

ORDINANCE NO. 138

AN ORDINANCE TO PROVIDE FOR THE COLLECTION OF REFUSE IN THE VILLAGE OF DORCHESTER, CLARK COUNTY, WISCONSIN.

The Village Board of the Village of Dorchester, Clark County, State of Wisconsin, do ordain as follows:

REGULATIONS AS TO THE COLLECTION, REMOVAL AND DISPOSAL OF REFUSE IN THE VILLAGE OF DORCHESTER

Section 1. Definitions. The following words, when used in these regulations, shall have the meanings respectively ascribed to them:

- (a) Refuse: Refuse shall mean garbage, rubbish, or both.
- (b) Garbage: Garbage includes all refuse accumulations of animal, fruit or vegetable matter that attend the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruits or vegetables, and containers originally used for foodstuffs.
- (c) Rubbish: Rubbish includes all other refuse except rocks, concrete, bricks and similar solid materials, plaster or dirt.
- (d) Private Residences: Private residences, in addition to single-family residential dwellings, shall include each family unit in apartment houses and multi-family residential dwellings.
- (e) Private Contractor: Private contractors shall mean the person, partnership or corporation with whom the Village of Dorchester has entered into a contract for the collection of all refuse in the Village of Dorchester from private residences located therein.

Section 2. Garbage To Be Deposited In Containers. All garbage created, accumulated or produced by those persons residing in private residences shall be deposited in containers of a type approved by the Village Board or designated Committee of the Village of Dorchester, equipped with suitable handles and tight fitting covers, and shall be watertight. Each container shall weigh no more than 65 pounds and have a capacity of not less than 15 gallons and not more than 30 gallons, and shall be kept in a clean, neat and sanitary condition at all times.

Section 3. Householder To Provide Containers. It shall be the duty of every person in possession, charge or control of any private residence in or from which garbage is created, accumulated or produced, to provide, and at all times keep in a suitable place readily accessible to the garbage collector, garbage containers capable of holding all garbage which would ordinarily accumulate on such premises between the times of successive collections. The owner of any multiple dwellings shall furnish or require his tenants to furnish proper garbage containers. Garbage containers located at multiple dwellings, if furnished by the tenants, shall be marked so as to indicate the apartment or flat to which they belong.

Section 4. Materials Deposited In Garbage Containers. Rubbish may be deposited in garbage containers. Human waste and other potentially infectious materials shall not be deposited or placed in garbage containers unless such material is wrapped in a manner satisfactory to the public health officer. Liquid garbage shall not be deposited in such containers. Kitchen garbage shall be drained of all moisture and completely wrapped in paper before it is placed or deposited in garbage containers.

Section 5. Location of Containers. No garbage containers or other containers for refuse, other than those of the Village of Dorchester, shall be placed, kept, stored or located within the right of way of a street or alley; provided, however, that the Village Board may authorize the location of such containers within the right-of-way at specified places and times when such location is necessary for the expeditious collection and disposition of garbage.

Section 6. Occupants To Pay Collection Fees -- Use of Private Contractors Service Required.

It is hereby found and determined that the periodical collection of garbage from all private residences in the Village of Dorchester benefit all occupants of said premises in the Village, and such occupants or persons in possession, charge or control of any private residence in or from which garbage is created, accumulated or produced are liable for and shall pay the garbage collection fees established by the Board of the Village of Dorchester.

Garbage collection service is contracted for by the Village of Dorchester and it shall be mandatory for all occupants or persons in possession, charge or control of residential property in the Village of Dorchester in and from which garbage is created, accumulated or produced to use the said collection service. It shall be unlawful for any person other than the private contractor to collect, remove or dispose of garbage or rubbish in the Village of Dorchester on the private residences located therein; provided, however, that nothing contained herein shall prevent the use of garbage disposal devices.

Section 7. Time of Collection. Collection of garbage shall be made at least once a week from private residences during the months of October through April and at least twice a week during the months of May, June, July, August, and September and as many times per week as shall be necessary for all other places.

Section 8. Rubbish Collected With Garbage. The private contractor will also collect and dispose of all rubbish on the days that garbage is collected provided that rubbish of such size that it can be placed in garbage containers as authorized in Section 4 shall be placed in such containers or other suitable containers so as to facilitate the handling of the rubbish by the private contractor; provided, however, that tree limbs, or other similar rubbish, shall not be more than five (5) inches in diameter and shall be cut so as not to exceed four (4) feet in length; and provided also that any other rubbish when bundled shall not exceed twelve (12) inches in diameter and shall not exceed four (4) feet in length.

Section 9. Notification For Collection. All occupants, persons in possession, charge or control of private residences upon which garbage is created, accumulated or produced shall notify the Village Clerk of the Village of Dorchester that collection of garbage from such place is required. Occupants, persons in possession, charge or control of premises and places other than private residences shall contract separately with the private contractor for the collection of their garbage and refuse and with respect to the frequency of the collection required.

Section 10. Collection and Disposal of Garbage and Rubbish Other Than By Private Contractor.

Garbage and rubbish which is not collected by the private contractor may be collected and disposed of by other private garbage and rubbish haulers. Such haulers shall secure a business license as provided by Ordinance No. _____. All vehicles used to transport garbage and rubbish shall be provided with

equipment to prevent garbage and rubbish from falling out of, falling from or otherwise escaping from such vehicle.. Such garbage and rubbish hauler shall comply with all applicable rules and regulations established by said Ordinance No. _____ and as established by the Village Board.

Section 11. Fees For Collection of Garbage and Rubbish. Fees for the collection of garbage and rubbish shall be those as established by resolution of the Village Board except that the initial fee shall be at the rate of \$2.87 per month for each private residence.

Section 12. Payment of Fees. Fees for garbage and rubbish collection shall be billed quarterly on the first days of February, May, August, and November of each year and paid on or before the 16th ^{20th} day of the month in which the billing is sent out. Persons not paying fees when due shall be subject to an additional penalty of 10% per month in addition to the amount then due. All fees and penalties not paid by December 31 of each year shall be extended upon the tax roll as a delinquent tax against the real property of the person who is responsible for the collection and payment of said fees and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such collection fees.

Section 13. Burning of Refuse. It shall be unlawful for any person to burn any refuse except as may be permitted by the Village Board, upon application for the same.

Section 14. Disposal of Refuse and Other Material. It shall be unlawful for any person to deposit any refuse or any other material in or near that area previously used by the Village of Dorchester as a dump located at the South end of Linden Street.

Section 15. Nuisance. Keeping of garbage in containers other than containers prescribed by this Ordinance or the keeping upon premises of garbage or rubbish which is allowed to become offensive and noisome, shall constitute a public nuisance and may be abated in the manner provided by law for the abatement of nuisances.

Section 16. Penalty. Any person found guilty of violation of Section 13 and Section 14 shall forfeit not more than One hundred dollars (\$100.00) for each offense, plus the costs of prosecution and in default of the payment thereof, shall be imprisoned in the County Jail for not more than 90 days.

This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

Jed Schwock Jr.
Village President
ATTEST:
Alice C. Paulson
Village Clerk

ADOPTED: Nov. 4, 1970
APPROVED Nov. 4, 1970
PUBLISHED _____