more than \$2,000 for a third or subsequent violation.

(b) Any person who violations a provision of this ordinance, except s. 1.18, may be required to forfeit not less than \$10 or more than \$1,000 for each violation.”

SECTION 6: This ordinance shall take effect upon passage and posting as required by law.

Date: 1/15/2019

Sharon Douglas
Sharon Douglas, Town Chair

SUMMARY OF ORDINANCE FOR PUBLICATION

Pursuant to Wis. Stat. 60.80 (5), Notice is hereby given of the passage of Town of Bradford Ordinance No. 49-2019 by the Town Board on January 15, 2019. Said Ordinance is summarized as follows:

The Ordinance revises portions of Chapter 3 of the Town of Bradford Code, to make the chapter consistent with the Wisconsin Department of Natural Resources sample ordinance regarding responsible recycling practices.

The full text of the Ordinance may be obtained or viewed at no charge by contacting the Town Clerk, Sandra Clarke, 11100 E. County Trk MM, Avalon, WI 53505, telephone number 608-756-4274.

CERTIFICATION

I hereby certify that the above ordinance number 49-2019 was adopted by the Town Board of the Town of Bradford on the 15th day of January, 2019, and that on the 16th day of January, 2019, a copy of the above ordinance was posted in three places in the Town as follows:

Bradford Town Hall
Avalon Post Office
townofbradfordwi.com - website

Sandra Clarke
Sandra Clarke, Town Clerk,
Town of Bradford
Rock County, Wisconsin

Subscribed and sworn to before me this 5th day of February, 2019.

Jaclyn Mader
Notary Public, Rock County, Wisconsin

My Commission expires: September 20, 2021

JACLYN MADER
Notary Public
State of Wisconsin