

Chapter 78 SOLID WASTE*

***Cross references:** Buildings and building regulations, ch. 14; health and welfare, ch. 42; burning of rubbish and garbage prohibited, § 58-4; public nuisances, ch. 70; utilities, ch. 98.

State law references: Solid waste generally, Wis. Stats. §§ 159.01 et seq., 144.43 et seq.

- Article I. In General
 - [Sec. 78-1. Littering prohibited.](#)
 - Secs. 78-2--78-30. Reserved.
- Article II. Collection
 - [Sec. 78-31. Definitions.](#)
 - [Sec. 78-32. Penalties, yard waste disposal.](#)
 - [Sec. 78-33. Private hauling and collection of garbage prohibited.](#)
 - [Sec. 78-34. Private hauling of rubbish regulated.](#)
 - [Sec. 78-35. Collection by city.](#)
 - [Sec. 78-36. Commercial establishments; closed container.](#)
 - [Sec. 78-37. Brush chipping or yard waste pickup.](#)
 - [Sec. 78-38. City compost site.](#)
 - [Sec. 78-39. Garbage accumulation; when a nuisance.](#)
 - [Sec. 78-40. Refuse from outside the municipality.](#)
 - [Sec. 78-41. Improper use of trash receptacles.](#)

ARTICLE I. IN GENERAL

Sec. 78-1. Littering prohibited.

No person shall throw any glass, refuse or waste, filth or other litter upon the streets, alleys, highways, public parks or other property of the city or upon any private property or upon the surface of any body of water within the city.

(Code 1983, § 9.17; Ord. No. OR02-09, § 1, 10-28-2002)

Secs. 78-2--78-30. Reserved.

ARTICLE II. COLLECTION

Sec. 78-31. Definitions.

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

Brush means tree branches, woody vines, and shrubs less than six inches in diameter, excluding posts, boards, lumber or their fragments. Prunings from shrubs consisting of the current year's growth are acceptable as yard waste, trimmings of a one-year-old growth (previous growing season) or older shall be considered brush and handled as such.

Compost material means material consisting of grass clippings, leaves and garden wastes.

Garbage means all organic waste, refuse and residue of animals, fruit or vegetable matter that attend the use of, preparation, cooking, dealing in or storage of meat, fish, fowl, fruit, vegetable or grain, wastepaper and other burnables, excluding grass clippings, brush and compost material.

Grass clippings means the product of ordinary mowing and maintenance of lawns during the growing season.

Nondisposable materials means hazardous and toxic wastes, chemicals, explosives, flammable liquids, paint, trees and stumps, construction debris, carcasses.

Rubbish means discarded metal, ashes and other nonflammable materials, but includes large items of household appliances and/or furniture, but excludes garbage.

Yard waste means all material originating in the yard or garden that is capable of natural decomposition, including leaves, vines or other herbaceous materials.

(Ord. No. 91-102, § 11.07(1), 4-22-1991; Ord. No. OR02-09, § 1, 10-28-2002)

Cross references: Definitions generally, § 1-2.

Sec. 78-32. Penalties, yard waste disposal.

Any household, business or organization who shall dispose of yard waste, grass clippings, brush or compost material along with their normal garbage shall be penalized per sec. 1-17.

(Ord. No. 91-102, § 11.07(8)(b), 4-22-1991; Ord. No. OR02-09, § 1, 10-28-2002)

Sec. 78-33. Private hauling and collection of garbage prohibited.

- (a) No person, other than the city and its agents or licensed contractors, shall collect or transport any garbage over the city streets in single-family (R1-H, R1-M, and R1-L) and two-family (R-2) zoned districts.
- (b) Property owners in districts zoned multi-family (R-3), downtown commercial (C-1), highway commercial (C-2), light industrial (I-1), heavy industrial (I-2), and institutional (ID) may independently contract with a private hauler for garbage collection and disposal.

(Code 1983, § 11.07(2); Ord. No. OR02-09, § 1, 10-28-2002; Ord. No. OR06-11, § I, 6-26-2006)

Sec. 78-34. Private hauling of rubbish regulated.

Any person desiring to haul his own rubbish or provide privately for such hauling may do so.

(Code 1983, § 11.07(3); Ord. No. OR02-09, § 1, 10-28-2002)

Sec. 78-35. Collection by city.

- (a) *Garbage and rubbish collection.* The city by its agents or licensed contractors shall on Wednesday of each week collect, remove and dispose of all garbage intended for removal and which is placed in disposable containers or containers approved by the contractor at the curblines of the street abutting the premises occupied by the person desiring such disposal on the designated days and times prescribed by the city.
- (b) *Extra pickups.* Private waste haulers shall be permitted to make pickups from any location or establishment within the city in excess of the items and limitation in subsection (a) of this section. Building materials, such as stone, brick, concrete, dirt or other earthly substances, will be considered extra pickups. The private waste hauler shall negotiate with the parties the terms and conditions of extra pickups.

(Code 1983, § 11.07(5); Ord. No. 398, §§ I, II, 2-14-1983; Ord. No. OR02-09, § 1, 10-28-2002)

Sec. 78-36. Commercial establishments; closed container.

All garbage, cans and other refuse from commercial establishments shall be placed in containers with securely fitting lids. The containers shall remain closed during all periods of refuse storage.

(Ord. No. 90-5, § 1(a), 7-11-1990; Ord. No. OR02-09, § 1, 10-28-2002)

Cross references: Businesses, ch. 18.

Sec. 78-37. Brush chipping or yard waste pickup.

- (a) The public works department will chip brush, tree branches, shrubs, woody vines (excluding boards, posts, lumber, beams or their fragments) less than six inches in diameter at resident curb site(s) on a schedule during May through October as set from time to time by the department of public works. In the event of a severe wind, hail or thunderstorms, chipping of downed tree limbs may proceed on a more frequent basis.
- (b) Brush must be neatly piled or it will not be picked up. No material with dirt on it will be picked up.
- (c) Tree limbs and branches in lengths no longer than six feet and not to exceed six inches in diameter may be placed at the curb site.
- (d) Woody vines, branches or shrubs to be chipped must be piled in stacks or bundles, not to exceed two feet wide by four feet long.
- (e) Wood chips are available to city residents at the city compost site.

(Ord. No. 91-102, § 11.07(9), 4-22-1991; Ord. No. OR02-09, § 1, 10-28-2002)

Sec. 78-38. City compost site.

- (a) *Dumping authorized.* City residents only may dispose of yard waste at the designated compost site.

- (b) *Authorized dumping material.* All materials originating in the yard and garden, which are capable of natural decomposition, including leaves, grass clippings, brush, branches, limbs, stumps and root balls, and other herbaceous materials.
- (c) *Penalties.* No garbage or non-organic material may be mixed with grass or other yard waste and may not be disposed of at the compost site. Penalties for dumping non-organic material at the compost site are subject to section 1-17.

(Ord. No. 91-102, § 11.07(8), 4-22-1991; Ord. No. OR02-09, § 1, 10-28-2002)

Sec. 78-39. Garbage accumulation; when a nuisance.

No person shall cause a nuisance as defined in section 70-12 and 70-66.

(Ord. No. OR02-09, § 1, 10-28-2002)

Sec. 78-40. Refuse from outside the municipality.

It is unlawful for any person, firm or corporation to place, deposit or cause to be deposited, for collection, any refuse or recyclables not generated within the corporate limits of the city.

(Ord. No. OR02-09, § 1, 10-28-2002)

Sec. 78-41. Improper use of trash receptacles.

No person shall place in or on any garbage can, dumpster or other trash receptacle not belonging to or assigned by the owner of such receptacle to such person any garbage, refuse or trash without the permission of the owner or designated assignee of such receptacle, unless such receptacle is designated expressly or implicitly for use by the general public.

(Ord. No. OR02-09, § 1, 10-28-2002)