

JUNEAU COUNTY ORDINANCE # 90-1

Mandatory Source Separation of Solid Waste/Recyclables

SECTION I - Intent

It is the intent of the Juneau County Board of Supervisors that this ordinance be enacted for these purposes:

1. To extend the life of the Juneau County Landfill(s) by reducing the amount of solid waste that must be placed in the landfill(s), and
2. For the conservation of natural resources and for energy savings by recycling, rather than disposing of, designated recyclable materials.

SECTION II - Definitions

For the purposes of this ordinance, the following terms shall be defined as shown and used in that context.

1. Board - Juneau County Board of Supervisors.
2. Committee - Solid Waste & Recycling Committee of the Juneau County Board of Supervisors.
3. Landfill - County-owned Juneau County Landfill Site(s).
4. Municipality - Any and all of the cities, villages and towns which exist in Juneau County.
5. Landfill User - Any resident, business, governmental unit or other entity, which deposits or causes to be deposited, solid waste in the landfill.
6. Commercial Solid Waste Hauler - Any person or commercial entity that deposits solid waste generated by a landfill user other than himself in the landfill, whether for pay or as a public service.
7. Designated Recyclable Materials - Aluminum, tin cans, newsprint, plastic bottles, cardboard, glass.

### SECTION III - Separation of Waste

1. On or before August 1, 1990, the governing board of each municipality which desires to afford the residents, businesses, and government entities located within the municipality the opportunity to deposit in the landfill any solid waste which originates in or is generated, accumulated or collected in the municipality shall adopt an ordinance which provides for source separation and recycling of the designated recyclables in compliance with Section III(2) of this ordinance.

2. The Committee shall review each municipal separation/recycling ordinance enacted under Section III(1) and shall approve those programs which reasonably tend to fulfill the intent of this ordinance described in Section I. The Committee will consider the following factors when reviewing all municipal ordinances:

A. Whether the ordinance requires landfill users to separate designated recyclable materials from other solid waste, and requires that all solid waste generated in the municipality be transported to the Juneau County Landfill in clear plastic bags.

B. Whether the ordinance designates either a municipally operated or privately operated solid waste collection or recycling system for its landfill users which provides for the separation of recyclable materials.

C. Whether the ordinance requires owners of multifamily dwellings to facilitate the separation of recyclable materials by residents of the building.

D. Whether the ordinance requires owners of commercial, retail, industrial and governmental facilities to put in place and maintain containers



for the separation of designated recyclable materials and solid waste.

E. Other such factors as the Committee in its discretion may determine are relevant to the intent of this ordinance. The Committee may assign such weight to any one factor as is reasonable under the circumstances and may review various aspects of the program on an on-going basis.

3. On and after September 1, 1990, no landfill user shall deposit or cause to be deposited any designated recyclable material in the landfill.

A. When market conditions are such that it is not economically feasible to recycle any of the designated recyclable materials, the Committee may recommend to the Board the temporary suspension of this Section and allow them to be deposited at the landfill. No such suspension will be effective unless declared by the Board, and notice provided by signs posted at the public entrance to the landfill.

4. The Committee will certify to the County Clerk those municipalities which meet the requirements of this ordinance as well as those municipalities which do not.

A. The County Clerk will be authorized to provide this information to any person who requests it.

B. Landfill personnel will be authorized to deny access to the landfill to any user, hauler, and municipality with solid waste from any municipality which does not have an approved ordinance in force, and/or is not transporting solid waste to the Juneau County Landfill in clear plastic bags.

#### SECTION IV - Violations

1. On and after September 1, 1990, it shall be unlawful and a violation of this ordinance for any LAND USER, COMMERICAL SOLID WASTE HAULER, or MUNICIPALITY to deposit or cause to be deposited in the landfill, any solid



waste which originated in or was generated, accumulated or collected in any municipality which does not have in place and enforce an approved ordinance imposing the requirements of this ordinance.

2. On and after September 1, 1990, it shall be unlawful and a violation of this ordinance for any LANDFILL USER, COMMERCIAL SOLID WASTE HAULER, or MUNICIPALITY to deposit or cause to be deposited in the landfill, any designated recyclable material.

3. Owners of office buildings, multi-family dwellings and businesses open to the public shall be liable under this ordinance for the acts of their tenants and patrons. If the identity of the individual(s) that committed the violation can be determined, then the liability shall rest upon the violating individual(s). Determination of tenant liability shall be the responsibility of the building owner.

4. Commerical haulers and municipalities shall be liable under this ordinance for the materials deposited in the landfill from their vehicle. If the identity of the individual(s) that deposited recyclable materials together with their solid waste can be determined, then the liability shall rest upon the violating individual(s). Determination of individual liability shall be the responsibility of the commercial hauler or municipality.

#### SECTION V - Enforcement/Penalties

1. Enforcement of this recycling ordinance shall be the responsibility of Juneau County. When violations have been observed at the Landfill, warnings and citations shall be issued by the Juneau County Sheriff's Department to individuals or commercial haulers, based upon complaints from landfill personnel. Municipalities may have the option of enacting their own enforcement policy, if it is a part of their municipal ordinance.

2. The penalty for violation of any provision of this section shall be a forfeiture of not less than \$25.00 or more than \$100.00, in addition to the costs of prosecution. Each offense will be considered a separate violation.
3. In addition to the imposition of forfeiture(s), the Committee may deny entry to the landfill to any landfill user that violates any provision of this ordinance.

#### SECTION VI - Appeals

Any person, commercial entity or municipality affected by this ordinance may appeal the decision of the Solid Waste & Recycling Committee to the Executive Committee of the Juneau County Board of Supervisors. The decision of the Executive Committee will be final.