

Recycling Ordinance

Town of Winfield, Sauk County, Wisconsin
Ordinance 94-1 Revised 9/16/2025

Title. Recycling Ordinance for the Town of Winfield, Sauk County, Wisconsin.

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 ch. NR 544, Wis. Adm. Code.

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

Abrogation and Greater Restrictions. It is not intended by this ordinance 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 ordinance imposes greater restrictions, the provisions of this ordinance shall apply.

Interpretation. In their interpretation and application, the provisions of this ordinance 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 ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in ch. NR 544, Wis. Adm. Code, and where the ordinance provision 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 ordinance, or in effect on the date of the most recent text amendment to this ordinance.

Severability. Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

Applicability. The requirements of this ordinance apply to all persons within the Town of Winfield.

Administration. The provisions of this ordinance shall be administered by the town officials of the Town of Winfield.

Effective Date. The provisions of this ordinance shall take effect on 10/1/2025.

Definitions. For the purpose of this ordinance:

- 1) “Bi-metal container” means a container for carbonated or malt 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 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.
- 5) “HDPE” means high density polyethylene, labeled by the resin code #2.
- 6) “LDPE” means low density polyethylene, labeled by the resin code #4.
- 7) “Magazines” means magazines 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 structure containing 5 or more residential units, including units that 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 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.
- 12) “Office paper” means a variety of high-grade printing and writing papers. This term does not include industrial process waste, newspaper, or packaging.
- 13) “Other resins or multiple resins” mean plastic resins labeled by the resin code #7.
- 14) “Person” includes any individual, corporation, limited liability company, 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 resin 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 the subject of 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 resin code #5.
- 19) "PS" means polystyrene, labeled by the resin code #6.
- 20) "PVC" means polyvinyl chloride, labeled by the resin 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 intact root balls.

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:

- 1) Lead acid batteries
- 2) Major appliances
- 3) Waste oil
- 4) Yard waste
- 5) Aluminum containers

- 6) Bi-metal 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

Separation Requirements Exempted. The separation requirements of s. 1.11 do not apply to the following:

- 1) 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 s. 1.11 from solid waste in as pure a form as is technically feasible.
- 2) 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.
- 3) A recyclable material specified in s. 1.11(5) through (15) for which a variance has been granted by the Department of Natural Resources under s. 287.11(2m), Wis. Stats., or s. NR 544.14, Wis. Adm. Code.

Care of Separated Recyclable Materials. To the greatest extent practicable, the recyclable materials separated in accordance with s. 1.11 shall be clean and kept free of contaminants such as food or product residue, oil or grease, or other non-recyclable 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 inclement weather conditions.

Management of Lead Acid Batteries, Major Appliances, Waste Oil, and Yard Waste. Occupants of single family and 2-to-4-unit residences, multiple-family dwellings, and non-residential facilities and properties shall manage lead acid batteries, major appliances, waste oil, and yard waste as follows: Residents may contact private contractors to handle these items.

Preparation and Collection of Recyclable Materials. Except as otherwise directed by the Town of Winfield and/or the contracted recycling hauler, occupants of single family and 2-to-4-unit residences shall do the following for the preparation and collection of the separated materials specified in s. 1.11(5) through (15). All the materials should be put loose in the toter; items should not be placed in bags or bundled. Items will be collected at curbside.

- 1) Metal and bimetal (steel and aluminum containers and foil) shall be clean.
- 2) Paper, including office paper, newspapers, and magazines, shall be put loose in the toter. Cardboard should be clean and flattened. Food cartons shall be clean. Shredded paper is garbage.
- 3) Plastic bottles, tubs, jugs, and jars only shall be clean, and lids and caps shall be replaced. Do not include plastic bags.
- 4) Glass bottles and jars shall be clean. Replace lids and caps.

Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings.

- 1) Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in s. 1.11(5) through (15):
 - a) 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:
 - i. The minimum total volume of recycling container space is equal to 20 gallons per week per dwelling unit.
 - ii. The ratio of trash container volume to recycling container volume is at most 2:1.
 - iii. 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.
 - b) Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program.
 - c) Provide for the collection of materials separated from the solid waste by the tenants and the delivery of the materials to a recycling facility.
 - d) 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.

- 2) The requirements specified in 1) 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 s. 1.11(5) through (15) from solid waste in as pure a form as is technically feasible.

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

- 1) Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in s. 1.11(5) through (15):
 - a) 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.
 - b) Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.
 - c) Provide for the collection of materials separated from solid waste by the users, tenants and occupants and the delivery of the materials to a recycling facility.
 - d) 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.
- 2) The requirements specified in 1) 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 s. 1.11 (5) through (15) from solid waste in as pure a form as is technically feasible.

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 s. 1.11 (5) through (15) that have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

No Dumping. It shall be unlawful for any person to dispose of or dump garbage or recyclable items on any town, county, or state road in the Town of Winfield.

No Burning or Burying. It shall be unlawful to bury or burn recyclable materials.

Hauler Licensing. The contracted hauler shall be licensed by the Wisconsin Department of Natural Resources.

Enforcement. For the purpose of ascertaining compliance with the provisions of this ordinance, any town board member of the Town of Winfield 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 town board member of the Town of Winfield who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

Reporting Requirements. The recycling hauler is required to maintain records and report in writing to the Town of Winfield clerk at least annually. Reporting shall include the amount of recyclables collected.

Establish Fees. The Town of Winfield shall establish fees for the service recipients for the collection of recyclable materials (and solid waste) based on the contract amount. Fees will be included on the tax roll.

Adopted this 16th day of September, 2025

TOWN OF WINFIELD, SAUK COUNTY, WISCONSIN

APPROVED:

Kurt Mead, Chairman

Jerry Moll, Supervisor I

Jeremy Schyvinck, Supervisor II

ATTESTED:

Teresa Bass, Clerk

Published/Posted: