

Mandatory Refuse and Recycling Collection

§ 250-1 Purpose.

The purpose of this Ordinance is to provide for the proper collection and disposal of domestic refuse/solid waste, and to promote recycling and resource recovery through the administration of an effective and efficient refuse collection and recycling program as provided in 287.09 and 287.11 Wis. Stats. This ordinance supersedes all conflicting and contradictory waste management and recycling regulations previously enacted by the Town of Wescott, including, but not limited to: Ordinance 83-1, adopted 5/17/1983; Ordinance 91-5, adopted 5/13/1997; Ordinance 91-5A, adopted 8/21/1991; Ordinance 93-10, adopted 12/14/1993; Ordinance 2001-1, adopted 5/7/2001; Ordinance 2002-8, adopted 5-14-2002; Ordinance 2016-02, adopted 8/11/2016; Ordinance 2020-06 (adopted 09/02/2020).

§ 250-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings given in this section, except where the context clearly indicates a different meaning:

BI-METAL CONTAINER

A container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.

BULKY WASTE

Discarded articles of such size as are not normally collected with domestic wastes, such as but not limited to appliances, windows and doors, but customarily considered normal household waste.

COMMERCIAL ENTERPRISES (BUSINESS)

As designated by this chapter and receiving service from the Town or its contractors, are those businesses customarily dealing directly with the public at the business site for sales at retail prices, and are not industrial or manufacturing entities, or by providing a legitimate business service.

CONTAINER BOARD

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Corrugated paperboard used in the manufacture of shipping containers and related products.

CONSTRUCTION AND DEMOLITION WASTE

Substantial wastes resulting from building construction, repair, alteration or demolition, and including but not limited to concrete, asphalt, stone, siding, roofing supplies, brick, or dirt.

DOMESTIC WASTE

Garbage, refuse, ashes, but not including yard waste, bulky waste, construction and demolition waste, and not including commercial, agricultural, or industrial waste. Domestic waste is intended to include only garbage, refuse, and small amounts of construction and demolition materials normally generated by a household including furniture and small appliances.

DUMPING or DISPOSAL

Dumping or disposal includes, but is not limited to, unloading, throwing away, discarding, emptying, abandoning, discharging, burning, or burying waste, garbage, refuse or sludge on, into or under any property or lands, whether publicly or privately owned, within the Town of Wescott.

FOAM POLYSTYRENE PACKAGING

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.

GARBAGE

Putrescible (capable of becoming putrid by rotting) animal and vegetable wastes resulting from the handling, preparation, cooking, storage and consumption of food.

GLASS CONTAINER

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.

HDPE

High density polyethylene, labeled by the resin code # 2.

LDPE

Low density polyethylene, labeled by the resin code # 4.

MAGAZINES

Magazines and other materials printed on similar paper.

MAJOR APPLIANCE

A residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater, or stove.

MULTIPLE-FAMILY DWELLING

A structure containing 5 or more residential units, including units that are occupied seasonally.

NEWSPAPER

A newspaper and other materials printed on newsprint.

NON-RESIDENTIAL FACILITIES AND PROPERTIES

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Commercial, retail, industrial, institutional and government facilities and properties. Non-residential facilities and properties includes any location at which goods or services are provided or manufactured, including locations under construction, demolition, or remodeling, or used for special events such as fairs, festivals, sport venues, conferences, and exhibits. This term does not include multiple family dwellings.

OFFICE PAPER

A variety of high-grade printing and writing papers. This term does not include industrial process waste, newspaper, or packaging.

OTHER RESINS OR MULTIPLE RESINS

Plastic resins labeled by the resin code # 7.

PERSON

Any individual, corporation, limited liability company, partnership, association, local government unit, as defined in § 66.0131(1)(a), Wis. Stats., state agency or authority or federal agency.

PETE or PET

Polyethylene terephthalate, labeled by the resin code # 1.

PLASTIC CONTAINER

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.

POSTCONSUMER WASTE

Solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in § 291.01(7) Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in §289.01(17)., Wis. Stats.

PP

Polypropylene, labeled by the resin code # 5.

PS

Polystyrene, labeled by the resin code # 6.

PVC

Polyvinyl chloride, labeled by the resin code # 3.

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.

REFUSE

Nonputrescible solid wastes consisting of both combustible and noncombustible waste, such as but not limited to paper, cardboard, cans, bottles, glass, plastic, plastic, plastic, metals, rubber, wood, cloth, litter, yard waste and brush.

SLUDGE

Sewage treatment residue in any form whatsoever, whether solid, semisolid or liquid, which has been processed or treated in any way, form or manner.

SOLID WASTE

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

SOLID WASTE FACILITY

Has the meaning specified in § 289.01(35), Wis. Stats.

SOLID WASTE TREATMENT

Any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. "Treatment" includes incineration.

TOXIC OR HAZARDOUS WASTES

Concentrations of solid wastes such as pesticides, acids, car batteries, oil paints, solvents, caustics, pathological wastes, radioactive materials, flammable or explosive materials and similar chemicals and harmful wastes which require special handling and disposal to protect and conserve the environment.

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 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

§ 250-3. Storage generally.

- A. The owner or occupant of any premises shall be responsible for the sanitary storage of all solid waste and yard waste generated on those premises.
- B. Solid waste shall be stored in containers as described in §§ 250-4(B) and 250-5(B) of this Code. Any other container shall be used only after approval by the Town Board.
- C. Toxic or hazardous wastes shall be stored in safe locations and in separate, closed containers in accordance with applicable state and federal regulations. Said containers shall be identified in accordance with state and federal labeling requirements.
- D. Nuisance abatement. Where a nuisance is found to exist due to insufficient containers, the nuisance shall be abated pursuant to Chapter 210 of this Code.
- E. Enclosures. Premises other than single-family premises may be required by the Town Board to construct an enclosure to visually and physically screen their solid waste storage area where said area can be seen from a single-family premises or public property.

§ 250-4. Domestic refuse.

Domestic refuse/solid waste shall be collected by the Town from all single-family homes and dwellings with up to four units (collectively "dwellings") on a weekly basis, provided such waste is properly handled, prepared, contained, stored and located in conformance with this chapter.

- A. All containers for the storage and collection of waste shall be maintained as to prevent the

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creation of a nuisance to public health and safety. All domestic refuse/solid waste must be placed in the container with the lid closed. Domestic refuse/solid waste cannot be bagged in black or nontransparent bags. Between collection days, containers must be stored with the lid closed inside a garage or behind the front of the dwelling being served.

- B. Containers for domestic refuse will be provided and owned by the Town of Wescott.
- C. Up to one additional domestic refuse container may be purchased from the Town of Wescott for weekly collection for a fee. The fee shall be in an amount as set from time to time by resolution of the Town Board; fees shall be paid to the Town of Wescott.
- D. The following waste is prohibited: liquid waste; building demolition materials; bulky waste, including articles of such a size and/or weight as to make collection impractical; recycling materials mixed with other refuse; yard waste; asbestos; tires; used motor oil; medical waste; batteries; stone and concrete; animal carcasses; or any hazardous waste.

§ 250-5. Domestic recyclable waste.

Domestic refuse/solid waste shall be collected by the Town from all single-family homes and dwellings with up to four units (collectively "dwellings") on a weekly basis, provided such waste is properly handled, prepared, contained, stored and located in conformance with this chapter.

Domestic recyclable waste shall be collected on a weekly basis in conformance with this chapter.

- A. All containers for the storage and collection of recyclable materials shall be maintained as to prevent the creation of a nuisance to public health and safety. All recyclable waste must remain unbagged and fit in the container with the lid closed. Between collection days, containers must be stored with the lid closed inside a garage or behind the front of the dwelling being served.
- B. Containers for recycled materials shall be provided and owned by the Town of Wescott.
- C. Up to one additional domestic recyclable waste container may be purchased for a fee. The fee shall be in an amount as set from time to time by resolution of the Town Board; fees shall be paid to the Town of Wescott.

§ 250-6. Separation of Recyclable Materials.

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:

- A. Lead acid batteries
- B. Major appliances
- C. Waste oil
- D. Yard waste

- E. Aluminum containers
- F. Bi-metal containers
- G. Corrugated paper or other container board
- H. Foam polystyrene packaging
- I. Glass containers
- J. Magazines
- K. Newspaper
- L. Office paper
- M. Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins
- N. Steel containers
- O. Waste tires

§ 250-7. Separation Requirements Exempted.

The separation requirements of § 250-6 of this Code do not apply to the following:

- A. 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 recovers the materials specified in § 250-6 of this Code from solid waste in as pure a form as is technically feasible.
- B. 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.
- C. A recyclable material specified in § 250-6(E) through (O) of this Code for which a variance has been granted by the Department of Natural Resources under § 287.11(2m), Wis. Stats., or § NR 544.14, Wis. Adm. Code.

§ 250-8. Business/commercial refuse/solid waste/commercial recycling.

Business/commercial refuse/solid waste/commercial recycling shall be collected by private contract with the owner in a manner and frequency as needed to protect public safety, health and welfare.

§ 250-9. Recycling Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings.

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- A. Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in § 250-6(E) through (O) of this Code :
- (1) Provide adequate, separate containers for the recycling program established in compliance with the ordinance. The number of recycling containers shall equal or be greater than the number of trash containers and at least one of the following shall be met:
 - (a) The minimum total volume of recycling container space is equal to 20 gallons per week per dwelling unit.
 - (b) The ratio of trash container volume to recycling container volume is at most 2:1.
 - (c) An alternative method that does not result in the overflow of a recycling container during the time period between collection of materials and delivery to a recycling facility.
 - (2) Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program.
 - (3) Provide for the collection of the materials separated from the solid waste by the tenants and the delivery of the materials to a recycling facility.
 - (4) Notify tenants which materials are collected, how to prepare the materials in order to meet the processing requirements, collection methods or sites, and locations of drop-off collection sites to recycle materials not collected on-site.
- B. The requirements specified in subsection (A) do not apply to the owners or designated agents of multiple-family dwellings if the postconsumer waste generated within the dwelling is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in § 250-6(E) through (O) of this Code from solid waste in as pure a form as is technically feasible.

§ 250-10. Responsibilities of Owners or Designated Agents of Non-Residential Facilities and Properties.

- A. Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in § 250-6(E) through (O) of this Code :
- (1) Provide adequate, separate containers for the recycling program established under this section. The total volume of recycling containers shall be sufficient to avoid overflow during the time period between collection of materials and delivery to a recycling facility.
 - (2) Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.

- (3) 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.
 - (4) Notify users, tenants and occupants which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or sites, and locations of drop-off collection sites to recycle materials not collected on-site.
- B. The requirements specified in subsection (A) 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 § 250-6(E) through (O) of this Code from solid waste in as pure a form as is technically feasible.

§ 250-11. 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 § 250-6(E) through (O) of this Code that have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

§ 250-12. Mandatory domestic collection service/recycling.

Collection service for domestic refuse/waste/recycling is mandatory for every habitable single- family home and multifamily dwelling with four or less units in the Town of Wescott regardless of occupancy status.

§ 250-13. Replacement of containers.

A fine may be imposed for the replacement of lost, stolen, damaged or destroyed containers at the Town's sole discretion and may be imposed as a special charge against the property being served. The fine shall be in an amount as set from time to time by resolution of the Town Board; fines shall be paid to the Town of Wescott.

§ 250-14. Placement of containers for collection.

All containers for collection service of domestic refuse/waste/recycling must be placed at the end of the driveway of the respective dwelling being served. The container must be unobstructed and placed on a flat surface that is at least four feet away from any other object, snow pile or low- hanging wire. The lid to the container must be closed and face the road. Placement shall occur no earlier than 6:00 p.m. the evening before collection is scheduled and no later than 7:00 a.m. of the date of collection. In between collection days, containers must be stored inside a garage or behind the front of the dwelling being served. Storage must take place no more than 24 hours after pickup.

§ 250-15. Right to refuse.

The Town of Wescott may, in its sole discretion, refuse to accept domestic waste and/or domestic recyclable waste that has not been maintained, stored or set out for collection as required by this chapter or in a way that contravenes the public safety, health and welfare.

§ 250-16. Enforcement, violations and penalties.

- A. For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the Town of Wescott may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of 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. No person may refuse access to any authorized officer, employee or authorized representative of the Town of Wescott who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.
- B. Any person who violates the provision of this ordinance may be issued a citation by the Town of Wescott 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.
- C. Penalties for violating this ordinance may be assessed as follows:
 - (1) Any person who violates s. 250-12 may be required to forfeit \$50 for a first violation, \$200 for a second violation, and not more than \$2000 for a third or subsequent violation.
 - (2) Any person who violates the provision of this ordinance, except s. 250-12, may be required to forfeit not less than \$10 or more than \$1000 for each violation.
 - (3) Each violation and each day a violation continues or occurs shall constitute a separate offense.

§ 250-17. Severability.

In the event any portion of this chapter is found unlawful or unconstitutional, the remaining portions shall remain in full force and effect.

§ 250-18. Effective date.

This chapter shall become effective on February 23rd, 2026, and after proper posting and publication as required by law.

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This ordinance is effective upon publication in the Shawano Leader being 2-20, 2026

This ordinance is effective upon proper posting at: The Town of Wescott, Town Hall (N5794 Old Keshena Rd, Shawano, WI 54166) The Town of Wescott Fire Station, W5844 Lake Dr, Shawano, WI 54166) and the Shawano County Courthouse (311 N. Main St, Shawano, WI 54166) on 2-13-26, 2026

Adopted this 12th day of Feb 2026.

Brian Moesch
Brian Moesch, Chairman (Yes/No)

Terry Moede
Terry Moede, Supervisor (Yes/No)

Absent
Micheal Stupecky, Supervisor Yes/No

Bruce "Duffy" Schultz
Bruce "Duffy" Schultz, Supervisor (Yes/No)

Marlene Brown
Marlene Brown, Supervisor (Yes/No)

Angela Vreeke
Attest: Angela Vreeke, Clerk