

**Chapter 378**  
**SOLID WASTE**

ARTICLE I  
Collection and Disposal

- § 378-1. Purpose.
- § 378-2. Residential units.
- § 378-3. Industrial and commercial establishments.
- § 378-4. Large items and appliances.
- § 378-5. Private disposal.
- § 378-6. Collection of garbage and refuse.
- § 378-7. Construction waste.
- § 378-8. Brush and yard waste.
- § 378-9. Prohibited practices.
- § 378-10. Refuse collection fee.

ARTICLE II  
Recycling

- § 378-11. Title.
- § 378-12. Purpose.
- § 378-13. Statutory authority.

- § 378-14. Abrogation and greater restrictions
- § 378-15. Interpretation.
- § 378-16. Applicability.
- § 378-17. Administration.
- § 378-18. Definitions.
- § 378-19. Separation of recyclable materials required.
- § 378-20. Exemptions.
- § 378-21. Care of separated recyclable materials.
- § 378-22. Lead acid batteries, major appliances, waste oil and yard waste.
- § 378-23. Preparation and collection of recyclable materials.
- § 378-24. Multiple-family dwellings.
- § 378-25. Nonresidential facilities and properties.
- § 378-26. Prohibited disposal of materials separated for recycling.
- § 378-27. Enforcement; violations and penalties.

[HISTORY: Adopted by the Village Board of the Village of Endeavor as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Brush, grass and weeds — See Ch. 192.  
Nuisances — See Ch. 312.

Littering — See Ch. 325.

## ARTICLE I

**Collection and Disposal**

[Adopted at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

**§ 378-1. Purpose.**

The purpose of this article is to enhance and improve the environment and to promote the health, safety and welfare of the Village by establishing minimum standards for the storage and collection of garbage and refuse.

**§ 378-2. Residential units.**

All garbage and refuse produced by residential units in the Village shall be collected and disposed of by Village employees or by any independent hauler under contract with the Village to provide such services.

**§ 378-3. Industrial and commercial establishments.**

Collection and disposal of garbage, refuse and other solid waste produced by industrial and commercial establishments are the responsibility of the business owner/manager.

**§ 378-4. Large items and appliances.**

- A. The Village usually arranges to have a special collection for large items and appliances on an annual or biannual basis. The Village sets a date for the cleanup. Prior to that date anyone having large items and appliances to dispose of shall purchase a sticker from the Village office.
- B. Fees.
  - (1) Disposal fees are set by the Village Board and will be charged for large items and appliances.
  - (2) If such fees imposed in accordance with the above are not paid at the time of disposal or within 10 days thereafter, they shall be a debt due to the Village and shall be a lien upon the property from which the large items or appliances originated. Thereafter, if payment is not received prior to November 15 of the current year, the delinquent bill will be placed on the succeeding tax roll.

**§ 378-5. Private disposal.**

This article does not prohibit the actual producers of garbage or refuse from personally collecting and disposing of such waste in a lawful manner.

**§ 378-6. Collection of garbage and refuse.**

- A. Placement. Garbage and refuse placed for collection must be readily accessible to the collection crew. This means the approved containers must be placed immediately behind

the curb of the public street (or the outer limit of the paved street where there are no curbs). During winter months, the containers shall not be placed on top of a snowbank; either an area shall be shovelled out behind the curb in which to place the containers or they shall be placed in the driveway.

- B. Time restrictions. All garbage and refuse containers shall be placed for collection not earlier than 24 hours before the regular collection time, and they shall be removed from their collection location within 24 hours after the regular collection time.
- C. Time of collection. Garbage and refuse collection shall be once a week from every unit served and shall occur between the hours of 5:00 a.m. and 5:30 p.m. When the regular collection day falls on a holiday, collection shall occur on another day of the same week, as determined by the contractor. The contractor is responsible for communicating such changes to all Village residents.
- D. Container limit. There is a limit of five approved cans and/or bags being placed for pickup on any one collection day.

**§ 378-7. Construction waste.**

All waste resulting from remodeling, construction or demolition of a building, roadway, or sidewalk shall be disposed of by the owner, builder or contractor.

**§ 378-8. Brush and yard waste.<sup>1</sup>**

This service is provided as a means for residents to dispose of tree branches which naturally fall to the ground and to dispose of small amounts of tree and shrubbery prunings. It is not intended as a means of disposing of whole large trees which a homeowner either takes down himself or has taken down by other parties. Such disposal is the sole responsibility of the homeowner.

- A. The Village has designated a disposal site in the industrial park for brush and yard waste disposal.
  - (1) All brush and small branches are to be disposed of in the designated area in the industrial park.
  - (2) All leaves and yard waste are to be disposed of in the designated area in the industrial park.
- B. No trash, plastic bags, tires or construction waste is to be disposed of in either designated disposal site.
- C. Violators of this section may be subject to forfeiture of not more than \$75.

---

1. Editor's Note: See also Ch. 192, Brush, Grass and Weeds.

**§ 378-9. Prohibited practices.**

- A. Dead animals. Dead animals, or parts thereof, will not be placed in a container for collection. This subsection does not apply to animal parts from food preparation for human consumption.
- B. Tree leaves. The Village has neither the equipment nor the manpower necessary to pick up and dispose of all tree leaves raked or otherwise gathered from private property. Depositing tree leaves in gutters or at roadsides is therefore prohibited. If any person fails to comply with this subsection, the Public Works Committee shall, after five days, serve written notice to the property owner, cause the leaves to be removed, and report the cost thereof in writing to the Village Clerk-Treasurer in the manner provided in the Wisconsin Statutes. Such charges shall be spread on the tax roll as a special tax to be collected in the same manner as other taxes.
- C. Other noncollectible wastes. The following materials are prohibited from being placed for collection:
- (1) Hazardous waste.
  - (2) Toxic waste.
  - (3) Paints or chemicals.
  - (4) Explosives or ammunition.
  - (5) Drain or waste oil.
  - (6) Flammable liquids.
  - (7) Tires.
- D. Improper placement. No person shall deposit, throw or place any garbage, offal, dead animals, combustible refuse or other deleterious matter in any park, lane, alley, street, public grounds or public place within the Village. Such items may also not be placed upon any private property unless they are enclosed in watertight, tightly covered containers.
- E. Unlawful use of refuse or recycling containers and their contents. No person other than the owner, occupant, or tenant of the premises, or his agent, or the refuse collector employed and licensed by the Village, or a Village employee authorized by the Village Board, shall deposit any article or thing in refuse or recycling containers, or shall remove, displace, injure, deface, destroy, uncover, or disturb such containers or their contents. Recyclable materials upon placement at the street for collection shall become the property of the Village. No person, firm or corporation may place, deposit, or cause to be placed or deposited for collection by the Village or the Village's contractor any waste, refuse or recyclables not generated within the limits of the Village of Endeavor. The penalty for violation of this subsection shall be in accordance with the general penalty section (§ 1-4) in Chapter 1 of this Code.

**§ 378-10. Refuse collection fee.**

- A. Purpose. A user fee as set by the Village Board (refuse collection fee) shall be charged for the purpose of helping offset the cost of the collection of refuse, garbage, trash, etc.
- B. Applicability. The refuse collection fee applies to the following classes of users:
- (1) Single-family dwellings.
  - (2) Each dwelling unit (apartment, flat, etc.) within a multiple-family dwelling.
  - (3) Commercial and industrial establishments that do not contract or otherwise provide for their own refuse collection and disposal.
  - (4) Churches and church-owned property that do not contract or otherwise provide for their own refuse collection and disposal.
  - (5) Schools, school-owned property, and other government facilities that do not contract or otherwise provide for their own refuse collection and disposal.
  - (6) All other classes not herein specified.
- C. Landlord responsibility. The landowner of any class of user specified above is responsible for the payment of the fees imposed by this section accruing to the property owned. (See Subsection E below.)
- D. Billing. Refuse collection fees will be billed quarterly and will be included in the sewer service bill. In the case of mobile home parks, the refuse collection fee will be billed monthly, along with the sewer service charges and mobile home taxes.
- E. Penalties. The refuse collection fee levied in accordance with this section shall be a debt due to the Village of Endeavor and shall be a lien upon the property. If such debt is not paid by the 10th of the month following the billing date, a one-percent charge per month shall be added to the delinquent bill. Thereafter, if payment is not received prior to November 15 of the current calendar year, the delinquent bill will be placed on the succeeding tax roll.

ARTICLE II  
**Recycling**  
[Adopted 3-11-2008]

**§ 378-11. Title.**

This article shall be known as the "Recycling Ordinance for the Village of Endeavor."

**§ 378-12. Purpose.**

The purpose of this article is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in § 287.11, Wis. Stats., and Ch. NR 544, Wis. Adm. Code.

**§ 378-13. Statutory authority.**

This article is adopted as authorized under § 287.09(3)(b), Wis. Stats.

**§ 378-14. Abrogation and greater restrictions**

It is not intended by this article 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 article imposes greater restrictions, the provisions of this article shall apply.

**§ 378-15. Interpretation.**

- A. In their interpretation and application, the provisions of this article 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 article may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply.
- B. Where a provision of this article is required by Wisconsin Statutes or by a standard in Ch. NR 544, Wis. Adm. Code, and where the provision of this article is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the Ch. NR 544 standards in effect on the date of the adoption of this article or in effect on the date of the most recent text amendment to this article.

**§ 378-16. Applicability.**

The requirements of this article apply to all persons within the Village of Endeavor Village limits.

**§ 378-17. Administration.**

The provisions of this article shall be administered by the Village of Endeavor officials.

**§ 378-18. Definitions.**

For the purpose of this article, the following terms shall have the meanings indicated:

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

**CONTAINER BOARD** — Corrugated paperboard used in the manufacture of shipping containers and related products.

**FOAM POLYSTYRENE PACKAGING** — Packaging made primarily from foam polystyrene that satisfies one of the following criteria:

- A. Is designed for containing or 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.

HDPE — High-density polyethylene, labeled by the SPI Code No. 2.

LDPE — Low-density polyethylene, labeled by the SPI Code No. 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 property containing five or more residential units, including those which are occupied seasonally.

NEWSPAPER — A newspaper and other materials printed on newsprint.

NONRESIDENTIAL FACILITIES AND PROPERTIES — Commercial, retail, industrial, institutional and governmental facilities and properties. This term does not include multiple-family dwellings.

OFFICE PAPER — 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.

OTHER RESINS or MULTIPLE RESINS — Plastic resins labeled by the SPI Code No. 7.

PERSON — Includes any individual, corporation, partnership, association, local government unit, as defined in § 287.01(5m), Wis. Stats., state agency or authority or federal agency.

PETE — Polyethylene terephthalate, labeled by the SPI Code No. 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 SPI Code No. 5.

PS — Polystyrene, labeled by the SPI Code No. 6.

PVC — Polyvinyl chloride, labeled by the SPI Code No. 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 bimetal containers.

**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.

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

**§ 378-19. Separation of recyclable materials required.**

- A. Occupants of single-family and two- to four-unit residences, multiple-family dwellings and nonresidential facilities and properties shall separate the following materials from postconsumer waste:
- (1) Lead acid batteries.
  - (2) Major appliances.
  - (3) Waste oil.
  - (4) Yard waste.
  - (5) Aluminum containers.
  - (6) Bimetal containers.
  - (7) Corrugated paper or other container board.
  - (8) Foam polystyrene packaging.
  - (9) Glass containers.
  - (10) Magazines.
  - (11) Newspaper.
  - (12) Office paper.
  - (13) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins.
  - (14) Steel containers.

- (15) Waste tires.
- B. All containers are to be empty, rinsed clean, with caps and lids removed. All recycling must be in clear plastic bags so the waste haulers can identify trash from recycling. All recycling material can be placed in the same bag except cardboard.

**§ 378-20. Exemptions.**

The separation requirements of § 378-19 do not apply to the following:

- A. Occupants of single-family and two- to four-unit residences, multiple-family dwellings and nonresidential 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 § 378-19 from solid waste in as pure a form as is technically feasible.
- B. If less than 30% of the heat input to a facility is derived from the solid waste which is burned as a supplemental fuel at that facility in accordance with § 287.07(7)(bg), Wis. Stats.
- C. Foam polystyrene packaging and rigid plastic containers made of PVC (No. 3), LDPE (No. 4), PP (No. 5), PS (No. 6), and other resins or multiple resins (No. 7). These items have been granted a separation variance by the Department of Natural Resources under § 287.07(7)(h), Wis. Stats.

**§ 378-21. Care of separated recyclable materials.**

To the greatest extent practicable, the recyclable materials separated in accordance with § 378-19 shall be clean and kept free of contaminants, such as food or product residue, oil or grease, or other nonrecyclable materials, including but not limited to household hazardous waste, medical waste, and agricultural chemical containers. Recyclable materials shall be stored in a manner which protects them from wind, rain and other weather conditions that could reduce the marketability of the recyclable materials.

**§ 378-22. Lead acid batteries, major appliances, waste oil and yard waste.**

Occupants of single-family and two- to four-unit residences, multiple-family dwellings and nonresidential facilities and properties shall manage lead acid batteries, major appliances, waste oil, and yard waste as follows:

- A. Lead acid batteries shall be taken to Endeavor Recycling for disposal.
- B. Major appliances shall be taken to Endeavor Recycling for disposal.
- C. Waste oil shall be taken to B & D Trucking for disposal.
- D. Yard waste shall be taken to the collection site on Industrial Road for disposal.

**§ 378-23. Preparation and collection of recyclable materials.**

Except as otherwise directed by the Village of Endeavor, occupants of single-family and two-to four-unit residences shall do the following for the preparation and collection of the separated materials specified in § 378-19A(5) through (15). A more detailed list of accepted recycling materials follows.

- A. Recycling items. (All containers are to be empty, rinsed clean, with caps and lids removed.)
- (1) Glass bottles and jars (clear, brown and green); no window glass or ceramics.
  - (2) Aluminum cans, trays and foil (trays and foil must be cleaned), steel cans and tins.
  - (3) Aseptic packaging and tabletop containers (milk and juice cartons).
  - (4) Polyethylene terephthalate (PETE) soda, water and flavored beverage bottles (No. 1 clear and green plastic resin).
  - (5) High-density polyethylene (HDPE) milk jugs (No. 2 clear plastic resin).
  - (6) High-density polyethylene (HDPE) detergent and fabric softener containers (No. 2 colored plastic resin).
  - (7) Polyvinyl chloride (PVC) narrow neck containers only (No. 3 plastic resin), such as health and beauty aid products and household cleaners.
  - (8) Low-density polyethylene (LDPE) grocery containers (No. 4 plastic resin), such as margarine tubs, frozen dessert cups, and six- and twelve-pack rings.
  - (9) Polypropylene (PP) grocery containers (No. 5 plastic resin), such as yogurt cups and narrow neck syrup and ketchup bottles.
  - (10) Number 7 plastic resin grocer narrow neck containers only.
- B. Paper fiber may consist of the following items.
- (1) Newspaper, including inserts (remove plastic sleeves).
  - (2) Cardboard (no waxed cardboard; place with trash). Cardboard must be flattened and bundled no greater than two feet by two feet.
  - (3) Kraft (brown paper) bags.
  - (4) Catalogs, telephone books and magazines.
  - (5) Office, computer, notebook and gift wrap paper (no metal clips, spirals or binders).
  - (6) Chipboard (cereal, cake and good mix boxes, gift boxes, etc.).
  - (7) Carrier stock (soda and beer can carrying cases).
  - (8) Junk mail and envelopes (no plastic cards, stick-on labels or unused stamps).
  - (9) Paperback books (no hardcover books).

- C. Waste tires shall be taken to Endeavor Recycling for disposal.

**§ 378-24. Multiple-family dwellings.**

- A. Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in § 378-19A(5) through (15):
- (1) Provide adequate, separate containers for the recyclable materials.
  - (2) Notify tenants in writing at the time of renting or leasing the dwelling and at least semiannually 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 of reasons to reduce and recycle solid waste, which materials are collected, how to prepare the 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.
- B. The requirements specified in Subsection A do not apply to the owners or designated agents of multiple-family dwellings if
- (1) 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 § 378-19A(5) through (15) from solid waste in as pure a form as is technically feasible.
  - (2) Less than 30% of the heat input to a facility is derived from the solid waste which is burned as a supplemental fuel at that facility in accordance with § 287.07(7)(bg), Wis. Stats.
  - (3) Items have been granted a separation variance by the Department of Natural Resources under § 287.07(7)(h), Wis. Stats. Currently the items which need not be separated from solid waste are foam polystyrene packaging and rigid plastic containers made of PVC (No. 3), LDPE (No. 4), PP (No. 5), PS (No. 6), and other resins or multiple resins (No. 7).

**§ 378-25. Nonresidential facilities and properties.**

- A. Owners or designated agents of nonresidential facilities and properties shall do all of the following to recycle the materials specified in § 378-19A(5) through (15):
- (1) Provide adequate, separate containers for the recyclable materials.
  - (2) Notify in writing, at least semiannually, 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 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 name, address and telephone number.
- B. The requirements specified in Subsection A do not apply to the owners or designated agents of nonresidential facilities and properties if
- (1) 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 § 378-19A(5) through (15) from solid waste in as pure a form as is technically feasible.
  - (2) Less than 30% of the heat input to a facility is derived from the solid waste which is burned as a supplemental fuel at that facility in accordance with § 287.07(7)(bg), Wis. Stats.
  - (3) Items have been granted a separation variance by the Department of Natural Resources under § 287.07(7)(h), Wis. Stats. Currently the items which need not be separated from solid waste are foam polystyrene packaging and rigid plastic containers made of PVC (No. 3), LDPE (No. 4), PP (No. 5), PS (No. 6), and other resins or multiple resins (No. 7).

**§ 378-26. Prohibited disposal of materials separated for recycling.**

No person may dispose of in a solid waste disposal facility, open burn or burn in a solid waste treatment facility any of the materials specified in § 378-19A(1) through (15) which have been separated for recycling, except that waste tires may be burned with energy recovery in a solid waste treatment facility.

**§ 378-27. Enforcement; violations and penalties.**

- A. For the purpose of ascertaining compliance with the provisions of this article, any authorized officer, employee or representative of the Village of Endeavor 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 nonresidential 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 Village of Endeavor 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 a provision of this article may be issued a citation by the Endeavor Chief of Police or his/her designee to collect forfeitures. The issuance of a

citation in regards to this subsection shall not preclude proceeding under any other ordinance or law relating to the same or any other matter.

C. Penalties for violating this article may be assessed as follows:

- (1) Any person who violates § 378-26 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.
- (2) Any person who violates a provision of this article, except § 378-26, may be required to forfeit not less than \$10 nor more than \$1,000 for each violation.

