

TOWN OF KILDARE ORDINANCE NO. 12

Mandatory Source Separation of Solid Waste/Recyclables

SECTION I: INTENT

It is the intent of the Kildare Town Board of Supervisors that this ordinance be enacted for these purposes:

1. To be in compliance with Juneau County Ordinance #90-1, Mandatory Source Separation of Solid Waste/Recyclables.
2. To help Juneau County extend the life of the Juneau County Landfill, and allow waste from the Town admission into said landfill.
3. To help with the conservation of natural resources and to save energy by recycling, rather than disposing of designated recyclable materials.

SECTION II: DEFINITIONS

For the purpose of this ordinance, the following terms shall be defined as shown and used in that context.

1. Designated recyclable materials--aluminum cans, tin cans, newsprint, plastic bottles, corrugated cardboard, and glass.
2. Solid Waste--any refuse/garbage not containing recyclable materials.
3. Landfill--County owned Juneau County Landfill Site(s).
4. Landfill User--any resident, business or other entity, which deposits or causes to be deposited, solid waste in the landfill.
5. Commercial Solid Waste Hauler--any person or commercial entity that deposits solid waste generated by a landfill user other than himself in the landfill, whether for pay or as a public service.

SECTION III: SEPARATION OF WASTE

1. All landfill users from the Town of Kildare shall separate designated recyclable materials from other solid waste before depositing that solid waste in the Juneau County Landfill, or arranging for pickup and delivery of such waste for deposit to said landfill.

2. All solid waste transported to the Juneau County Landfill shall be placed in clear plastic bags as designated in the Juneau County Ordinance.

3. All recyclable materials shall be taken to a recycling center of the users choice or deposited in the collection bins at the Landfill before depositing solid waste in the Landfill. User fees are the responsibility of the individual or business using the landfill services.

4. Owners of multi-family dwelling in the Town of Kildare shall make available to their tenants separate bins for recyclable materials and solid waste. Individual owner policies shall determine who is responsible for disposal of solid waste and recyclable materials.

5. Commercial, retail, and industrial facilities in the Town of Kildare shall be responsible for the placement of container at their facility for the separation of recyclable and solid waste. Proper disposal shall be the responsibility of the business entity.

SECTION IV: VIOLATIONS

1. Commercial haulers hired by private individuals or businesses shall be liable under this ordinance for materials collected in the municipality and deposited in the Juneau County Landfill by their vehicles(s). If the identity of the individual(s) that deposited recyclable materials together

with solid waste can be determined, then the liability shall rest upon the violating individual(s). Determination of individual liability shall be the responsibility of the commercial hauler.

3. Individual users of the landfill is responsible for separation of recyclables from the solid waste before depositing it in the landfill.

SECTION V ENFORCEMENT

1. Enforcement of this recycling ordinance shall be the responsibility of Juneau County. When violations have been observed at the Landfill, warnings and citations shall be issued by the Juneau County Sheriff's Department to individuals or commercial haulers, based upon complaints from landfill personnel.

2. The Town Board of Supervisors concurs with Juneau County's right to fine users not less than \$25.00 or more than \$100.00 for each violation and the right to deny entry into the landfill to any landfill user that violates the provisions of this ordinance by depositing recyclable materials in the landfill.

Dated this 11th day of July, 1990

Kildare Town Board of Supervisors

Joe Pauchem Chairman

Luc Schneider Supervisor

Charles Rus Supervisor

Attest: Mary McGowan Town Clerk

Date: July 11, 1990

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