



City of Neenah
Public Services and Safety Committee Agenda
Tuesday, May 26, 2026 at 5:00 PM
Neenah City Hall – 211 Walnut Street
Hauser Room

- I. Call to Order
- II. Public Appearances
- III. Approval of Minutes
 - A. Approval of Minutes from the Meeting of May 12, 2026
- IV. New Business
 - A. Parks and Recreation
 - 1. Cemetery Zero Turn Mower Proposals
 - B. Licenses and Permits
 - 1. Liquor Licenses
 - A. Liquor License Quota
 - 2. Special Event Permits
 - C. Public Works
 - 1. Solid Waste Ordinance Update - Ordinance 2026-10
- V. Unfinished Business
- VI. Public Works General Construction and Department Activity Report
 - A. Public Works General Activity
- VII. Adjournment

Notice: Pursuant to the requirements of Wis. Stats. Sec. 19.84 (Open Meeting Notice Law), a majority of the Neenah Common Council may be present at this meeting. Common Council members may be present to gather information about a subject on which they have decision-making responsibility. This may constitute a meeting of the Neenah Common Council and must be noticed as such. The Council will not take any formal action at this meeting.

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Neenah will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance, or reasonable accommodation in participating in this meeting or event due to a disability as defined under the ADA, please call the Clerk's Office (920) 886-6100 or [e-mail clerk@neenahwi.gov](mailto:clerk@neenahwi.gov) at least 48 hours prior to the scheduled meeting or event to request an accommodation.

**CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, May 12, 2026**

Present: Chairman Weber, Alderman Defferding, Linski, and Pollnow

Excused: Alderperson Steiner

Also Present: Mayor Borchardt, City Attorney Rashid, Public Works Director Kaiser, Police Chief Olson, Assistant Police Chief Bernice, Police Captain Van Sambeek, Police Captain Wagner, City Clerk Nagel, Office Manager Mroczkowski, Alderman Bruno, Dwight Kerr, Frank Cuthert, Patrick Woodbridge, Mark Newman, Duke Behnke

Chairman Weber called the meeting to order at 5:00 PM

Public Appearances

Dwight Kerr, 434 High Street, Neenah – Mr. Kerr spoke regarding the E-bike ordinance. He stated that he would like to see the ordinance make it mandatory to have a light on at all times. He also stated that we need to ensure that the Police Department has enough officers to effectively enforce this ordinance.

Chairperson Weber closed Public Appearances

Approval of Minutes of the Regular Meeting of April 28, 2026

Motion by Pollnow, Seconded by Defferding to approve the minutes of the Regular Meeting of April 14, 2026.

Call for vote by Chairman Weber

Motion Carried. All voting Aye. 4/0

NEW BUSINESS

Police Department 2026 1st Quarter Police Statistics

Police Captain Wagner presented the 1st Quarter Police Statistics and asked the Committee if there were any questions.

Alderman Pollnow asked for an update on the parking enforcement printers. Captain Wagner stated that the new printers are installed and working. She stated that the 2nd Quarter Statistics will reflect higher number of written citations.

C.A. **Motion by Pollnow, Seconded by Linski to Receive and Place on File the Police Department's 1st Quarter Statistics.**

Call for vote by Chairman Weber

Motion Carried. All voting Aye. 4/0

Approve the Temporary Extension of Licenses Premises Application to Lion's Tail Brewing Co., for Smoke on the Fox

C.A

Motion by Pollnow, Seconded by Defferding to recommend the Common Council approve the Temporary Extension of Licenses Premises Application to Lion's Tail Brewing Co., for Smoke on the Fox, 116 S Commercial Street, to be held on June 8, 2026, from 5:00 PM to 10:00 PM.

Chairperson Weber called for vote.

Motion on vote 4/0. All voting aye.

Motion Carried.

UNFINISHED BUSINESS

E-Bike, E-Scooter and Bicycle Regulation and Mandatory Helmet Ordinance

Motion by Pollnow, Seconded by Linski to take the agenda item from the table.

Chairperson Weber called for vote.

Motion on vote 4/0. All voting aye.

Motion Carried.

Report

Motion by Pollnow, Seconded by Linski to recommend the Common Council enact Ordinance 2026-07 regulating E-Bikes and E-Scooters, and mandating helmet wear by those users under Section 16.

City Attorney Rashid stated that after the April 28, 2026, meeting of the Public Services and Safety Committee, Chief Olson contacted him to remove all restricted locations in the original draft with the exception of Main Street and Wisconsin Avenue from W. Doty Avenue to S. Commercial Street and where signage indicates restrictive use.

Police Chief Olson stated that the change was made to ensure that officers could be successful enforcing the ordinance. He stated that the original draft had too many locations and was setting the officers up for failure when it came to enforcement.

Alderman Defferding asked if the community had input. Chief Olson stated no.

Alderman Defferding asked if businesses that sell E-bikes and E-scooters had communicated with the police department with their thoughts on the ordinance. Chief

Olson stated that there has not been any communication from businesses. He stated that three police chiefs, three city attorneys and three command staffs were involved in drafting this ordinance. Chief Olson stated that the group has knowledge and experience with this mode of transportation and do not feel that business input was needed to write the ordinance.

Alderman Defferding asked if there has been public service announcements about the proposed ordinance. Chief Olson stated no. Alderman Defferding stated that the city should partner with the Library and businesses that sell these types of bikes to inform the public of the ordinance to promote safe biking.

Alderman Pollnow stated that he is glad to see the city collaborating with other municipalities to send a coherent message to residents. He stated that he is supportive of this ordinance.

City Attorney Rashid stated that the city is looking at promoting this ordinance during Listen on the Loop in June.

Chairperson Weber called for vote.

Motion on vote 3/1 (Defferding).

Motion Carried

Motion Carried Public Works General Construction and Department Activity Report

- 1) Contract 4-25 (Misc Concrete Pavement/Sidewalk Repair): The contractor is working on several pavement repairs and on the Bell/Commercial intersection. The southeast quadrant will start the week of 5/11. That is the final section of this work.
- 2) Contract 5-25 (Misc Asphalt Pavement Repair): Some work items have been carried over to 2026.
- 3) Contract 12-25 (Courtside Fields Pond): Rock crushing should be complete the week of 5/11. Upon completion of that work and preparation of the basin, the clay liner will be installed. The remaining storm sewer work will be done after the clay liner is in place.
- 4) Contract 1-26 (Elm, Reed, Laudan Utilities/Street):
 - a) Elm St: Water main installation is complete. Sanitary sewer is being installed south of Division. Laterals are being installed as main is placed.
 - b) Reed St: Sanitary sewer is being installed from Laudan to Cecil. Rock is being encountered. When the original sanitary sewer main was placed, the rock was hollowed just out enough to fit the pipe. Those hollowed areas are being expanded so that the new pipe can be properly bedded.
- 5) Contract 2-26 (Henry, Sterling, Winneconne): Water main and sewer main installation are complete on Greenfield and Sterling. There is about another week of lateral installation remaining. The contractor plans to move to work on Henry St around Memorial Day. On May 7, staff held a meeting with businesses on Henry St to review the work schedule and discuss property access.

- 6) Contract 3-26 (Tullar Garage Roof Repair – Vehicle Storage Bays): Work will be completed the week of 5/11.
- 7) Storms/Flooding: A special flood damage collection has been scheduled for May 14 for the North Water St neighborhood. Sandbags are being collected.
- 8) E-Waste Event: The spring electronics recycling event is being held at the Tullar Garage from 8 AM until Noon on Saturday, May 16.

The Committee briefly discussed the landscaping on Lakeshore Drive.

Adjournment

Motion by Pollnow, Seconded by Defferding to adjourn at 5:28 PM.

Call for vote by Chairman Weber

Motion Carried. All voting Aye. 4 /0

Respectfully submitted,



Lisa Mroczkowski
Public Works Office Manager



Memorandum

Date: May 26, 2026
To: Chairman Weber and Members of the Public Services and Safety Committee
From: Trevor Fink, Superintendent of Parks/City Forester
RE: Cemetery Zero Turn Mower Proposals

The following proposals were received for a new commercial zero turn mower for Oakhill Cemetery. Cemetery staff have familiarity with all the units from each vendor and prefer the Scag Tiger Cat mower. This mower is a direct replacement for a 2018 Scag zero turn mower.

<u>Company</u>	<u>Description</u>	<u>Price</u>
Joe's Power Center	52" Scag Tiger Cat II	\$11,578.95
Swiderski Power Center	52" Ferris	\$12,079.00
Joe's Power Center	52" Gravely	\$13,967.55
Spartan Turf Products (Reinders)	52" Toro Z Master	\$14,229.31

The budgeted amount for this mower in the 2026 Operating and Capital Improvement Budget (page 321) is \$25,000.

Park and Recreation Commission recommend the purchase of the 52" Scag Tiger Cat II Mower from Joe's Power Center for \$11,578.95.

Please contact me with any questions.

Attachments:
None



MEMORANDUM

DATE: May 26, 2026
TO: Chairman Weber and members of the Public Services & Safety Committee
FROM: Char Nagel, City Clerk
RE: Liquor License Quota

Attached is an updated liquor license quota spreadsheet for the 2026-2027 license renewals.

Changes to liquor licenses made during the 2025-2026 licensing year:

- A full year Class “A” Fermented Malt Beverages in convenience stores.
- Ordinance amendment eliminated having a separate entrance and cash register for the sale of intoxicating liquor.

As you can see from the attached spreadsheet, the city has reached its quota of (38) Regular “Class B” intoxicating liquor licenses issued; only (9) reserve “Class B” Intoxicating Liquor licenses remain. Reserve licenses require a \$10,000 non-refundable deposit. The deposit goes into the general fund for the city to spend as it sees fit.

Staff recommends approval of “Exhibit A” 2026-2027 Liquor License renewal applications.

Attachments: 2026-2027 Quota
2026-2027 Exhibit A

City of Neneah Liquor Licenses Quota

May 26, 2026

Establishment	"Class B" Combo IL & FMB	"Class B" IL	Reserve "Class B" Combo	Class "B" FMB	"Class A" Combo IL & FMB	Class "A" FMB	Class "C" Wine
2 Bullyz Bar	1						
Ballroom at the Reserve	1						
Bao Ju Mandrain Gourmet	1						
Batley's Grill & Bar	1						
BayPoint Bar & Grill	1						
Bridgewood Resort Hotel	1						
Broken Tree Pizza	1						
Cannova's Pizzeria	1						
Cedar Bar & Grill	1						
Copperstill Bourbon Bar	1						
Cozumel Mexican Restaurant	1						
Cranky Pat's Pizzeria & Pub	1						
The Dome Sports Bary & Grill	1						

City of Neneah Liquor Licenses Quota

May 26, 2026

Establishment	"Class B" Combo IL & FMB	"Class B" IL	Reserve "Class B" Combo	Class "B" FMB	"Class A" Combo IL & FMB	Class "A" FMB	Class "C" Wine
Doubletree by Hilton Neenah	1						
El Azteca Restaurant	1						
Fire Lite	1						
Gord's Pub	1						
Greene's Pour House	1						
ICU Bar & Grill	1						
Layla's Place	1						
Lion's Tail Brewing Co	1						
Little Siam	1						
Lucky Dog'z	1						
My Place TNS	1						
Old 41 Saloon	1						
The Plaza/Globe	1						

City of Neneah Liquor Licenses Quota

May 26, 2026

Establishment	"Class B" Combo IL & FMB	"Class B" IL	Reserve "Class B" Combo	Class "B" FMB	"Class A" Combo IL & FMB	Class "A" FMB	Class "C" Wine
Rolling Thunder Lanes	1						
Sante Wine Bar & Bistro	1						
Sherrytown Station	1						
Short Branch Saloon	1						
Sidetracked Bar & Grill	1						
Solea Mexican	1						
Town Council Kitchen and Bar	1						
Urban Market	1						
Xtra Innings	1						
Zacatecas Mexican	1						
Zuppa	1						
Grainworks Old & New		1					
Pappa's Café			1				

City of Neneah Liquor Licenses Quota

May 26, 2026

Establishment	"Class B" Combo IL & FMB	"Class B" IL	Reserve "Class B" Combo	Class "B" FMB	"Class A" Combo IL & FMB	Class "A" FMB	Class "C" Wine
Sammy's Pizza				1			
Cellars Wines & Spirits					1		
Dollar General Store 21847					1		
Festival Foods					1		
Gill Liquor					1		
Pick N Save Store 6412					1		
Pick N Save Store 8124					1		
The Cheese Table					1		
Walmart Supercenter					1		
Aldi's						1	
Commercial Petro						1	
Commercial St BP						1	
CVS Pharmacy Store 5936						1	

City of Neneah Liquor Licenses Quota

May 26, 2026

Establishment	"Class B" Combo IL & FMB	"Class B" IL	Reserve "Class B" Combo	Class "B" FMB	"Class A" Combo IL & FMB	Class "A" FMB	Class "C" Wine
Fox Point Petro						1	
Krist Food Mart						1	
Main Street Amoco						1	
Mobil West						1	
Neenah Mobil						1	
Neenah Quick Stop						1	
Tobacco Outlet Plus Store 526						1	
Walgreen's Store 0392						1	
Walgreen's Store 10236						1	
Totals	38	1	1	1	8	13	0
Quota	38	10	No Limit	No Limit	No Limit	No Limit	No Limit
Available Licenses	0	9					

**CITY OF NEENAH
NOTICE OF APPLICATION FOR LIQUOR LICENSE
2026-2027 Renewals**

Published pursuant to Section 125.04(3)(g) of the Wisconsin Statutes **NOTICE IS HEREBY GIVEN** that the following applications for license renewals to sell intoxicating liquor and malt beverages have been filed with the City Clerk, Neenah, Wisconsin. Said licenses are scheduled to be on May 26, 2026 Public Services and Safety Committee Meeting and the June 3, 2026, Common Council Agenda.

CLASS "A" FERMENTED MALT BEVERAGE LICENSE

Aldi Inc. Wisconsin
d/b/a Aldi #37, 927 S Green Bay Rd
Jacob Driessen, Agent, 2471 Security Dr, Oshkosh, WI 54904
Wisconsin CVS Pharmacy, LLC
d/b/a CVS Pharmacy #5936, 901 S Green Bay Rd
Jennifer VanGroll, Agent, 1301 Rosehill Rd Apt 66, Little Chute, WI 54140
Kwik Trip, Inc.
d/b/a Tobacco Outlet Plus #526, 501 S Commercial St
Michelle Pollnow, Agent, 534 E Lake St, Neenah, WI 54956
Walgreen Co.
d/b/a Walgreens #03392, 500 S Commercial St
Adrianna Fryjoff, Agent 1211 George St Apt 2, Appleton, WI 54915
Walgreen Co.
d/b/a Walgreens #10236, 1191 Westowne Dr
Angela Grotenhuis, Agent, 1278 Harold Dr, Menasha, WI 54952

CLASS "A" FERMENTED MALT BEVERAGE LICENSE CONVENIENCE STORES

Krist Oil Company
d/b/a Krist Food Mart #56, 1305 S Commercial St
Dale Johnson Jr, Agent, 845 E Cecil St, Neenah, WI 54956
Kwik Trip, Inc.
d/b/a Kwik Trip #434, 903 S Green Bay Rd
Aaron Bowe, Agent, 220 High St, Neenah, WI 54956
Gauri Ganesh, LLC
d/b/a Main Street Amoco, 1013 Main St
Nirav Patel, Agent 1816 Statue Dr, Neenah, WI 54956
Deep Petroleum, Inc.
d/b/a Neenah Mobil, 700 Main St
Singh Jaswinder, Agent, 1301 Coneflower Ct, Neenah, WI 54956
Van Zeeland Oil, Co. Inc.
d/b/a Mobil West, 1350 Gillingham Rd
Ryan Van Zeeland, Agent, 33 Meadowbrook Ct, Appleton, WI 54914
Mahabai LLC
d/b/a Commercial Petro, 521 Commercial St
Manisha Balami, Agent, 316 S Stonemeadow Way #9 Appleton, WI 54915
KN LLC
d/b/a Fox Point Petro, 904 South Green Bay Road
Nawa Subedi, Agent, 3045 Winnepeg St, Menasha, WI 54952
Commercial St Express, LLC
d/b/a Commercial St BP, 899 South Commercial Street
Navtej Bhandari, Agent 3645 W Quaker Ridge Lane, Appleton, WI 54914

Commercial St Express, LLC
d/b/a Neenah Quick Stop, 700 S Green Bay Rd
Navtej Bhandari, Agent 3645 W Quaker Ridge Lane, Appleton, WI 54914

CLASS "A" FERMENTED MALT BEVERAGE & "CLASS A" LIQUOR LICENSE

Cellars Wine & Spirits, Inc.
d/b/a Cellars Wine & Spirits, 113 N Green Bay Rd
Dustin Davies, Agent, 4484 N Orion Ln, Appleton, WI 54913
WI Foodliner, Inc.
d/b/a Festival Foods, 647 S Green Bay Rd
Paul J Klinkhammer, Agent, 945 Tayco St Apt 10, Menasha WI 54952
Gill Liquor, LLC
d/b/a Gill Liquor, 1117 S Commercial St
Amritpal Gill, Agent, 1117 S Commercial St, Neenah, WI 54956
Ultra Mart Foods, LLC
d/b/a Pick 'N Save #8124, 1530 S Commercial St
Mary Brown, Agent, 1225 W Frances St, Appleton, WI 54914
Ultra Mart Foods, LLC
d/b/a Pick 'N Save #6412, 828 Fox Point Plz
Corey Santorello, Agent, 5497 Nickles Dr, Oshkosh, WI 54902
Wal-Mart Stores East, LP
d/b/a Wal-Mart #2986, 1155 Winneconne Ave
Samantha L Engelhardt, Agent, 51 N 12th St, Clintonville, WI 54929
Dolgencorp, LLC
d/b/a Dollar General Store #21847, 1126 S Commercial St
John Greene, Agent, W145 Lake Sandia, Krakow, WI 54137
Union Star Corp
d/b/a The Cheese Table, 125 W Wisconsin Ave
Jonathan Metzgi, Agent, 8683 Metzgi Road Fremont, WI 54940

CLASS "B" FERMENTED MALT BEVERAGE LICENSE

Sammy's Pizza, Inc.
d/b/a Sammy's Pizza, 322 N Commercial St
Thomas Miller, Agent, 1031 Shannon St, Neenah, WI 54956

CLASS "B" FERMENTED MALT BEVERAGE & "CLASS B" LIQUOR LICENSE

2 Bullyz Bar, LLC
d/b/a 72 Bullyz Bar, 430 Sherry St
Rosita Eisenach, Agent, 862 1st St, Menasha, WI 54952
Ballroom at the Reserve, LLC
d/b/a Ballroom at the Reserve, 116 S Commercial St
Matt Gloede, Agent, W6030 Zach St, Menasha, WI 54952
Chang Qing, LLC
d/b/a Bao Ju Mandarin Gourmet, 415 S Commercial St
Lixin Ni, Agent, 2056 Louie Ln, Neenah, WI 54956
G. Round Operations LLC
d/b/a Batley's Grill & Bar, 1010 Cameron Way
Richard Batley, Agent, 1538 Whitetail Dr, Neenah, WI 54956
Bay Point Bar & Grill, Inc.
d/b/a Bay Point Bar & Grill, 944 S Green Bay Rd
Amandeep Kaur, Agent, W6028 Blazing Star, Appleton, WI 54915

Bridgewood Holdings of Neenah, LLC
d/b/a Bridgewood Resort Hotel, 1000 Cameron Way
Richard Batley, Agent, 1538 Whitetail Dr, Neenah, WI 54956
Off the Vine Woodfire Pizza Co, LLC
d/b/a Broken Tree Pizza, 124 W Wisconsin Ave Ste 170
Keith Schreiner, Agent, 629 Hansen St, Neenah, WI 54956
LDPK, Inc.
d/b/a Cannova's Pizzeria, 113 W Wisconsin Ave
Debbie Cannova, Agent, 321 12th St, Neenah, WI 54956
Cedar Neenah LLC
d/b/a Cedar Bar & Grill, 1330 S Commercial St
Kenneth Lulloff, Agent, 1929 Henry St, Neenah, WI 54956
Copperstill Bourbon Bar, LLC
d/b/a Copperstill Bourbon Bar, 211 E Wisconsin Ave
Anthony Kuhr, Agent, 1901 Jacobsen Rd, Neenah, WI 54956
CMG Bar & Grill 17 LLC
d/b/a Cozumel Mexican Restaurant, 1111 Westowne Dr
Alejandro Martinez, Agent, 521 Haylett St, Neenah, WI 54956
Pizza Parlor, Inc.
d/b/a Cranky Pat's Pizzeria & Pub, 905 S Commercial St
David P Earle, Agent, 526 Buchanan St, Little Suamico, WI 54141
Rumars, LLC
d/b/a The Dome Sports Bar & Grill, 1338 S Commercial St
Renee Kaufert, Agent, 1360 Alpine Ln, Neenah, WI 54956
WP Neenah SPE OPS, LLC
d/b/a Doubletree by Hilton Neenah, 123 E Wisconsin Ave
Joy Crowe, Agent, 1820 N Clark St, Appleton, WI 54911
El Azteca Restaurant, Inc.
d/b/a El Azteca Restaurant, 878 Fox Point Plz
Fe Montalvo, Agent, 1808 Vandenberg Ln, Kaukauna, WI 54130
Fire-Lite, Inc.
d/b/a Fire-Lite, 1171 Gillingham Rd
Matthew D Nelson, Agent, 840 Baldwin St, Neenah, WI 54956
Gord's Pub, LLC
d/b/a Gord's Pub, 210 Main St
Paula J Pitsch, Agent, 4295 W Richmond St, Appleton, WI 54913
Grainworks Old & New LLC
d/b/a Grainworks Old & New, 200 Main St
Brian Duncan, Agent, 1055 Pilgrim Rd, Neenah, WI 54956
Ultimate Mart, LLC Richter Greene, LLC
d/b/a Greene's Pour House, 134 W Wisconsin Ave
Robert Greene, Agent, 1531 Remington Rd, Neenah, WI 54956
Don Lei Enterprises, Inc.
d/b/a ICU Bar & Grill, 129 N Green Bay Rd
Donald Schunk, Agent, 3238 Fondotto Dr, Neenah, WI 54956
Generation Paulson Inc
d/b/a Layla's Place, 218 W Wisconsin Ave
Christopher Paulson, Agent, W5793 Royalton Dr, Menasha, WI 54952
Lion's Tail Brewing Company, LLC
d/b/a Lion's Tail Brewing Co, 116 S Commercial St
Alexander Wenzel, Agent, W6283 Rocky Mountain Dr, Greenville, WI 54942

Little Siam, LLC
d/b/a Little Siam, 208 W Wisconsin Ave
Thong Vue, Agent, 53 Meadow Row Ct, Appleton, WI 54913
Lucky Dogz LLC
d/b/a Lucky Dog'z, 157 S Green Bay Rd
Paul Amond, Agent, 215 Main St Apt #435, Neenah, WI 54956
Westhill Bar Inc
d/b/a My Place TNS, 1127 S Commercial St
Gurvinder Singh, Agent, 500 Bosworth Ln, Neenah, WI 54956
Old 41 Saloon, LLC
d/b/a Old 41 Saloon, 293 S Green Bay Rd
James Parks, Agent, 2935 Ridgeway Dr, Neenah, WI 54956
Neenah Gateway Plaza, LLC
d/b/a The Plaza/The Globe Café, 229 W Wisconsin Ave
John J Hogerty, Agent, W6309 Firelane 9, Menasha, WI 54952
Revs Neenah LLC
d/b/a Rolling Thunder Lanes, 934 Byrd Ave
William Smith, Agent, 2289 Willow Hill Dr, Neenah, WI 54956
Glumpf, LLC
d/b/a Sante Wine Bar & Bistro, 108 W Wisconsin Ave
Matthew Gloede, Agent, W6030 Zach St, Menasha, WI 54952
Sherrytown 2, LLC
d/b/a Sherrytown Station, 432 Sherry St
Shelly Smith, Agent, W7233 Firelane 2, Menasha, WI 54956
Short Branch Saloon LLC
d/b/a Short Branch Saloon, 1102 Harrison St
Lorrie Davis, Agent, 1102 1/2 Harrison St, Neenah, WI 54956
Sidetracked Bar & Grill, LLC
d/b/a Sidetracked Bar & Grill, 129 N Lake St
Kevin M Redlin, Agent, 2340 Stroebe Island Dr, Appleton, WI 54914
Solea Mexican Grill, Inc.
d/b/a Solea Mexican Grill, 1350 Gillingham Rd
Eduardo Sanchez, Agent, 2126 Windflower Dr, Neenah, WI 54956
Charctails, LLC
d/b/a Town Council Kitchen & Bar, 133 W Wisconsin Ave
Alex Fehrenbach, Agent, 312 Smith St, Neenah, WI 54956
Urban Market Neenah, LLC
d/b/a Urban Market Neenah, 201 W Wisconsin Ave
Spencer Anvelink, Agent, 312 11th St, Neenah, WI 54956
Xtra Innings, LLC
d/b/a Xtra Innings, 1348 S Commercial St
Nathan Maves, Agent, 1206 W Capitol Dr, Appleton, WI 54914
WIMEX, Inc.
d/b/a Zacatecas Mexican Restaurant, 145 W Wisconsin Ave
Eduardo Lopez, Agent, 1730 S Memorial Dr, Appleton, WI 54915
Zuppas, Inc.
d/b/a Zuppas, 1540 S Commercial St
Penny Myers, Agent, 3117 Tri Park Ct #6, Appleton, WI 54914

CLASS "B" FERMENTED MALT BEVERAGE & RESERVE "CLASS B" LIQUOR LICENSE

David J Pyszora, Individual

d/b/a Pappa's Café, 1360 S Commercial St

David J Pyszora, Agent, 42 Sunray Ct, Appleton, WI 54915

CHARLOTTE NAGEL
NEENAH CITY CLERK



Memorandum

Date: May 26, 2026
To: Mayor Borchardt and Members of the Public Services and Safety Committee
From: Gerry Kaiser, Director of Public Works
RE: Solid Waste Ordinance Update - Ordinance 2026-10

With the latest annual recycling report to WDNR came a requirement to update local ordinances to address the WDNR's recently updated administrative rules. The attached ordinance 2026-10 brings us into compliance with the new rules and clarifies other language in the code. Most of the recycling-related changes reflect language from the WDNR model ordinance. The ordinance changes do several things:

1. Updated definitions for materials (Sec 12-1).
2. Clarified definitions for Multiple-family dwelling and Multi-family premises (Sec. 12-1).
3. Updated listing of recyclable materials and how they should be handled (Sec. 12-4).
4. Revised language for the Sec. 12-5 covering the cases where separation requirements are exempted.
5. Corrected language for collection at commercial premises (Sec. 12-8).
6. Clarified requirements for Multi-family properties and Non-Residential property recycling (Sec. 12-11, 12-12). This was a primary focus of the WDNR rule changes.
7. Revised Enforcement language and code reference (Sec. 12-18).

Attached is a redlined version of the code showing the changes being recommended followed by the proposed ordinance.

Staff recommends that the Committee recommend that Council approve Ordinance 2026-10 Solid Waste Collection and Disposal.

Attachments:

1. Solid Waste Ordinance_2026-10
2. Chapter_12___SOLID_WASTE_COLLECTION_AND_DISPOSAL_markup



AN ORDINANCE: By the Public Services and Safety Committee
Re: Repealing and Recreating 12 – Solid Waste Collection and Disposal

ORDINANCE NO. 2026-10
Introduced: _____
Committee/Commission Action: _____

AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

Section 1. Chapter 12, Solid Waste Collection and Disposal, of the Code of Ordinances of the City of Neenah is repealed and replaced in its entirety.

CHAPTER 12 SOLID WASTE COLLECTION AND DISPOSAL¹

Sec. 12-1. Definitions.

The following definitions shall apply unless a different meaning appears from the context.

Approved means approved by the Director of Public Works unless specifically stated otherwise.

Bi-metal container means a container for carbonated or malt beverage that is made primarily of a combination of steel and aluminum.

Brush means trimmings from shrubs and trees, tree limbs less than six inches in diameter and stalks from garden plants. Brush does not include stumps, root balls or logs greater than six inches in diameter.

Bulky wastes/large items means discarded articles of such dimension as are not normally collected with domestic waste including, but not limited to, items of furniture, plumbing fixtures, windows and doors, but would be considered domestic wastes. In general, bulky wastes are those wastes too large to be placed in a cart.

Bundle means to securely tie with string or twine.

¹Editor's note(s)—Ord. No. 2018-14, § 1, adopted Sept. 19, 2018, repealed the former Ch. 12, §§ 12-21—12-27, and enacted a new Ch. 12 as set out herein. The former Ch. 12 pertained to solid waste and derived from Code 1977, §§ 10.08(1), 10.08(2), 10.08(5), 10.08(7), 10.08(8); Ord. No. 1393, § 2, adopted Jan. 20, 2010; and Ord. No. 2011-5, §§ 1—4, adopted Apr. 6, 2011.

State law reference(s)—Solid waste generally, Wis. Stats. chs. 287—289.

Container board means corrugated paperboard used in the manufacture of shipping containers and related products.

Cart means a plastic container issued by the City for the storage and collection of solid waste or recyclables.

City shall mean the City of Neenah and/or its designated agent.

Collecting and transporting service means a municipal or privately operated agency, business or service for the collecting or transporting of solid waste for disposal or recycling purposes.

Commercial wastes means wastes resulting from the operation of business enterprises including, but not limited to offices, stores, restaurants, and similar businesses.

Commingled recyclables means a mixture of several recyclable materials placed in one container.

Composting means the process of decaying organic matter, such as leaves, garden debris, grass clippings, raw kitchen scraps and other vegetative materials capable of natural decomposition.

Construction and/or demolition waste means waste resulting from building construction, demolition, alteration, repair or remodeling, including excavated material and waste such as concrete, stone, asphalt, sod, earth, dirt and brick.

County shall mean Winnebago County unless specifically stated otherwise.

Department means the City of Neenah Department of Public Works.

Domestic waste means garbage, refuse, ashes and other waste including, but not limited to metal, glass, paper, wood, rags, plastic, rubber, cloth, cans, bottles, litter, and small quantities of construction and/or demolition wastes, and limited nauseous and/or offensive wastes, with the understanding that these wastes resulting from human habitation and the usual routine of housekeeping of residential units or incidental to its operation. Domestic waste does not include grass clippings, leaves, tree waste, or yard waste.

Dwelling unit shall be as defined in Section 21-19 of this Code.

Electronic waste includes televisions, computers (desktop, laptop, netbook and tablet computers), desktop printers (including those that scan, fax and/or copy), computer monitors, other computer accessories (including keyboards, mice, speakers, external hard drives and flash drives), DVD players, VCRs and other video players (i.e., DVRs), fax machines, and cell phones. Electronic waste shall also include microwave ovens. The definitions found in Wis. Stats. § 287.17 shall be incorporated into this chapter.

Foam polystyrene packaging means packaging made primarily from foam polystyrene that satisfies one of the following criteria:

- (1) Is designed for serving food or beverages;
- (2) Consists of loose particles intended to fill space and cushion the packaged article in a shipping container;
or
- (3) Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.

Garbage shall be as defined in Wis. Stats. § 289.01(9).

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.

Hazardous waste shall be as defined in Wis. Admin. Code § NR 661.03.

HDPE means high density polyethylene, labeled by the resin code # 2.

Household hazardous waste means those wastes resulting from products purchased by the general public for household use which, because of their quantity, concentration, or physical, chemical, or infectious characteristics,

may pose a substantial known or potential hazard to human health or the environment when improperly treated, disposed of, or otherwise managed.

Industrial waste shall be as defined in Wis. Stats. § 281.01(5).

LDPE means low density polyethylene, labeled by the resin code # 4.

Liquid waste shall include drain oil, dirty or waste grease, paints, lacquers, varnishes, thinners, cleaning agents or solvents and other similar waste materials.

Magazines means lightweight, coated printing paper engineered to reproduce high quality photographs and text used in periodical and commercial publishing.

Major appliance containing freon means refrigerator, freezer, air conditioner, or dehumidifier.

Major appliance not containing freon means a hot water heater, oven, range, stove, microwave oven, dishwasher, clothes washer and dryer, furnace, or boiler.

Medical waste means infectious waste and those containers, packages and materials that contain infectious waste or that are from a treatment area and are mixed with infectious waste.

Metal means those metal materials that can be recycled but does not include major appliances or metal containers like steel or aluminum cans.

Multiple-family dwelling means residential structures or a complex of structures on a parcel with a cumulative total of 5 or more units, including units that are occupied seasonally.

Nauseous or offensive materials are those which are unwholesome in nature or have an unpleasant smell or are otherwise nauseous or offensive, such as manure, filth, carcasses, meat, fish, entrails, hides and hide scrapings, paint, kerosene, oily or greasy substances and also object that may cause injury to any person or animal, or damage to vehicle tires such as nails, tacks, pieces of metal, wire, briar thorns, broken glass and other similar materials or substances.

Newspaper means a lightweight, low-cost, non-archival paper made primarily from mechanical wood pulp and engineered for high-speed printing presses.

Non-recyclable material means material not capable of being recycled or used again.

Non-residential facilities and properties means commercial, retail, industrial, institutional and government facilities and properties. Non-residential facilities and properties include 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.

Office paper means a variety of high-grade printing and writing papers. This term does not include industrial process waste, newspaper, magazines, or packaging.

Other resins or multiple resins mean plastic resins labeled by the resin code # 7.

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.

PETE or PET means polyethylene terephthalate, labeled by the resin code # 1.

Plastic container means an individual, separate, and rigid bottle, can, jar, or carton, made from plastic, except for a blister pack that is originally used to contain a product that is the subject of retail sales.

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.

PP means polypropylene, labeled by the resin code # 5.

PS means polystyrene, labeled by the resin code # 6.

PVC means polyvinyl chloride, labeled by the resin code # 3.

Premises shall mean platted lot or part thereof or unplatted lot or parcel of land or plot of land, either occupied or unoccupied by any dwelling or non-dwelling structure. Premises include the following categories:

- (1) *Single-family premises*. Any housing building containing a single-family dwelling unit. For the purposes of this chapter, any housing building with less than five dwelling units shall fall in this category. Each unit shall be regarded as a single-family dwelling unit.
- (2) *Multi-family premises*. All housing buildings or complex of buildings on a single parcel having a cumulative total of five or more dwelling units.
- (3) *Commercial or business premises*. Any public or private place, building and/or enterprise devoted in whole or in part to a business enterprise whether non-profit or profit making in nature.
- (4) *Institutional premises*. Any institutional enterprise, including, but not limited to, hospitals, churches, schools, nursing homes, motels and homes for the aging.

Recyclable material 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.

Refuse means all matters produced from industrial or community life, subject to decomposition, not defined as sewage or wastewater. This term does not include appliances, stones, concrete, dirt, plaster, tires, batteries, antifreeze, automotive engine waste oil, yard waste, building demolition materials, and recyclables.

Residential includes the following categories:

- (1) A structure consisting of no more than four dwelling units as that term is defined within Chapter 21 of this Code.
- (2) A condominium association.

Rubbish means that portion of the solid waste remaining when garbage, hazardous waste, recyclable material and yard waste have been removed.

Solid waste shall be as defined in Wis. Stats. § 289.01(33).

Solid waste collection system or *system*, shall mean the method for collection of solid waste in the City by the Department as outlined in this chapter and any rules or regulations issued by the Department to implement the system as intended by the Common Council.

Solid waste facility shall be as defined in Wis. Stats. § 289.01(35).

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.

Tree waste shall mean waste resulting from the care of trees, shrubs and brushes by pruning and/or wind and storm damage and/or trimming including branches, limbs, trunks and stumps.

Vehicle waste shall mean waste resulting from discarded items of a vehicle, including but not limited to, tires, mufflers, exhaust pipes, engine parts, and could include whole vehicles.

Waste engine oil means any oil, which was used in an internal combustion engine.

Waste tire means a tire that is no longer suitable for its original purpose because of wear, damage or defect.

Yard waste means leaves, yard and garden debris, and brush including clean woody vegetative material no greater than three inches in diameter. This term does not include yard and garden debris and brush in excess of three inches in diameter, grass clippings stumps, roots, or shrubs with intact root balls.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-2. Legislative intent.

It is intended by this article to establish regulations that reduce the amount of solid waste and other disposables in landfills and thus protect the public health and welfare and the environment. It is further intended by this article to comply with mandatory recycling legislation and implement regulations enacted by the State, including Wis. Stats. ch. 289. To the extent permitted by law, this article is intended to serve as a municipal solid waste flow control ordinance in conjunction with program activities of Winnebago County and its Solid Waste Management Board.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-3. Implementation.

The collection, removal and disposal of solid waste in the City shall be conducted under the supervision, direction and control of the Director of Public Works. The Director of Public Works is authorized to establish and enforce such rules and regulations deemed necessary for solid waste collection and storage.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-4. Recycling required

(a) *Separation of Recyclable Materials Required.*

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) Newspapers
- (12) Office paper
- (13) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins except those previously used for storage of hazardous chemicals, motor oil, transmission fluid, or brake fluid products
- (14) Steel containers
- (15) Waste tires
- (16) Electronics—see Section 12-10(l)(4)

(Ord. No. 2018-14, § 1, 9-19-2018)

(b) *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:

- (1) Lead acid batteries — see Section 12-10(l)(3).
- (2) Major appliances — see Section 12-10(o).
- (3) Waste oil — see Section 12-10(l)(2).
- (4) Yard waste — see Section 12-10(m).

(c) *Preparation and Collection of Recyclable Materials.*

Except as otherwise directed by the City of Neenah Department of Public Works, 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. 12-4(a)(5) through (15):

- (1) Aluminum containers – shall be placed in the single-stream recycling cart.
- (2) Bi-metal containers – shall be placed in the single-stream recycling cart.
- (3) Corrugated paper or other container board – shall be placed in the single-stream recycling cart.
- (4) Foam polystyrene packaging - packaging shall be placed in the trash. Clean, white polystyrene foam can be brought to the Foam Dome at Outagamie County Solid Waste & Recycling's Resource Recovery Park located at 1919 Holland Road Appleton, WI 54911 for drop-off recycling.
- (5) Glass containers – shall be placed in the single-stream recycling cart.
- (6) Magazines – shall be placed in the single-stream recycling cart.
- (7) Newspaper – shall be placed in the single-stream recycling cart.
- (8) Office paper – shall be placed in the single-stream recycling cart.
- (9) Rigid plastic containers – shall be placed in the single-stream recycling cart.
- (10) Steel containers – shall be placed in the single-stream recycling cart.
- (11) Waste tires — see Section 12-10(l)(3).

Sec. 12-5. Separation requirements exempted.

The separation requirements of Section 12-4 do not apply to the following:

- (a) 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 Section 12-4 from solid waste in as pure a form as is technically feasible.
- (b) Solid waste which is burned as a supplemental fuel at a facility if less than 30 percent of the heat input to the facility is derived from the solid waste burned as a supplemental fuel.
- (c) A recyclable material specified in Section 12-4 for which a variance has been granted by the Department of Natural Resources under Wis. Stats. § 287.11(2m), or Wis. Admin. Code § NR 544.14.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-6. Care of separated recyclable materials.

To the greatest extent practicable, the recyclable materials separated in accordance with Section 12-4 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.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-7. Prohibition 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 Section 12-4 which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-8. Standards of service.

(a) *Single family premises.*

- (1) Solid waste, with the exception of recyclable materials, shall be collected once a week from single family premises dwelling units according to a schedule set by the City. The base volume of refuse/garbage collected per dwelling unit shall be 95 gallons per week. Service for one additional 95-gallon refuse/garbage cart will be provided on request. A charge for the additional service will be established by the City.
- (2) Recyclable materials shall be collected from single family premises dwelling units according to a schedule set by the City. The base volume of recycling collected per dwelling unit shall be 95 gallons bi-weekly. Service for one additional 95-gallon recycling cart will be provided on request. A charge for the additional service will be established by the City. The owner of each residential dwelling unit will be charged a fee billed annually, established on an annual basis by the Common Council, for the costs related to recycling operations.
- (3) Condominium associations and owners of residential structures containing up to four dwelling units may elect not to have solid waste and recyclables collected by the City for the entire condominium association or structure. Elections by condominium associations and owners of residential structures containing up to four dwelling units are applicable to the entire condominium association or structure and may not be made on an individual basis by dwelling unit.

If the condominium association or the owner of a residential structure containing up to four dwelling units elects not to have solid waste and recyclables collected by the City, the association or the owner of the residential structure shall notify the Director of Public Works by October 1 of the current year of their election not to receive collection.

If a condominium association or the owner of a residential structure containing up to four dwelling units who has previously made an election not to have solid waste and recyclables collected by the City elects to have collection of solid waste and recyclables by the City for the following year, the association or owner of the structure shall notify the Director of Public Works by October 1 of the current year of their election to have collection done by the City for the following year(s).

(b) *Multi-family premises.*

- (1) The City shall collect no solid waste or recyclable materials from multi-family premises or complexes.
- (2) Recyclable materials shall be kept separate from other solid waste.

(c) *Commercial premises.*

- (1) Refuse/garbage shall be collected once a week from commercial premises according to a schedule set by the City. The maximum volume of refuse/garbage collected per commercial premise shall be 95 gallons per week. Commercial premises generating more than 95 gallons of refuse/garbage per week shall contract for private refuse collection service.

-
- (2) Recyclable materials shall be collected from commercial premises according to a schedule set by the City. The maximum volume of recycling per commercial premise shall be 95 gallons bi-weekly. The owner of each commercial premise will be charged a fee billed annually, established on an annual basis by the Common Council, for the costs related to recycling operations. Commercial premises generating more than 95 gallons of recycling material bi-weekly shall contract for private recycling collection service.

(d) *Institutional and industrial premises.*

- (1) The City shall collect no solid waste or recyclable materials from institutional or industrial premises.
- (2) Recyclable materials shall be kept separate from other solid waste.

(e) *Exclusion for Central Business District.*

- (1) Properties served by the three City-maintained dumpster corrals located in the 100 and 200 blocks of W. Wisconsin Avenue must deposit all refuse and garbage in dumpsters located in those corrals that are designated for that purpose.
- (2) Properties served by the three City-maintained dumpster corrals located in the 100 and 200 blocks of W. Wisconsin Avenue must deposit all recycling materials in dumpsters located in those corrals that are designated for that purpose.
- (3) Recyclable materials shall be kept separate from other solid waste.

(Ord. No. 2018-14, § 1, 9-19-2018; Ord. No. 2019-06, §§ 1, 2, 2-27-2019)

Sec. 12-9. Point of storage and point of collection.

- (a) *Solid waste carts.* Containers utilized for storage and collection of solid waste and recyclable material by the City shall be limited to solid waste carts designated by the City for use in the system. Solid waste left for collection in receptacles or garbage bags other than the solid waste carts approved by the City shall not be collected by the City.

- (1) Solid waste carts shall be provided, owned and maintained by the City.
- (2) The City may establish a solid waste cart replacement and maintenance charge for the City's curbside solid waste collection customers.
- (3) The City may establish a fee to curbside solid waste collection customers who wish to change carts solely due to cart size.
- (4) The City may establish a replacement fee for replacement of solid waste carts that are damaged, lost or destroyed.
- (5) Customers using City solid waste carts may mark the property address on the carts for their property. Said marking may only be done with the use of adhesive stickers. Paint, marker or other marking materials are not allowed.

- (b) *Storage.* No person shall store or permit to be stored upon property owned by them any garbage, recycling, yard waste, refuse, or any container for any of these items in violation of this section:

- (1) Storage shall be prohibited in the front yard of any building as defined by Chapter 21 of this Code.
- (2) Notwithstanding paragraph (a)(1) above, solid waste shall not be stored in the following locations:
 - a. On any side of a building that faces a public right-of-way except alleys;
 - b. On, under, or alongside of a front porch, stoop, landing, accessible ramp, or deck fronting on the public right-of-way; or
 - c. Within 15 feet of the public right-of-way, except during collection time periods.
- (3) Variance to this section may only be approved in writing by the Department.
- (4) Pursuant to State statutes, a special charge for collection of any items may be imposed against any parcel or property for any items placed within the terrace or public right-of-way before or after scheduled collection periods.

(c) *Collection.*

- (1) Refuse must be placed in City-provided carts for collection and must fit completely within the cart with the lid closed.

-
- (2) Recyclable materials must be placed in City-provided carts for collection and must fit completely within the cart with the lid closed.
 - (3) Solid waste or recyclable materials placed outside or on top of collection carts will not be collected.
 - (4) All solid waste must be placed for collection on the terrace or at the edge of the roadway in the public right-of-way area where no terrace exists.
 - (5) If the property owners sign a waiver and release, releasing the City from damage liability to pavement, curbs, gutters, sidewalks and driveways, the City may collect solid waste from private roadways. All solid waste must be placed for collection on the edge of the private roadway.
 - (6) If the property owners sign a waiver and release, releasing the City from damage liability to curbs, gutters, sidewalks and driveways, the City may collect solid waste from private driveways in condominium associations. All solid waste must be placed for collection at the edge of the private driveway.
 - (7) Solid waste shall not be placed out for collection before 4:00 p.m. of the day preceding a regularly scheduled pick-up or a previously announced date for collection of solid waste materials. Carts shall be returned by the persons to the point of storage within 12 hours after collection.
 - (8) Carts must be set out by 6:30 a.m. on the day of collection. A collection charge and administrative fee per occurrence will be assessed when the City must return to collect a cart set out after the regularly scheduled collection has occurred; the amount charged to each lot or parcel of land shall be charged to the owner of the property and if not paid shall be assessed against the real estate as a special charge pursuant to State statutes.
- (d) *Solid waste cart placement requirements.*
- (1) Carts shall be placed within one foot of the curb or edge of pavement with the arrow on the lid facing the street. Areas that have no terrace should place their cart at the street edge of the sidewalk.
 - (2) There must be at least three feet of space between the cart and other objects i.e.: trees, poles, mailboxes, plantings, parked cars, and other solid waste carts.
 - (3) Carts that cannot be collected without causing possible damage to property or vehicles will not be collected until the resident corrects the problem(s).
 - (4) Carts must remain at ground level. During winter months, residents will need to clear an area at the curb or driveway apron for cart placement. Carts placed on top of snow banks will not be collected.
- (e) *Collection schedules.* Garbage and rubbish, yard waste, and recyclables shall be collected according to schedules designated and publicized by the Director of Public Works and Utilities.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-10. General requirements.

- (a) All garbage shall be drained and kept in carts issued by the City.
- (b) No rear loaded containers (dumpsters) shall be allowed with the exception of municipal properties.
- (c) Recyclables.
 - (1) Containers.
 - a. All residential dwelling units; multiple family units; commercial, institutional, and industrial establishments shall separate the containers and packaging materials designated under Section 12-4 for recycling.

-
- b. If the unit or establishment receives collection from the City, these materials shall be placed at the street in accordance with the rules, procedures, and schedules specified by the Department.
- (2) Paper materials.
- a. All residential dwelling units; multiple family units; commercial, institutions, and industrial establishments shall separate the materials designated under Section 12-4 for recycling.
 - b. If the unit or establishment receives collection from the City, the paper materials specified above shall be placed at the street in accordance with the rules, procedures, and schedules specified by the Department.
- (3) No recyclable material may be contained in a plastic bag.
- (4) If such materials are not properly prepared for collection or are commingled with other acceptable solid waste materials placed for collection, Subparagraph (t) will apply.
- (d) Scavenging prohibited. Scavenging of solid waste deposited on the curb area or in City-owned drop off facilities is prohibited. It shall be unlawful for any person, except the Street and Sanitation Division or agents of the City to remove such deposited material.
- (e) Nuisance. No person shall permit any solid waste or other substance tending to create a nuisance, to be thrown out or distributed on or about the premises including adjacent property, streets, alleys, lakes or streams within the City. When the Health Officer determines that a facility's solid waste or other substances becomes a nuisance to adjoining property owners, including the City streets, by being scattered, the Health Officer shall require the owner of the facility to provide an adequate enclosure, including fencing, to prevent solid waste or other substances from being blown or scattered to adjoining properties and the City streets.
- (f) Dumping. No person shall dump solid waste on any lot or property within the City unless said dumping complies with all Federal, State and local restrictions.
- (g) Ashes and sawdust. Ashes and sawdust shall be separated from other rubbish and garbage and placed in plastic bags meeting the specifications in this section. The weight shall not exceed 25 pounds per bag. Ashes must be thoroughly extinguished and quenched with water.
- (h) Animal feces shall be properly disposed of by wrapping in paper and then placing it in a suitable plastic disposable bag not less than two mil thickness. No more than 25 pounds of animal waste shall be placed in a bag.
- (i) Stones, concrete, dirt, tires, batteries, antifreeze, medical waste, hazardous substances, electronics, automotive engine waste oil, and construction or demolition waste are not allowed in the solid waste stream and will not be picked up. Any cart with such prohibited materials will not be collected.
- (1) Stones, concrete and small quantities of dirt generated at residential sites within the City may be deposited at the City-designated collection site.
- (2) Disposal of automotive engine waste oil, which shall be free of all contaminants, solvents, hazardous materials, etc., shall be permitted at City-designated collection sites. No person residing outside the City limits shall bring into the City and dispose at any City-designated collection site any automotive engine waste oil. Used oil filters may not be disposed of with garbage.
- As used in this section: automotive engine oil means any oil to be used in the engine or crankcase of a motor vehicle; engine waste oil means automotive engine oil after it is used and removed from the engine or crankcase of a motor vehicle but before that oil is recycled; motor vehicle means any vehicle propelled
-

-
- by an internal combustion engine and includes any automobile, truck, bus, motorcycle, snowmobile, or vehicle which travels on or off roads or highways.
- (3) Lead acid batteries/waste tires shall be taken to a vendor or other establishment capable of properly processing these items. A list of vendors or other establishments shall be established and made available to the public through the Department.
 - (4) Electronic waste must be recycled through local vendors or the Winnebago County landfill drop-off site. The City will not collect these items at the curb. See the State of Wisconsin, Bureau of Waste and Materials Management, Wisconsin Department of Natural Resources for an updated list of electronics to be recycled: <https://dnr.wi.gov/topic/Ecycle/>.
 - (5) Construction or demolition waste generated at residential sites within the City may be deposited at the City-designated collection site.
- (j) Yard waste and brush shall not be allowed in the refuse or recycling carts. Yard waste and brush may be set out for curbside collection on the schedule established by the Department, provided it is prepared for collection as required by the Department, and may also be deposited at the City-designated collection site as yard waste.
 - (k) Composting. Composting is defined as above-ground microbial process, other than active garden areas, that converts yard or approved household waste to organic soil amendment or mulch by decomposition of material through an aerobic process. Backyard composting of yard wastes must be operated to prevent a nuisance condition, unsightly mess or an environmental or health hazard. General guidelines published by the Wisconsin Department of Natural Resources shall be followed. No dairy products, meat, fish, fat, oils, bones or animal wastes shall be composted. Composting is allowed in the City subject to the following requirements:
 - (1) *Location*. Compost sites must be set back three feet from any rear or side property line and shall not be located in the required front setback area, or closer than 20 feet from any habitable building other than the dwelling occupied by the owner.
 - (2) *Number and size*. No lot may contain more than two composting sites. The total composting area per lot may not exceed 60 square feet in area or exceed four feet in height.
 - (3) *Composting containment*. All composting sites must be contained within at least a three-sided structure, which may be constructed of wood, masonry, wire mesh or commercially fabricated compost bins.
 - (l) Reserved.
 - (m) Reserved.
 - (n) Reserved.
 - (o) Major appliances not containing freon and major appliances containing freon are not collected by the City.
 - (p) Items containing metal which include but are not limited to engines, car parts, swing sets, piping, springs, lawn mowers, and bicycles which require special arrangements for pick-up must be kept separate from all other solid waste. No person, property owner, or occupant or person in charge of the property shall place such items for pickup and disposal by the City unless the person has previously arranged for a pick-up of such items on the schedule established by the Department.
 - (q) Large items, which include but are not limited to: mattresses, box springs, hide-a-beds, upholstered furniture such as couches, davenports, love seats, recliners, chairs, kitchen and dining room tables, desks,
-

entertainment centers and other entertainment consoles, dressers, vanities, chest-of-drawers and similar furniture, head boards and objects that do not fit in the solid waste cart, which require special arrangements for pick-up must be kept separate from all other solid waste. No person, property owner, or occupant or person in charge of the property shall place such items for pick-up and disposal by the City unless the person has previously arranged for a special pick-up of such items on the schedule established by the Department.

- (r) Property owners shall keep the collection carts in a clean and sanitary condition. Maintenance and repair of all carts used for the collection of solid waste shall be the responsibility of the City.
- (s) The owner of the property shall be responsible for maintaining the recyclable area. The owner shall keep the area free of any junk, litter, debris or other condition. If other materials are mixed with recyclable materials in a dumpster or otherwise, the material shall be tagged and left on site. The owner of the property shall be responsible to either dispose of the materials or to separate the materials into recyclable and non-recyclable materials for proper pickup at the next scheduled pickup date.
- (t) If solid waste is not prepared according to the provisions of this chapter, or is not placed in suitable carts (issued by the Sanitation Division) or location or if a cart is damaged, employees of the Sanitation Division shall "tag" these carts and collection shall not be made until the condition is remedied in compliance with this chapter.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-11. Responsibilities of owners or designated agents of multi-family dwellings.

- (a) Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in Section 12-4:
 - (1) 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.
 - (2) Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually 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 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.
- (b) The requirements specified in Subsection (a)(1) do not apply to the owners or designated agents of nonresidential facilities and properties if the post-consumer 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 Section 12-4 from solid waste in as pure a form as is technically feasible.

(c) The owner of rental property shall be responsible for violations of this chapter occurring on rental property.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-12. Responsibilities of owners or designated agents of non-residential facilities and properties.

(a) Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in Section 12-4:

- (1) 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.
- (2) Notify in writing, at least semi-annually, 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 which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or sites, locations and hours of operation, locations of drop-off collection sites to recycle materials not collected on-site, and a contact person or company, including a name, address and telephone number.
- (5) Provide the Department with recycling tonnage data upon request.

(b) The requirements specified in Subsection (a)(1) do not apply to the owners or designated agents of non-residential facilities and properties if the post-consumer 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 Section 12-4 from solid waste in as pure a form as is technically feasible.

(c) The owner of rental property shall be responsible for violations of this chapter occurring on rental property.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-13. Littering prohibited.

(a) No person shall throw, place or deposit any garbage or rubbish in any street, alley, public place, or private property within the City limits except in garbage containers or in rubbish containers as herein provided.

(b) No person shall throw, place or deposit any garbage or rubbish in any garbage containers or rubbish containers not owned by them without permission or authorization of the owner of those containers.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-14. Private collection.

- (a) *Garbage and rubbish.* Where solid waste is privately collected, it shall be the responsibility of the owner to collect and place the material in a licensed solid waste disposal facility. It shall be the responsibility of the owner to keep records needed to document and otherwise comply with State and local regulations.
- (b) *Recyclable material.* Where recyclable materials are privately collected, it shall be the responsibility of the collector to properly deliver the materials to a recycling processing facility or end user of recyclables and to keep all records as needed to document and otherwise comply with State and local regulations. Records must be made available to the Department upon request.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-15. Non-resident refuse disposal prohibited.

- (a) No person residing outside the City limits shall bring into the City for disposal any garbage, rubbish or other items of a combustible or non-combustible nature.
- (b) Any person violating the provisions of this section shall be assessed the actual costs incurred by the City for proper disposal together with an administrative charge. The imposition and collection of any forfeiture prescribed by this chapter shall not bar the right of the City to collect the costs of disposal as herein provided.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-16. Inspection authority.

For the purpose of ascertaining compliance with the provisions of this chapter, any authorized officer, employee or representative of the City may inspect recyclable materials separated for recycling, post-consumer 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 authorized officer, employee, or representative of the City who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-17. Dumping grounds regulations.

The Police Department, through its Chief, and the Public Works Department, through its Director, acting in concert, shall regulate the dumping, depositing, or placing of trash, brush, yard waste, or any other solid waste or recyclables on and within any land or place within the City. Any land or place designated as dumping grounds, or drop off site for any material including recyclables shall be published by the erection of signs in conspicuous places on such grounds, containing suitable instructions to the public.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-18. Enforcement.

- (a) Violations of this section shall be specifically enforceable according to the provisions of Section 1-20 of this Code.
- (b) For purposes of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the City may inspect recyclable materials separated for recycling, post-consumer waste intended for disposal, collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and nonresidential facilities and properties, solid waste disposal facilities and solid waste treatment facilities, 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 City who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper or interfere with such an inspection.

(Ord. No. 2018-14, § 1, 9-19-2018)

Section 2. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 3. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Motion: _____

Adopted: _____

Published: _____

Approved:

Brian D. Borchardt, Mayor

Attest:

Charlotte K. Nagel, City Clerk

Chapter 12 SOLID WASTE COLLECTION AND DISPOSAL¹

Sec. 12-1. Definitions.

The following definitions shall apply unless a different meaning appears from the context.

Approved means approved by the Director of Public Works unless specifically stated otherwise.

Bi-metal container means a container for carbonated or malt beverage that is made primarily of a combination of steel and aluminum.

Brush means trimmings from shrubs and trees, tree limbs less than six inches in diameter and stalks from garden plants. Brush does not include stumps, root balls or logs greater than six inches in diameter.

Bulky wastes/large items means discarded articles of such dimension as are not normally collected with domestic waste including, but not limited to, items of ~~applicant~~, furniture, plumbing fixtures, windows and doors, but would be considered domestic wastes. In general, bulky wastes are those wastes too large to be placed in a cart.

Bundle means to securely tie with string or twine.

Container board means corrugated paperboard used in the manufacture of shipping containers and related products.

Cart means a plastic container issued by the City for the storage and collection of solid waste or recyclables.

City shall mean the City of Neenah and/or its designated agent.

Collecting and transporting service means a municipal or privately operated agency, business or service for the collecting or transporting of solid waste for disposal or recycling purposes.

Commercial wastes means wastes resulting from the operation of business enterprises including, but not limited to offices, stores, restaurants, and similar businesses.

Commingled recyclables means a mixture of several recyclable materials placed in one container.

Composting means the process of decaying organic matter, such as leaves, garden debris, grass clippings, raw kitchen scraps and other vegetative materials capable of natural decomposition.

Construction and/or demolition waste means waste resulting from building construction, demolition, alteration, repair or remodeling, including excavated material and waste such as concrete, stone, asphalt, sod, earth, dirt and brick.

County shall mean Winnebago County unless specifically stated otherwise.

Department means the City of Neenah Department of Public Works.

Domestic waste means garbage, refuse, ashes and other waste including, but not limited to metal, glass, paper, wood, rags, plastic, rubber, cloth, cans, bottles, litter, and small quantities of construction and/or

¹Editor's note(s)—Ord. No. 2018-14, § 1, adopted Sept. 19, 2018, repealed the former Ch. 12, §§ 12-21—12-27, and enacted a new Ch. 12 as set out herein. The former Ch. 12 pertained to solid waste and derived from Code 1977, §§ 10.08(1), 10.08(2), 10.08(5), 10.08(7), 10.08(8); Ord. No. 1393, § 2, adopted Jan. 20, 2010; and Ord. No. 2011-5, §§ 1—4, adopted Apr. 6, 2011.

State law reference(s)—Solid waste generally, Wis. Stats. chs. 287—289.

demolition wastes, and limited nauseous and/or offensive wastes, with the understanding that these wastes resulting from human habitation and the usual routine of housekeeping of residential units or incidental to its operation. Domestic waste does not include grass clippings, leaves, tree waste, or yard waste.

Dwelling unit shall be as defined in Section 21-19 of this Code.

Electronic waste includes televisions, computers (desktop, laptop, netbook and tablet computers), desktop printers (including those that scan, fax and/or copy), computer monitors, other computer accessories (including keyboards, mice, speakers, external hard drives and flash drives), DVD players, VCRs and other video players (i.e., DVRs), fax machines, and cell phones. Electronic waste shall also include microwave ovens. The definitions found in Wis. Stats. § 287.17 shall be incorporated into this chapter.

Foam polystyrene packaging means packaging made primarily from foam polystyrene that satisfies one of the following criteria:

- (1) Is designed for serving food or beverages;
- (2) Consists of loose particles intended to fill space and cushion the packaged article in a shipping container; or
- (3) Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.

Garbage shall be as defined in Wis. Stats. § 289.01(9).

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.

Hazardous waste shall be as defined in Wis. Admin. Code § NR 661.03.

HDPE means high density polyethylene, labeled by the resin code # 2.

Household hazardous waste means those wastes resulting from products purchased by the general public for household use which, because of their quantity, concentration, or physical, chemical, or infectious characteristics, may pose a substantial known or potential hazard to human health or the environment when improperly treated, disposed of, or otherwise managed.

Industrial waste shall be as defined in Wis. Stats. § 281.01(5).

LDPE means low density polyethylene, labeled by the resin code # 4.

Liquid waste shall include drain oil, dirty or waste grease, paints, lacquers, varnishes, thinners, cleaning agents or solvents and other similar waste materials.

Magazines means lightweight, coated printing paper engineered to reproduce high quality photographs and text used in periodical and commercial publishing.

Major appliance containing freon means refrigerator, freezer, air conditioner, or dehumidifier.

Major appliance not containing freon means a hot water heater, oven, range, stove, microwave oven, dishwasher, clothes washer and dryer, furnace, or boiler.

Medical waste means infectious waste and those containers, packages and materials that contain infectious waste or that are from a treatment area and are mixed with infectious waste.

Metal means those metal materials that can be recycled but does not include major appliances or metal containers like steel or aluminum cans.

Multiple-family dwelling means residential structures or a complex of structures on a parcel with a cumulative total of 5 or more units, including units that are occupied seasonally, with more than four dwelling units located within a structure or a complex of structures with at least one structure in the complex consisting of more than four dwelling units.

Nauseous or offensive materials are those which are unwholesome in nature or have an unpleasant smell or are otherwise nauseous or offensive, such as manure, filth, carcasses, meat, fish, entrails, hides and hide scrapings, paint, kerosene, oily or greasy substances and also object that may cause injury to any person or animal, or damage to vehicle tires such as nails, tacks, pieces of metal, wire, briar thorns, broken glass and other similar materials or substances.

Newspaper means a lightweight, low-cost, non-archival paper made primarily from mechanical wood pulp and engineered for high-speed printing presses.

Non-recyclable material means material not capable of being recycled or used again.

Non-residential facilities and properties means commercial, retail, industrial, institutional and government facilities and properties. Non-residential facilities and properties include 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.

Office paper means a variety of high-grade printing and writing papers. This term does not include industrial process waste, newspaper, magazines, or packaging.

Other resins or multiple resins mean plastic resins labeled by the resin code # 7.

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.

PETE or PET means polyethylene terephthalate, labeled by the resin code # 1.

Plastic container means an individual, separate, and rigid bottle, can, jar, or carton, made from plastic, except for a blister pack ~~as defined in Wis. Stats. § 100.33(1)(c), as may be amended from time to time,~~ that is originally used to contain a product that is the subject of retail sales ~~defined in Wis. Stats. § 100.30(2)(h), as may be amended from time to time.~~

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.

PP means polypropylene, labeled by the resin code # 5.

PS means polystyrene, labeled by the resin code # 6.

PVC means polyvinyl chloride, labeled by the resin code # 3.

Premises shall mean platted lot or part thereof or unplatted lot or parcel of land or plot of land, either occupied or unoccupied by any dwelling or non-dwelling structure. Premises include the following categories:

- (1) *Single-family premises.* Any housing building containing a single-family dwelling unit. For the purposes of this chapter, any housing building with less than five dwelling units shall fall in this category. Each unit shall be regarded as a single-family dwelling unit.
- (2) *Multi-family premises.* All housing buildings or complex of buildings on a single parcel having a cumulative total of five or more dwelling units.
- (3) *Commercial or business premises.* Any public or private place, building and/or enterprise devoted in whole or in part to a business enterprise whether non-profit or profit making in nature.
- (4) *Institutional premises.* Any institutional enterprise, including, but not limited to, hospitals, churches, schools, nursing homes, motels and homes for the aging.

Recyclable material 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, means material in solid waste for which there exists a commercially demonstrated processing or manufacturing technology which uses the material as a raw material.~~

Refuse means all matters produced from industrial or community life, subject to decomposition, not defined as sewage or wastewater. This term does not include appliances, stones, concrete, dirt, plaster, tires, batteries, antifreeze, automotive engine waste oil, yard waste, building demolition materials, and recyclables.

Residential includes the following categories:

(1) A structure consisting of no more than four dwelling units as that term is defined within Chapter 21 of this Code.

~~(2) A complex of structures with each structure in the complex consisting of no more than four dwelling units.~~

~~(3)~~ A condominium association.

Rubbish means that portion of the solid waste remaining when garbage, hazardous waste, recyclable material and yard waste have been removed.

Solid waste shall be as defined in Wis. Stats. § 289.01(33).

Solid waste collection system or system, shall mean the method for collection of solid waste in the City by the Department as outlined in this chapter and any rules or regulations issued by the Department to implement the system as intended by the Common Council.

Solid waste disposal facility shall be as defined in Wis. Stats. § 289.01(35).

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.

Tree waste shall mean waste resulting from the care of trees, shrubs and brushes by pruning and/or wind and storm damage and/or trimming including branches, limbs, trunks and stumps.

Vehicle waste shall mean waste resulting from discarded items of a vehicle, including but not limited to, tires, mufflers, exhaust pipes, engine parts, and could include whole vehicles.

Waste engine oil means any oil, which was used in an internal combustion engine.

Waste tire means a tire that is no longer suitable for its original purpose because of wear, damage or defect.

Yard waste means leaves, yard and garden debris, and brush including clean woody vegetative material no greater than three inches in diameter. This term does not include yard and garden debris and brush in excess of three inches in diameter, grass clippings stumps, roots, or shrubs with intact root balls.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-2. Legislative intent.

It is intended by this article to establish regulations that reduce the amount of solid waste and other disposables in landfills and thus protect the public health and welfare and the environment. It is further intended by this article to comply with mandatory recycling legislation and implement regulations enacted by the State, including Wis. Stats. ch. 289. To the extent permitted by law, this article is intended to serve as a municipal solid waste flow control ordinance in conjunction with program activities of Winnebago County and its Solid Waste Management Board.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-3. Implementation.

The collection, removal and disposal of solid waste in the City shall be conducted under the supervision, direction and control of the Director of Public Works. The Director of Public Works is authorized to establish and enforce such rules and regulations deemed necessary for solid waste collection and storage.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-4. Recycling required

(a) Separation of Recyclable Materials Required.

~~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; All occupants of buildings, both residential and non-residential, shall separate for recycling the following materials as designated and publicized for recycling by the Director of Public Works:~~

~~Single stream cart items:~~

- ~~(1) Lead acid batteries Aluminum containers.~~
- ~~(2) Major appliances Bi-Metal containers.~~
- ~~(3) Waste oil Corrugated paper or other container board.~~
- ~~(4) Yard waste Glass containers.~~
- ~~(5) Aluminum containers Magazines.~~
- ~~(6) Bi-Metal containers Newspapers.~~
- ~~(7) Corrugated paper or other container board Office paper.~~
- ~~(8) Foam polystyrene packaging Plastic containers labeled by SPI (Society of the Plastics Industry) except those previously used for storage of hazardous chemicals, motor oil, transmission fluid, or brake fluid products.~~
- ~~(9) Glass containers~~
- ~~(10) Magazines~~
- ~~(11) Newspapers~~
- ~~(12) Office paper~~
- ~~(13) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins except those previously used for storage of hazardous chemicals, motor oil, transmission fluid, or brake fluid products~~
- ~~(14) Steel containers-~~

~~Recyclable items—Special collection and/or disposal required:~~

- ~~(1) Waste oil—see Section 12-10(l)(2).~~
- ~~(2) Lead acid batteries—see Section 12-10(l)(3).~~
- ~~(153) Waste tires—see Section 12-10(l)(3).~~
- ~~(416) Electronics—see Section 12-10(l)(4).~~
- ~~(5) Yard waste—see Section 12-10(m).~~

~~(6) Major appliance — see Section 12-10(o).~~

(Ord. No. 2018-14, § 1, 9-19-2018)

(b) 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:

- (1) Lead acid batteries — see Section 12-10(l)(3).
- (2) Major appliances — see Section 12-10(o).
- (3) Waste oil — see Section 12-10(l)(2).
- (4) Yard waste — see Section 12-10(m).

(c) Preparation and Collection of Recyclable Materials.

Except as otherwise directed by the City of Neenah Department of Public Works, 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):

- (1) Aluminum containers – shall be placed in the single-stream recycling cart.
- (2) Bi-metal containers – shall be placed in the single-stream recycling cart.
- (3) Corrugated paper or other container board – shall be placed in the single-stream recycling cart.
- (4) Foam polystyrene packaging - packaging shall be placed in the trash. Clean, white polystyrene foam can be brought to the Foam Dome at Outagamie County Solid Waste & Recycling's Resource Recovery Park located at 1919 Holland Road Appleton, WI 54911 for drop-off recycling.
- (5) Glass containers – shall be placed in the single-stream recycling cart.
- (6) Magazines – shall be placed in the single-stream recycling cart.
- (7) Newspaper – shall be placed in the single-stream recycling cart.
- (8) Office paper – shall be placed in the single-stream recycling cart.
- (9) Rigid plastic containers – shall be placed in the single-stream recycling cart.
- (10) Steel containers – shall be placed in the single-stream recycling cart.
- (11) Waste tires — see Section 12-10(l)(3).

Sec. 12-5. Separation requirements exempted.

The separation requirements of Section 12-4 do not apply to the following:

- (a) 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 Section 12-4 from solid waste in as pure a form as is technically feasible. ~~Owners and occupants of properties that send their post-consumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials specified in Section 12-4 from solid waste in as pure a form as is technically feasible.~~

(b) Solid waste which is burned as a supplemental fuel at a facility if less than 30 percent of the heat input to the facility is derived from the solid waste burned as a supplemental fuel.

(c) A recyclable material specified in Section 12-4 for which a variance has been granted by the Department of Natural Resources under Wis. Stats. § ~~159287~~.11(2m), or Wis. Admin. Code § NR 544.14.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-6. Care of separated recyclable materials.

To the greatest extent practicable, the recyclable materials separated in accordance with Section 12-4 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.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-7. Prohibition 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 Section 12-4 which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-8. Standards of service.

(a) *Single family premises.*

- (1) Solid waste, with the exception of recyclable materials, shall be collected once a week from single family premises dwelling units according to a schedule set by the City. The base volume of refuse/garbage collected per dwelling unit shall be 95 gallons per week. Service for one additional 95-gallon refuse/garbage cart will be provided on request. A charge for the additional service will be established by the City.
- (2) Recyclable materials shall be collected from single family premises dwelling units according to a schedule set by the City. The base volume of recycling collected per dwelling unit shall be 95 gallons bi-weekly. Service for one additional 95-gallon recycling cart will be provided on request. A charge for the additional service will be established by the City. The owner of each residential dwelling unit will be charged a fee billed annually, established on an annual basis by the Common Council, for the costs related to recycling operations.
- (3) Condominium associations and owners of residential structures containing up to four dwelling units may elect not to have solid waste and recyclables collected by the City for the entire condominium association or structure. Elections by condominium associations and owners of residential structures containing up to four dwelling units are applicable to the entire condominium association or structure and may not be made on an individual basis by dwelling unit.

If the condominium association or the owner of a residential structure containing up to four dwelling units elects not to have solid waste and recyclables collected by the City, the association or the owner of the residential structure shall notify the Director of Public Works by October 1 of the current year of their election not to receive collection.

If a condominium association or the owner of a residential structure containing up to four dwelling units who has previously made an election not to have solid waste and recyclables collected by the City elects to have collection of solid waste and recyclables by the City for the following year, the association or owner of the structure shall notify the Director of Public Works by October 1 of the current year of their election to have collection done by the City for the following year(s).

(b) *Multi-family premises.*

- (1) The City shall collect no solid waste or recyclable materials from multi-family premises or complexes.
- (2) Recyclable materials shall be kept separate from other solid waste.

(c) *Commercial premises.*

- (1) Refuse/garbage shall be collected once a week from commercial premises according to a schedule set by the City. The maximum volume of refuse/garbage collected per ~~dwelling unit~~commercial premise shall be 95 gallons per week. Commercial premises generating more than 95 gallons of refuse/garbage per week shall contract for private refuse collection service.
- (2) Recyclable materials shall be collected from commercial premises according to a schedule set by the City. The maximum volume of recycling per ~~dwelling unit~~commercial premise shall be 95 gallons bi-weekly. The owner of each commercial premise will be charged a fee billed annually, established on an annual basis by the Common Council, for the costs related to recycling operations. Commercial premises generating more than 95 gallons of recycling material bi-weekly shall contract for private recycling collection service.

(d) *Institutional and industrial premises.*

- (1) The City shall collect no solid waste or recyclable materials from institutional or industrial premises.
- (2) Recyclable materials shall be kept separate from other solid waste.

(e) *Exclusion for Central Business District.*

- (1) Properties served by the three City-maintained dumpster corrals located in the 100 and 200 blocks of W. Wisconsin Avenue must deposit all refuse and garbage in dumpsters located in those corrals that are designated for that purpose.
- (2) Properties served by the three City-maintained dumpster corrals located in the 100 and 200 blocks of W. Wisconsin Avenue must deposit all recycling materials in dumpsters located in those corrals that are designated for that purpose.
- (3) Recyclable materials shall be kept separate from other solid waste.

(Ord. No. 2018-14, § 1, 9-19-2018; Ord. No. 2019-06, §§ 1, 2, 2-27-2019)

Sec. 12-9. Point of storage and point of collection.

(a) *Solid waste carts.* Containers utilized for storage and collection of solid waste and recyclable material by the City shall be limited to solid waste carts designated by the City for use in the system. Solid waste left for collection in receptacles or garbage bags other than the solid waste carts approved by the City shall not be collected by the City.

- (1) Solid waste carts shall be provided, owned and maintained by the City.
- (2) The City may establish a solid waste cart replacement and maintenance charge for the City's curbside solid waste collection customers.
- (3) The City may establish a fee to curbside solid waste collection customers who wish to change carts solely due to cart size.

-
- (4) The City may establish a replacement fee for replacement of solid waste carts that are damaged, lost or destroyed.
 - (5) Customers using City solid waste carts may mark the property address on the carts for their property. Said marking may only be done with the use of adhesive stickers. Paint, marker or other marking materials are not allowed.
- (b) *Storage.* No person shall store or permit to be stored upon property owned by them any garbage, recycling, yard waste, refuse, or any container for any of these items in violation of this section:
- (1) Storage shall be prohibited in the front yard of any building as defined by Chapter 21 of this Code.
 - (2) Notwithstanding paragraph (a)(1) above, solid waste shall not be stored in the following locations:
 - a. On any side of a building that faces a public right-of-way except alleys;
 - b. On, under, or alongside of a front porch, stoop, landing, accessible ramp, or deck fronting on the public right-of-way; or
 - c. Within 15 feet of the public right-of-way, except during collection time periods.
 - (3) Variance to this section may only be approved in writing by the Department.
 - (4) Pursuant to State statutes, a special charge for collection of any items may be imposed against any parcel or property for any items placed within the terrace or public right-of-way before or after scheduled collection periods.
- (c) *Collection.*
- (1) Refuse must be placed in City-provided carts for collection and must fit completely within the cart with the lid closed.
 - (2) Recyclable materials must be placed in City-provided carts for collection and must fit completely within the cart with the lid closed.
 - (3) Solid waste or recyclable materials placed outside or on top of collection carts will not be collected.
 - (4) All solid waste must be placed for collection on the terrace or at the edge of the roadway in the public right-of-way area where no terrace exists.
 - (5) If the property owner signs a waiver and release, releasing the City from damage liability to pavement, curbs, gutters, sidewalks and driveways, the City may collect solid waste from private roadways. All solid waste must be placed for collection on the edge of the private roadway.
 - (6) If the property owners sign a waiver and release, releasing the City from damage liability to curbs, gutters, sidewalks and driveways, the City may collect solid waste from private driveways in condominium associations. All solid waste must be placed for collection at the edge of the private driveway.
 - (7) Solid waste shall not be placed out for collection before 4:00 p.m. of the day preceding a regularly scheduled pick-up or a previously announced date for collection of solid waste materials. Carts shall be returned by the persons to the point of storage within 12 hours after collection.
 - (8) Carts must be set out by 6:30 a.m. on the day of collection. A collection charge and administrative fee per occurrence will be assessed when the City must return to collect a cart set out after the regularly scheduled collection has occurred; the amount charged to each lot or parcel of land shall be charged to the owner of the property and if not paid shall be assessed against the real estate as a special charge pursuant to State statutes.
- (d) *Solid waste cart placement requirements.*
-

-
- (1) Carts shall be placed within one foot of the curb or edge of pavement with the arrow on the lid facing the street. Areas that have no terrace should place their cart at the street edge of the sidewalk.
 - (2) There must be at least three feet of space between the cart and other objects i.e.: trees, poles, mailboxes, plantings, parked cars, and other solid waste carts.
 - (3) Carts that cannot be collected without causing possible damage to property or vehicles will not be collected until the resident corrects the problem(s).
 - (4) Carts must remain at ground level. During winter months, residents will need to clear an area at the curb or driveway apron for cart placement. Carts placed on top of snow banks will not be collected.
- (e) *Collection schedules.* Garbage and rubbish, yard waste, and recyclables shall be collected according to schedules designated and publicized by the Director of Public Works and Utilities.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-10. General requirements.

- (a) All garbage shall be drained and kept in carts issued by the City.
 - (b) No rear loaded containers (dumpsters) shall be allowed with the exception of municipal properties.
 - (c) Recyclables.
 - (1) Containers.
 - a. All residential dwelling units; multiple family units; commercial, institutional, and industrial establishments shall separate the containers and packaging materials designated under Section 12-4 for recycling.
 - b. If the unit or establishment receives collection from the City, these materials shall be placed at the street in accordance with the rules, procedures, and schedules specified by the Department.
 - (2) Paper materials.
 - a. All residential dwelling units; multiple family units; commercial, institutions, and industrial establishments shall separate the materials designated under Section 12-4 for recycling.
 - b. If the unit or establishment receives collection from the City, the paper materials specified above shall be placed at the street in accordance with the rules, procedures, and schedules specified by the Department.
 - (3) No recyclable material may be contained in a plastic bag.
 - (4) If such materials are not properly prepared for collection or are commingled with other acceptable solid waste materials placed for collection, Subparagraph (t) will apply.
 - (d) Scavenging prohibited. Scavenging of solid waste deposited on the curb area or in City-owned drop off facilities is prohibited. It shall be unlawful for any person, except the Street and Sanitation Division or agents of the City to remove such deposited material.
 - (e) Nuisance. No person shall permit any solid waste or other substance tending to create a nuisance, to be thrown out or distributed on or about the premises including adjacent property, streets, alleys, lakes or streams within the City. When the Health Officer determines that a facility's solid waste or other substances becomes a nuisance to adjoining property owners, including the City streets, by being scattered, the Health Officer shall require the owner of the facility to provide an adequate enclosure, including fencing, to prevent solid waste or other substances from being blown or scattered to adjoining properties and the City streets.
 - (f) Dumping. No person shall dump solid waste on any lot or property within the City unless said dumping complies with all Federal, State and local restrictions.
-

-
- (g) Ashes and sawdust. Ashes and sawdust shall be separated from other rubbish and garbage and placed in plastic bags meeting the specifications in this section. The weight shall not exceed 25 pounds per bag. Ashes must be thoroughly extinguished and quenched with water.
- (h) Animal feces shall be properly disposed of by wrapping in paper and then placing it in a suitable plastic disposable bag not less than two mil thickness. No more than 25 pounds of animal waste shall be placed in a bag.
- (i) Stones, concrete, dirt, tires, batteries, antifreeze, medical waste, hazardous substances, electronics, automotive engine waste oil, and construction or demolition waste are not allowed in the solid waste stream and will not be picked up. Any cart with such prohibited materials will not be collected.
- (1) Stones, concrete and small quantities of dirt generated at residential sites within the City may be deposited at the City-designated collection site.
 - (2) Disposal of automotive engine waste oil, which shall be free of all contaminants, solvents, hazardous materials, etc., shall be permitted at City-designated collection sites. No person residing outside the City limits shall bring into the City and dispose at any City-designated collection site any automotive engine waste oil. Used oil filters may not be disposed of with garbage.

As used in this section: automotive engine oil means any oil to be used in the engine or crankcase of a motor vehicle; engine waste oil means automotive engine oil after it is used and removed from the engine or crankcase of a motor vehicle but before that oil is recycled; motor vehicle means any vehicle propelled by an internal combustion engine and includes any automobile, truck, bus, motorcycle, snowmobile, or vehicle which travels on or off roads or highways.
 - (3) Lead acid batteries/waste tires shall be taken to a vendor or other establishment capable of properly processing these items. A list of vendors or other establishments shall be established and made available to the public through the Department.
 - (4) Electronic waste must be recycled through local vendors or the Winnebago County landfill drop-off site. The City will not collect these items at the curb. See the State of Wisconsin, Bureau of Waste and Materials Management, Wisconsin Department of Natural Resources for an updated list of electronics to be recycled: <https://dnr.wi.gov/topic/Ecycle/>.
 - (5) Construction or demolition waste generated at residential sites within the City may be deposited at the City-designated collection site.
- (j) Yard waste and brush shall not be allowed in the refuse or recycling carts. Yard waste and brush may be set out for curbside collection on the schedule established by the Department, provided it is prepared for collection as required by the Department, and may also be deposited at the City-designated collection site as yard waste.
- (k) Composting. Composting is defined as above-ground microbial process, other than active garden areas, that converts yard or approved household waste to organic soil amendment or mulch by decomposition of material through an aerobic process. Backyard composting of yard wastes must be operated to prevent a nuisance condition, unsightly mess or an environmental or health hazard. General guidelines published by the Wisconsin Department of Natural Resources shall be followed. No dairy products, meat, fish, fat, oils, bones or animal wastes shall be composted. Composting is allowed in the City subject to the following requirements:
- (1) *Location.* Compost sites must be set back three feet from any rear or side property line and shall not be located in the required front setback area, or closer than 20 feet from any habitable building other than the dwelling occupied by the owner.
 - (2) *Number and size.* No lot may contain more than two composting sites. The total composting area per lot may not exceed 60 square feet in area or exceed four feet in height.
-

-
- (3) *Composting containment.* All composting sites must be contained within at least a three-sided structure, which may be constructed of wood, masonry, wire mesh or commercially fabricated compost bins.
 - (l) Reserved.
 - (m) Reserved.
 - (n) Reserved.
 - (o) Major appliances not containing freon and major appliances containing freon are not collected by the City.
 - (p) Items containing metal which include but are not limited to engines, car parts, swing sets, piping, springs, lawn mowers, and bicycles which require special arrangements for pick-up must be kept separate from all other solid waste. No person, property owner, or occupant or person in charge of the property shall place such items for pickup and disposal by the City unless the person has previously arranged for a pick-up of such items on the schedule established by the Department.
 - (q) Large items, which include but are not limited to: mattresses, box springs, hide-a-beds, upholstered furniture such as couches, davenports, love seats, recliners, chairs, kitchen and dining room tables, desks, entertainment centers and other entertainment consoles, dressers, vanities, chest-of-drawers and similar furniture, head boards and objects that do not fit in the solid waste cart, which require special arrangements for pick-up must be kept separate from all other solid waste. No person, property owner, or occupant or person in charge of the property shall place such items for pick-up and disposal by the City unless the person has previously arranged for a special pick-up of such items on the schedule established by the Department.
 - (r) Property owners shall keep the collection carts in a clean and sanitary condition. Maintenance and repair of all carts used for the collection of solid waste shall be the responsibility of the City.
 - (s) The owner of the property shall be responsible for maintaining the recyclable area. The owner shall keep the area free of any junk, litter, debris or other condition. If other materials are mixed with recyclable materials in a dumpster or otherwise, the material shall be tagged and left on site. The owner of the property shall be responsible to either dispose of the materials or to separate the materials into recyclable and non-recyclable materials for proper pickup at the next scheduled pickup date.
 - (t) If solid waste is not prepared according to the provisions of this chapter, or is not placed in suitable carts (issued by the Sanitation Division) or location or if a cart is damaged, employees of the Sanitation Division shall "tag" these carts and collection shall not be made until the condition is remedied in compliance with this chapter.
- (Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-11. Responsibilities of owners or designated agents of multi-family dwellings.

- (a) ~~Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in Section 12-4: Owners or designated agents of multiple dwelling structures shall do all of the following in compliance with this chapter:~~
 - (1) 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: recyclable materials;~~
 - 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.~~

- (2) ~~Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program. Educate all tenants as to the requirements of this chapter. The owner shall be responsible to notify tenants initially upon move in and semi-annually thereafter of the requirements of this chapter;~~
 - (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 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. 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 a name, address and telephone number.~~
- (b) The requirements specified in Subsection (a)(1) do not apply to the owners or designated agents of nonresidential facilities and properties if the post-consumer 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 Section 12-~~3-4~~ from solid waste in as pure a form as is technically feasible.
- (c) The owner of rental property shall be responsible for violations of this chapter occurring on rental property.
- (Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-12. Responsibilities of owners or designated agents of non-residential facilities and properties.

- (a) Owners or designated agents of non-residential facilities and properties shall do all of the following ~~in compliance with this chapter~~ to recycle the materials specified in Section 12-4:
- (1) 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.~~ recyclable materials;
 - (2) ~~Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program. Educate all tenants as to the requirements of this chapter. The owner shall be responsible to notify tenants initially upon move in and semi-annually thereafter of the requirements of this chapter;~~
 - (3) ~~If collection is not provided by the City, p~~ 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, locations of drop-off collection sites to recycle materials not collected on-site, and a contact person or company, including a name, address and telephone number.;
 - (5) Provide the Department with recycling tonnage data upon request.
- (b) The requirements specified in Subsection (a)(1) do not apply to the owners or designated agents of non-residential facilities and properties if the post-consumer 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 Section 12-~~43~~ from solid waste in as pure a form as is technically feasible.
- (c) The owner of rental property shall be responsible for violations of this chapter occurring on rental property.
- (Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-13. Littering prohibited.

- (a) No person shall throw, place or deposit any garbage or rubbish in any street, alley, public place, or private property within the City limits except in garbage containers or in rubbish containers as herein provided.
- (b) No person shall throw, place or deposit any garbage or rubbish in any garbage containers or rubbish containers not owned by them without permission or authorization of the owner of those containers.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-14. Private collection.

- (a) *Garbage and rubbish.* Where solid waste is privately collected, it shall be the responsibility of the owner to collect and place the material in a licensed solid waste disposal facility. It shall be the responsibility of the owner to keep records needed to document and otherwise comply with State and local regulations.
- (b) *Recyclable material.* Where recyclable materials are privately collected, it shall be the responsibility of the collector to properly deliver the materials to a recycling processing facility or end user of recyclables and to keep all records as needed to document and otherwise comply with State and local regulations. Records must be made available to the Department upon request.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-15. Non-resident refuse disposal prohibited.

- (a) No person residing outside the City limits shall bring into the City for disposal any garbage, rubbish or other items of a combustible or non-combustible nature.
- (b) Any person violating the provisions of this section shall be assessed the actual costs incurred by the City for proper disposal together with an administrative charge. The imposition and collection of any forfeiture prescribed by this chapter shall not bar the right of the City to collect the costs of disposal as herein provided.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-16. Inspection authority.

For the purpose of ascertaining compliance with the provisions of this chapter, any authorized officer, employee or representative of the City may inspect recyclable materials separated for recycling, post-consumer 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 authorized officer, employee, or representative of the City who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-17. Dumping grounds regulations.

The Police Department, through its Chief, and the Public Works Department, through its Director, acting in concert, shall regulate the dumping, depositing, or placing of trash, brush, yard waste, or any other solid waste or recyclables on and within any land or place within the City. Any land or place designated as dumping grounds, or drop off site for any material including recyclables shall be published by the erection of signs in conspicuous places on such grounds, containing suitable instructions to the public.

(Ord. No. 2018-14, § 1, 9-19-2018)

Sec. 12-18. Enforcement.

- (a) Violations of this section shall be specifically enforceable according to the provisions of Section 1-20 of this Code.
- (b) For purposes of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the City may inspect recyclable materials separated for recycling, post-consumer waste intended for disposal, collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and nonresidential facilities and properties, solid waste disposal facilities and solid waste treatment facilities, 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 City who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper or interfere with such an inspection.

(Ord. No. 2018-14, § 1, 9-19-2018)



M E M O R A N D U M

DATE: May 22, 2026
TO: Mayor Borchardt and Members of the Public Services and Safety Committee
FROM: Gerry Kaiser, Director of Public Works
RE: Public Works General Activity

- 1) Contract 4-25 (Misc Concrete Pavement/Sidewalk Repair): Work is complete. Final quantities are being prepared.
- 2) Contract 5-25 (Misc Asphalt Pavement Repair): Some work items have been carried over to 2026.
- 3) Contract 12-25 (Courtside Fields Pond): The contractor is using the remaining stone to prepare the basin for clay liner installation. The remaining storm sewer work will be done after the clay liner is in place.
- 4) Contract 1-26 (Elm, Reed, Laudan Utilities/Street):
 - a) Elm St: Water main installation is complete. Sanitary sewer is being installed south of Division. Laterals are being installed as main is placed. Staff and the contractor are evaluating if there is a need to add storm sewer main for a section south of Laudan Boulevard.
 - b) Reed St: Sanitary sewer installation is complete. Water main is being installed south of Division.
- 5) Contract 2-26 (Henry, Sterling, Winneconne): Water main and sewer main installation are complete on Greenfield and Sterling. There is about another week of lateral installation remaining. The contractor plans to move to work on Henry St around Memorial Day. On May 7, staff held a meeting with businesses on Henry St to review the work schedule and discuss property access.
- 6) Contract 3-26 (Tullar Garage Roof Repair – Vehicle Storage Bays): Work is complete. A final pay request is being brought to the Board of Public Works.
- 7) Contract 4-26 (Misc. Concrete Pavement/Sidewalk Repair): A schedule has not been set.
- 8) Contract 5-26 (Misc. Asphalt Pavement Repair): A schedule has not been set.
- 9) City Hall Master Plan: The consultant has held interviews with all departments and completed building measurements. An updated floor plan is being prepared after which they'll prepare alternate layouts.
- 10) Epoxy Pavement Marking: Quotes are being solicited for the work.
- 11) City Hall HVAC Upgrade: Energy Control & Design is completing work on the first floor. Work on the basement units will follow.

- 12) E-Waste Event: The spring electronics recycling collection was held on May 16. A tabulation of collection volume for the past several years is below.

	TVs	CPUs	Monitors	Freon	Electronics	Appliances, Small Electronics & Printers	Total
Spring 2019	11,068	1,398	710	2,325	3,621	7,758	26,880
Fall 2019	7,025	1,322	234	3,004	2,024	5,156	18,765
Spring 2020	12,759	3,350	1,147	2,211	4,403	8,468	32,338
Fall 2020	11,028	1,581	722	3,532	5,233	8,300	30,396
Spring 2021	7,246	1,551	543	2,432	3,485	7,060	22,317
Fall 2021	5,272	860	349	1,611	2,798	4,480	15,370
Spring 2022	6,702	943	668	2,179	4,312	5,240	20,044
Fall 2022	6,288	1,759	716	1,557	3,476	4,100	17,896
Spring 2023	5,090	1,482	598	1,666	3,687	6,360	18,883
Fall 2023	3,811	1,090	254	2,591	3,859	4,860	16,465
Spring 2024	4,921	1,594	504	2,638	4,380	6,587	20,624
Fall 2024	5,493	2,165	511	3,989	4,753	6,570	23,481
Spring 2025	5,816	1,847	334	2,127	5,145	7,169	22,438
Fall 2025	4,040	1,176	372	1,516	3,834	3,600	14,538
Spring 2026	4,469	1,526	414	2,090	5,216	5,840	19,555