

ORDINANCE #2015-02

AN ORDINANCE REGULATING THE
DISPOSITION OF WASTE MATERIAL
IN THE TOWN OF ELLINGTON

SOLID WASTE

Disposition of Waste Material

It shall be unlawful for any person, corporation, partnership, or other type of organization, to deposit waste on lands in the Town of Ellington, Outagamie County, Wisconsin.

Definitions

In this article, unless the context requires otherwise, the following shall have the following meanings:

WASTE

Garbage, sludge from wastewater treatment plants, and other organic waste, but excluding from this definition animal manure commonly used by farmers for fertilizer.

GARBAGE includes every refuse accumulation of animals, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit or vegetables originally used for foodstuffs.

REFUSE Includes all waste materials, solid, liquid or semisolid produced by or from, used by or resulting from industrial, agricultural, household, manufacturing, business or community life such as but not limited to minerals, asphalt, rocks, paper, concrete products, wood products, glass products, metal products, used furniture, household appliances, products or items, clothing, building material, motor vehicles, products and parts, tires, paper products, burnt materials, chemicals, paints, cleaning solutions and containers, stumps, plastics, solvents, petroleum products and materials and their containers defined as hazardous under § 291.05, Wisconsin Statutes, for which its owner no longer has a use and wishes to dispose of it.

YARD WASTE includes all leaves, pine needles, grass clippings, garden debris and brush, including clean woody vegetative material, no greater than four inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

Prohibited conduct


- A. No person, firm or corporation shall dispose of, dump or bury garbage, yard waste or refuse, upon any road right-of-way or upon any public or private lands in the Town of Ellington other than upon those premises duly designated and licensed as sites for the disposing, dumping or burying of garbage, yard waste or refuse.
- B. No person, firm or corporation shall accept for dumping, burying or disposing or allow the dumping, burying or disposing of garbage or refuse upon land owned by that person, firm or corporation unless the premises is duly designated and licensed as a site for the dumping, disposing or burying of garbage and refuse.
- C. No person, firm or corporation shall cause or permit garbage, yard waste or refuse to be placed in such a location or manner that the garbage, yard waste or refuse can be blown away by the wind, washed away by water or conveyed to another location by some other natural process.
- D. No person, firm or corporation shall cause or permit garbage, yard waste or refuse to fall from any vehicle onto the road or road right-of-way in the Town of Ellington.

Exceptions

- A. It shall not be a violation of this article to dump, bury or dispose of unbagged yard waste on private land if permission has been obtained from the landowner prior to the dumping or disposing of the yard waste; provided, however, that no landowner shall allow or keep unsightly, unhealthy or unsanitary accumulations of such waste.
- B. It shall not be a violation of this article for landowners to dump, bury or dispose of garbage, yard waste or refuse on their own land, unless said garbage, yard waste or refuse is defined as hazardous under § 291.05, Wisconsin Statutes, and provided, however, that no landowner shall allow or keep unsightly, unhealthy or unsanitary accumulations of such garbage, yard waste or refuse.

Violations and Penalties

Any person, firm, association, or corporation who does not comply with the provisions of this article shall be subject to a forfeiture amount of \$50 to \$1000. Each calendar day the violation exists shall be deemed a separate offense.

 Chairman Joe Schumacher
 Supervisor Robert Prunty
 Supervisor Allen Kaddatz

ATTESTED BY

 Bonnie Fischer, Clerk

Date 4-29-15