

VILLAGE OF LITTLE CHUTE

ORDINANCE NO. 3, SERIES OF 2025

AN ORDINANCE AMENDING CHAPTER 38, SOLID WASTE, OF THE VILLAGE OF LITTLE CHUTE MUNICIPAL CODE.

WHEREAS, the Village Board of Trustees considered changes to amend Chapter 38 Solid Waste ordinance sections of the Little Chute Municipal Code on June 18, 2025; and

WHEREAS, the Village Board of Trustees, Village of Little Chute finds the following ordinance amendments to be in the public interest;

NOW THEREFORE, the Village Board of Trustees, Village of Little Chute, do ordain as follows:

Section 1: That the Ordinance, Chapter 38 is hereby amended by adding the underlined text and deleting the strikethrough text as set forth below:

Sec. 38-1. Title.

This chapter shall also be known as the solid waste management ordinance of the village.

(Code 2006, § 8-3-1)

Sec. 38-2. Purpose.

It is hereby declared to be the purpose and intent of this chapter to enhance and improve the environment and promote the health, safety and welfare of the village by establishing minimum standards for the storage, collection, transport, processing, separation, recovery and disposal of solid waste.

(Code 2006, § 8-3-2)

Sec. 38-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agricultural establishment means an establishment engaged in the rearing and slaughtering of animals and the processing of animal products or orchard and field crops.

Bulky waste means an item whose large size precludes or complicates their handling by normal collection, processing or disposal methods. In general, bulky wastes are those wastes too large to be placed in a polycart. The term "bulky waste" does not include white goods.

Collector means the person specifically authorized by the village board to collect garbage, rubbish and yard waste materials, and dispose of the same.

Commercial unit means all property other than residential units and shall include boardinghouses, motels and resorts.

Compost material means and includes the following:

- (1) Grass clippings and lawn wastes and shall include the foliage removed by normal lawn mowing operations and other vegetative material produced by the normal lawn and garden operations

including weeds and other herbaceous plant material but shall exclude stone, concrete, metals or other manmade materials as well as plant materials described as brush under existing ordinances or wood, that is boards, lumber or fragments of same.

(2) All material in this classification shall be ready to compost. Leaves are acceptable material within the scope of this definition. Clippings from shrubs consisting of the current year's growth are acceptable as lawn waste; however, trimming of one year old growth (previous growing season) or older shall be considered brush and handled as such.

Curb means the back edge or curb and gutter along a paved street or where one would be if the street was paved and had curb and gutter.

Demolition wastes means that portion of solid wastes consisting of wastes from the repair, remodeling or reconstruction of buildings, such as lumber, roofing and sheathing scraps, rubble, broken concrete, asphalt and plaster, conduit, pipe, wire, insulation and any other materials resulting from the demolition of buildings and improvements.

Disposal means the orderly process of discarding useless or unwanted material.

DNR means the Wisconsin Department of Natural Resources.

Dwelling unit means a place of habitation occupied by a normal single-family unit or a combination of persons who may be considered as equivalent to a single-family unit for the purposes of this chapter.

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

Hazardous waste means that waste such as toxic, radioactive or pathogenic substances that require special handling to avoid illness or injury to persons or damage to property and the environment.

Industrial waste means waste material, except garbage, rubbish and refuse, directly or indirectly resulting from an industrial processing or manufacturing operation.

Landfill means a land site where solid waste is disposed of in a manner that protects the environment.

Litter means solid waste scattered about in a careless manner, usually rubbish.

Noncompost material means and includes stumps, roots, evergreens or shrubs with intact root balls.

Nonresidential solid waste means solid waste from agricultural, commercial, industrial institutional activities or a building or group of buildings consisting of five or more dwelling units.

Polycart means a container issued by the village for the storage and collection of solid waste.

Private collection services means collection services provided by a person licensed to do same by the DNR.

Recyclable waste means waste material that can be remanufactured into usable products and shall include, but is not limited to, glass, plastics, newspapers, cardboard, metals, aluminum, steel, tin, and brass.

Refuse means and includes all waste material, including garbage, rubbish and industrial waste and shall include boards, furniture and household appliances.

Residential solid waste means all solid waste that normally originates in a residential environment from residential dwelling units.

Residential unit means an individual household capable of independent habitation by a family unit. A single-family dwelling shall be considered to be one residential unit; for the purposes of this chapter, any housing building with four or less residential units shall fall in this category. Multifamily dwelling shall be considered to be

five or more residential units, the number of residential units to equal the number of family units to be housed therein. The term "residential unit" shall not include boardinghouses, motels or resorts.

Rubbish means and includes combustible and noncombustible waste material, except rocks, concrete, bricks and similar solid materials, plaster or dirt, that is incidental to the operation of a building.

Scavenging means the uncontrolled removal of materials at any point in solid waste management.

Solid waste means garbage, rubbish and other useless, unwanted or discarded material from agricultural, residential, commercial, industrial or institutional activities. The term "solid waste" does not include solid or dissolved material in domestic sewerage.

Storage means the interim containment of solid waste in an approved manner after generation and prior to collection and ultimate disposal.

Storage areas means areas where persons place containers during noncollection days as well as areas where containers are set out on collection day.

White goods means and includes metal items but not limited to stoves, washers, dryers, swing sets, dehumidifiers, refrigerators, humidifiers, freezers, water heaters and air conditioners.

White goods sticker means a sticker needed for a white good that uses a refrigerant.

(Code 2006, § 8-3-3)

Secs. 38-4—38-24. Reserved.

ARTICLE II. DISPOSAL AND COLLECTION

Sec. 38-25. Refuse storage areas.

Storage areas shall be kept in a nuisance-free and odor-free condition. Litter shall not be allowed to accumulate. Collection crews will not be responsible for cleaning up loose materials from any containers that have become ruptured or broken due to wet conditions, animals, vandalism or other cause. The occupant and/or owner shall be responsible for cleaning up this litter. Litter not collected shall not be allowed to accumulate. Violation will result in the occupant and/or owner being notified to clean up their area with continued violation resulting in the owner being prosecuted under the provisions of this and other village ordinances.

(Code 2006, § 8-3-4)

Sec. 38-26. Approved waste and refuse containers.

- (a) *General standards.* The village shall provide owners of residential unit premises one polycart up to 65 gallons for each premises. If additional carts are needed, they will be supplied at an additional cost set by the village board. These polycarts are the property of the village. They are intended to stay with the property; not the property owners to whom they were initially distributed. Only polycarts are permitted containers for solid waste collections for single-family residences. They shall be maintained in a nuisance-free and odor-free condition and shall be sufficient to prevent the scattering of contents by weather conditions or animals.
- (b) *Approved.* All garbage created, accumulated or produced shall be deposited in containers of a type approved by the department of public works. All garbage containers shall be kept in a neat, clean and sanitary condition at all times. Larger polycarts will be available at an additional cost per year set by the village board for multifamily residential units.

- (c) *Village to provide.* It shall be the duty of the village to provide one polycart to each residential unit. The owner of any multiple dwelling may lease per year larger polycarts from the village to store a normal one-week accumulation or collection of garbage and refuse of all units.
- (d) *Sawdust; ashes.* Sawdust and cold, completely extinguished ashes must be sealed in plastic bags before being placed in the polycart.
- (e) *Unapproved.* Containers not approved consist of metal, pasteboard or plastic barrels and drums, wooden or cardboard barrels, wheelbarrow and other such containers not approved by this article. These containers will not be emptied regardless of contents or weight.
- (f) *Commercial.* It shall be the duty of the village to have available 95 ~~and/or 300~~ gallon polycarts for all commercial units that can be leased on a yearly basis.

(Code 2006, § 8-3-5; Ord. No. 3(Ser. of 2005), 2-2-2005)

Sec. 38-27. Collection of refuse.

- (a) *Placement for collection.* The placement of refuse for collection is as follows:
 - (1) Residential *and commercial* solid waste shall be accessible to collection crews. Residential *and commercial* solid waste in approved containers shall be placed immediately behind the curb of the public street or driveway apron for collection. Polycarts shall be placed immediately adjacent to the alley if premises abut on an alley. Yard and bulky wastes from residential units shall likewise be placed in neat, orderly fashion behind the curb. During winter months, solid waste shall not be placed on top of the snow bank, nor shall it be placed in the roadway. The owner shall either shovel out an area behind the curb in which to place their wastes or shall place it in their driveway. Collection crews will not collect residential *and commercial* solid waste until it is placed at the curb of a public street. Residential units shall bring their solid waste to the terrace adjacent to the street curb for collection. Should collection crews be unable to grasp the polycart or cannot discharge contents of the polycart into collection vehicles using normal handling procedures, the polycart including contents, will be left at curbside. The owner shall make provisions to ensure that the solid waste therein can be collected on the next collection day. Collection crews will not empty polycarts by means other than dumping.
 - (2) No garbage containers or other containers for refuse other than those of the village shall be placed, kept, stored or located within the right-of-way of a street or alley; provided, however, that the department of public works may authorize the location of such containers within the public right-of-way at specified places and times when such location is necessary for the expeditious collection and disposition of refuse.
- (b) *Time and placement.* The restrictions on time and placement of refuse is as follows:
 - (1) Receptacles and containers for refuse and rubbish shall be placed in collection locations as designated in subsection (a) of this section prior to 6:00 a.m. of the scheduled collection day, but not more than 24 hours prior to such time.
 - (2) All receptacles, bags and containers for refuse and garbage disposal shall be removed from the curbside collection point within 24 hours after the regular collection time.
 - (3) Village employees or employees of licensed collectors will not enter any structures to remove garbage or refuse, except by written agreement with the property owner.
 - (4) If the scheduled collection day falls on a holiday, a collection schedule will be published.
- (c) *Dumpster rentals.*

- (1) Polycart rental rates for commercial properties will be set by the village board. The rates shall be reviewed periodically and shall be such that they produce sufficient revenue.
- (2) Those businesses without a polycart wanting a pickup and/or additional pickups will be billed a minimum charge equal to the type and number of polycarts they would need per weekly pickup. There will be no prorating of annual fees.
- (d) *County-based recycling program.* The county administers a comprehensive refuse disposal and collection countywide recycling program, with the requirements of which residents and businesses of the village shall comply.
- (e) *Compost material.* Collection of compost material is as follows:
 - (1) Compost materials will only be collected once a week per residence.
 - (2) Disposal of compost material shall only be in bags marked with composting stickers. Composting bags shall not exceed 50 pounds. The bags shall be of sufficient strength to endure the required handling.
 - (3) Special stickers will be required on all compost bags for collection. The cost of the sticker shall be set and reviewed by the village board periodically and shall be such that they produce sufficient revenue. Stickers will be available at the village hall or the municipal service building (1940 Buchanan Street). Bags without a sticker will not be collected.
 - (4) There will be a dropoff site during the fall months for compost material within the village. It shall be opened during regular working hours of the public works department.
 - (5) Leaves may be placed along the back of the curb during the fall months. A date will be published annually when leaves can no longer be placed along the back of the curb and must be in open bags; composting stickers are not required for these bags during this time period.
 - (6) The department of public works crews shall not collect composting containers that are improper, which are improperly tagged or containing nonconforming materials. Co-blending of material covered in this subsection with other household refuse shall result in a penalty as follows:
 - a. First offense: a warning;
 - b. Second offense: A forfeiture will be set and reviewed by the village board periodically and shall be such that they produce sufficient revenue;
 - c. Repeat offenders: Repeat offenders shall be penalized at a rate equal to two times the amount of the previous offense.
- (7) Noncompost material (includes stumps, roots, evergreens or shrubs with intact root balls) shall be placed on the terrace for collection. Noncompost materials will be collected separately from wood or compost material.
- (f) *Bulky waste collection.* Bulky waste collection will be collected on a monthly basis. The director of public works or his designee will decide the collection day. Collection crews will not collect bulky waste until it is placed at the curb of a public street. Bulky wastes shall be placed in neat, orderly fashion behind the curb.
- (g) *White goods collection.* White goods collection will be collected quarterly. The director of public works or his designee will decide the collection day. Collection crews will not collect white goods until it is placed at the curb of a public street. White goods shall be placed in neat, orderly fashion behind the curb. Any white good that uses a refrigerant will need a white goods sticker placed on it. The stickers will be available in the finance department and municipal services office. The cost of the sticker shall be set and reviewed by the village board periodically and shall be such that they produce sufficient revenue.

Secs. 38-28—38-57. Reserved.

ARTICLE III. PROHIBITED CONDUCT

Sec. 38-58. Prohibited activities and noncollectible materials.

- (a) *Animals.* It shall be unlawful to place any dead animal, or parts thereof, in a container for collection provided, however, this section shall not apply to animal parts from food preparation for human consumption.
- (b) *Undrained food wastes.* It shall be unlawful to place any garbage or other food wastes in a container for collection unless it is first drained and wrapped.
- (c) *Ashes.* It shall be unlawful to place hot ashes for collection.
- (d) *Improper placement.* It shall be unlawful to place, or allow to be placed, any solid waste upon the roads, streets, public or private property within the village contrary to the provisions of this chapter.
- (e) *Compliance with article.* It shall be unlawful to store, collect, transport, transfer, recover, incinerate or dispose of any solid waste within the boundaries of the village contrary to the provisions of this article.
- (f) *Improper transportation.* It shall be unlawful to transport any solid waste in any vehicle that permits the contents to blow, sift, leak or fall therefrom. If spillage does occur, the collection crew shall immediately return spilled materials to the collection vehicle and shall properly clean, or have cleaned, the area. All vehicles used for the collection and transportation of solid waste shall be durable, easily cleanable and leakproof, if necessary, considering the type of waste and its moisture content. Collection vehicles shall be cleaned frequently to prevent nuisances and insect breeding and shall be maintained in good repair.
- (g) *Interference with authorized collector.* No person other than an authorized collector shall collect or interfere with any garbage after it has been put into a garbage receptacle and deposited in the proper place for the collector, nor shall any unauthorized person molest, hinder, delay or in any manner interfere with an authorized garbage collector in the discharge of their duties.
- (h) *Scavenging.* It shall be unlawful for any person to scavenge any solid waste, refuse, or recyclable waste placed for collection on the terrace without the permission of the owner.
- (i) *Private dumps.* It shall be unlawful for any person to use or operate a dump.
- (j) *Burning of waste.* It shall be unlawful for any person to burn solid waste in any manner, except as provided elsewhere in this Code.
- (k) *Noncollectible materials.* It shall be unlawful for any person to place for collection any of the following wastes:
 - (1) Hazardous waste;
 - (2) Toxic waste;
 - (3) Chemicals;
 - (4) Explosives or ammunition;
 - (5) Drain or waste oil or flammable liquids;

- (6) Large quantities of paint;
- (7) Tires;
- (8) Yard waste.

- (l) *Hospital wastes.* It shall be unlawful for any person to place for collection any pathogenic hospital wastes. Such items as needles and syringes may be disposed of as long as they are contained to eliminate injury to collection crews.
- (m) *Building waste.* All waste resulting from remodeling, construction or removal of a building, roadway or sidewalk shall be disposed of by the owner, builder or contractor. Building materials of any kind will not be collected. Building materials shall not be burned at the construction site.
- (n) *Tires.* The village public works department will no longer pick up tires from any household, unless the county has a tire pickup for residential only. During these times the village will pick up tires at curbside. The county will determine the number and size of tires that will be picked up at each dwelling unit. At any other time it will be the property owner's responsibility to dispose of them properly or be subject to penalties under section 1-12.

(Code 2006, § 8-3-7; Ord. No. 2(Ser. of 1998), 1-21-1998; Ord. No. 3(Ser. of 2005), 2-2-2005)

Sec. 38-59. Garbage accumulation; when a nuisance.

The accumulation or deposit of garbage, trash or putrefying animal or vegetable matter in or upon any lot or land or any public or private place within the village which causes the air or environment to become noxious or offensive or to be in such a condition as to promote the breeding of flies, mosquitoes or other insects, or to provide a habitat or breeding place for rodents or other animals, or which otherwise becomes injurious to the public health is prohibited and declared to constitute a nuisance.

(Code 2006, § 8-3-8)

Sec. 38-60. Refuse from outside the village.

It is unlawful for any person, firm or corporation to place, deposit or cause to be deposited, for collection, any waste or refuse not generated within the corporate limits of the village.

(Code 2006, § 8-3-9)

Sec. 38-61. Improper use of trash receptacles.

No person shall place in or on any garbage can, dumpster or other trash receptacle not belonging to or assigned by the owner of such receptacle to such person any garbage, refuse or trash without the permission of the owner or designated assignee of such receptacle, unless such receptacle is designated expressly or implicitly for use by the general public.

(Code 2006, § 8-3-10)

Sec. 38-62. Penalties.

The department of public works shall not collect containers that are improper, improperly tagged, or contain nonconforming materials under the requirements of this chapter. The penalty for violations of any provision in this chapter shall be as prescribed in section 1-12, together with the costs of prosecution.

Section 3: Effective Date: This ordinance shall take effect upon the adoption and publication and enactment of the Ordinance by the Village Board of Trustees, Village of Little Chute.

Approved and adopted: June 18, 2025

VILLAGE OF LITTLE CHUTE

By: Michael R. Vandenberg

Attest: Laurie Decker