RESOLUTION # 81-2026
GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
ORDINANCE NO 06-2026
CHAPTER 8, ONEIDA COUNTY SOLID WASTE MANAGEMENT

Resolution to amend Chapter 8, Solid Waste Management

Ordinance Amendment Offered by the Supervisors of the Solid Waste Committee

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Solid Waste Committee, having considered revisions to Ordinance No. 13-2007 to update the recycling ordinance for Oneida County; and

WHEREAS, the Wisconsin Department of Natural Resources revised the administrative code that oversees Responsible Unit's (RUs) recycling programs and other aspects of Wisconsin's recycling law; and,

WHEREAS, Oneida County is required to update the recycling ordinance to incorporate the revised administrative code language;

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Chapter 8 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

Vote Required: Majority = ✓ 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes ✓ No _____ as reviewed by the Corporation Counsel, _____, Date: 11/2/26

Approved for presentation to the County Board by the Solid Waste Committee this _____ day of _____, 2026.

Consent Agenda Item: X YES _____NO

Fiscal Impact

☐ Included in Resolution

Offered and passage moved by:

Aye	Nay	Abstain
☐	☐	☐

Aye Nay Abstain

☐ Attached

☐ N/A

	Aye	Nay	Abstain
Supervisor (insert supervisor name)			
Supervisor (insert supervisor name)	☒	☐	☐
Supervisor (insert supervisor name)	☒	☐	☐
Supervisor (insert supervisor name)	☒	☐	☐
Supervisor (insert supervisor name)	☒	☐	☐
Supervisor (insert supervisor name)	☐	☐	☒
Supervisor (insert supervisor name)	☐	☐	☐

Youth in Governance

21 Ayes 4

0 Nays 0

0 Absent

0 Abstain

X Adopted

by the County Board of Supervisors this 10th day November, 2026.

____ Defeated

Tracy Hartman, County Clerk

Scott Holewinski, County Board Chair

Consent Agenda

Supervisors	AYE	NAY	ABS	ABSTAIN
Condado	X			
Sorgel	X			
Lopez	X			
Almekinder	X			
Newman	X			
Hess	X			
Burns	X			
Fisher	X			
Jensen	X			
Schultz	X			
Kilbourn	X			
Fried	X			
Hamburg	X			
Timmons	X			
Oettinger	X			
Briggs	X			
Tautges	X			
Campbell	X			
Sheppard	X			
Cushing	X			
Holewinski	X			
TOTALS	21			
Youth In Governance				
L. Deede	X			
Tautges	X			
Walden	X			
J. Deede	X			
Carpenter				
Novak				
Tran				
Wotachek				

Motion Jensen / Second Sorgel

Resolution # 76 – 2026: Offered by the Supervisors of the Land Records Committee to Convey Tax Foreclosed Real Estate Parcel Identification Number RH-1327 to Abbey Dall Lukowski.

Resolution # 77 – 2026: Offered by the Supervisors of the Offered by the Supervisors of the Land Records Committee to Convey Tax Foreclosed Real Estate Parcel Identification Number PE-533-6 to Lori Marschke.

Resolution # 78 – 2026: Offered by the Supervisors of the Executive Committee to Designate Oneida County Public Depositories.

Resolution # 79 – 2026: Offered by the Supervisors of the Executive Committee to Authorize the Expenditure of Opioid Settlement Funds allocated to Oneida County in Accordance with Wisconsin Act 57 of 2021 and Oneida County Resolution #58-2022 for the Purpose of a Local Match to a 2027 Treatment Alternative and Diversion (TAD) Grant.

Resolution # 80 – 2026: Offered by the Supervisors of the Executive Committee to Authorize the Expenditure of Opioid Settlement Funds allocated to Oneida County in Accordance with Wisconsin Act 57 of 2021 and Oneida County Resolution #58-2022 for the Purpose of Funding Improvements to Morgue Cooler & Equipment.

Resolution # 81 – 2026 / Ordinance Amendment # 06 – 2026: Offered by the Supervisors of the Solid Waste Committee to Amend Chapter 8, Solid Waste Management of the General Code of Oneida County.

Resolution # 82 – 2026: Offered by the Supervisors of the Executive Committee to Provide a General Wage Increase for General Municipal Employees.

Appointments to Committees, Commissions and other Organizations:
Re-Appoint Harry Whidden to the Civil Service Commission for a 5-year term to expire in December 2031.

ORDINANCE AMENDMENT 06-2026

CHAPTER 8

Solid Waste Management

Additions noted by underline; deletions noted by ~~strikethrough~~

Chapter 8**Solid Waste Management**
[HISTORY: Adopted by the Board of Supervisors of Oneida County by Ord. No. 13-2007. Amendments noted where applicable.]

§ 8.01**Purpose.**

§ 8.02**Definitions.**

§ 8.03**Administration.**

§ 8.04**Duties of the Committee.**

~~§ 8.05**Separation of Waste.**~~

§ 8.05**Separation of Recyclable Material.**

§ 8.051 **Separation Requirements Exempted.**

§ 8.052 **Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings.**

§ 8.053 Responsibilities of Owners or Designated Agents of Non-Residential Facilities and Properties.

§ 8.054 ***Prohibitions on Disposal of Recyclable Materials Separated for Recycling.**

§ 8.055**Rate Schedule.**

§ 8.06**Prohibited Activities.**

§ 8.07**Violations.**

§ 8.08**Penalties.**

§ 8.09**Supplementary Provisions.**

~~§ 8.10**Citation Method of Enforcement.**~~

§ 8.10 Enforcement.

§ 8.01**Purpose.**
(1)

The purpose of this chapter is to protect public health, safety and the environment by establishing minimum standards for the disposal of solid wastes. The County will oversee a coordinated Countywide integrated waste management program for the safe, economical and efficient collection, storage, transportation and disposal of solid wastes and through the administration of an effective recycling program, as provided in § **287.11**, Wis. Stats., and Ch. **NR 544**, Wis. Adm. Code. It is the intent of the County to reduce the amount of solid waste which is placed in landfills by maximizing the practice of reduction, reuse, repair, recycling and composting to the maximum extent technically and economically feasible.

(2)
This chapter is adopted as authorized under Ch. **287**, Wis. Stats.

(3)
It is not intended by this chapter to repeal, abrogate, annul, impair or interfere with any existing rules, regulations, ordinances or permits previously adopted or issued pursuant to law. However, whenever this chapter imposes greater restrictions, the provisions of this chapter shall apply. Where a provision of this chapter is required by the Wisconsin Statutes or a standard in Ch. **NR 544**, Wis. Adm. Code and where the chapter provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and Ch. NR 544 standards in effect on the date of the adoption of this chapter or most recent text amendment to this chapter.

§ 8.02**Definitions.**

Any term defined below is given the meaning as it is defined in the Office Edition of Webster's II, New Riverside Dictionary.
(1)
BOARD — The Oneida County Board of Supervisors.

(2)
COMMITTEE — The County Facilities Committee.
[Amended by Ord. No. 55-2011]

(3)
CONSTRUCTION AND DEMOLITION MATERIALS — Concrete, bricks, bituminous asphalt, wood, glass, masonry, roofing, gypsum board, siding and plaster, alone or in combination. It does not include asbestos, waste paints, solvents, sealers, adhesives or similar materials.

(4)
COUNTY SOLID WASTE SITE — The Oneida County Transfer Station, Material Recovery Facilities.

(5)
COVER — Tarp, canvas, netting or any other material which when properly used and secured, will prevent blowing, bouncing, falling or spilling of solid waste, including solid waste in bags.

(6)
DEMOLITION LANDFILL — The County landfill for construction and demolition materials only.

(7)
DEPARTMENT — The County Solid Waste Department.

(8)
DNR — The Wisconsin Department of Natural Resources.

(9)
EFFECTIVE RECYCLING PROGRAM — A recycling program meeting the requirements in § **287.11**, Wis. Stats., and Ch. **NR 544**, Wis. Adm. Code.

(10)
HAZARDOUS WASTE — Those wastes as defined in NR **661.03**, Wis. Adm. Code, (including amendments thereto) by the Wisconsin DNR acting under the authority of § **291.05(1)**, **(2)** or **(4)**, Wis. Stats., and acts amendatory thereto.

(11)
ILLEGAL DUMPING — The depositing of collected (including that found in, but not limited to, bags, boxes, barrels) solid waste, individual items of white goods, demolition materials, tires or other solid waste in areas of the County other than the County landfill site or a recycling processor such as a scrap metal or tire dealer. Illegal dumping also means placing these same types of solid waste in public waste receptacles or private dumpsters/waste receptacles without permission of the owner.

(12)
SOLID WASTE CUSTOMER — Those persons and entities who, directly or through the services of a third party, dispose of or attempt to dispose of solid or hazardous wastes or recycling at the County Solid Waste Site, including all persons, governmental operations and commercial, retail and industrial enterprises however organized and of whatever type.

(13)
LITTERING — Depositing or allowing to be deposited, including by lack of proper cover, small, individual items of solid waste in areas of the County other than the County Solid Waste site, other WDNR approved transfer station, dumpsters or waste receptacles.

(14)
MUNICIPALITY — A town, city or village located wholly or partly within the boundaries of the County.

(15)
MULTIPLE FAMILY DWELLING — A structure containing 5 or more residential units, including units that are occupied seasonally.

(16)
NATURAL WOODY WASTE — Pine needles, leaves, unpainted or unpreserved wood, such as stumps, branches, trees, shrubs and shrub and tree clippings.

(17)
NONRESIDENTIAL FACILITIES AND PROPERTIES — Commercial, retail, industrial, institutional and government facilities and properties. Non-residential facilities and properties includes 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.

(17.1)
RECYCLABLE MATERIAL — Includes the following:
(a)
Aluminum cans.

(b)
Container glass (clear, brown and green).

(c)
Container plastic (bottles only) including No. 1 (PETE), No. 2 (HDPE), No. 3 (PVC), No. 4 (LDPE), No. 5 (PP), No. 6 (PS), No. 7 (OTHER).

(d)
Corrugated cardboard which remains in substantially original condition at the time of disposal such that the material is suitable for commercial grade recycling.

(e)
Ferrous metal (tin) cans - steel and bimetal cans.

(f)
Magazines or like glossy papers, including catalogues, which remain in substantially original condition at the time of disposal such that the material is suitable for commercial grade recycling.

(g)
Newspaper. The paper portion of newspapers or periodicals which remain in substantially original condition at the time of disposal such that the material is suitable for commercial grade recycling.

(h)
Office paper to include computer paper, blueprints, paper 'junk mail' hard and soft cover books, notebooks, and paper envelopes.

(i)
Polystyrene, packaging foam.

(j)
Scrap Metal Recyclables. Those items consisting of a majority of ferrous metal or aluminum which is suitable for recycling.

(k)
Used Lead-Acid Vehicle Batteries. Which are no longer suitable for its original purpose because of wear, damage or defect.

(l)
Waste Oil. Engine, hydraulic or gear oil, with no contaminants of gasoline or solvents.

(m)
Waste Tires. That portion of a tire which is removed from the rim and is no longer suitable for its original purpose because of wear, damage or defect.

(n)
White Goods. Appliances including but not limited to refrigerators, freezers, stoves, air conditioners, dish washers, water heaters, residential and commercial furnaces, boilers, dehumidifiers, water heaters, clothes washers and dryers, ovens and microwave ovens.

(o)
Yard Waste. Leaves, wood (limbs and brush less than six inches in diameter), grass, lawn rakings. Items previously listed may be removed from the list of recyclable materials only by a variance granted by the Department of Natural Resources.

(18)
SOLID WASTE — Garbage, refuse, natural woody waste, construction and demolition material, recyclable material, and all other discarded or salvageable solid materials, including waste materials resulting from industrial, commercial and agricultural operations, domestic use and from local, State and federal government activities, but does not include solids or dissolved material in waste water effluent or other common water pollutants.

(19)
SOLID WASTE DIRECTOR — The Oneida County Solid Waste Director.

§ 8.03**Administration.**

(1)
The Committee shall exercise general supervisory powers over the program implemented by this chapter and shall, from time to time, make recommendations thereon to the Board.

(2)
The Solid Waste Director shall exercise day-to-day supervision of the program and the long term plans and procedures established by the Committee to effect the solid waste program, purposes and goals as established by this chapter and as may be required by State or federal law. For the purpose of this chapter, the Solid Waste Director shall have the power of a police officer.

§ 8.04**Duties of the Committee.**

The Committee shall:

(1)
Determine matters of policy and procedure relating to the operation of the solid waste program.

(2)
Supervise the execution of all laws, ordinances and rules and regulations, related to solid waste management, of the United States and Wisconsin, their administrative agencies and the County.

(3)
With the aid and advice of the Solid Waste Director, encourage and conduct studies, investigations and research relating to various aspects of solid waste management programs and alternatives (i.e. recycling and composting) and make recommendations thereon to the Board for its consideration and approval.

(4)
With the aid of the Solid Waste Director, continue and further public education in Reduce, Reuse, Repair, Recycle and Compost as a means of reducing the amount of solid waste landfilled by the County.

(5)
Establish appropriate rules for the operation of the County landfill site and solid waste program.

(6)
Investigate all complaints relative to the operation of the County Solid Waste site and integrated waste management program.

(7)
Establish user fees for any County solid waste programs in such a manner that such user fees will be sufficient to cover all operational costs and provide for future expansions as deemed necessary.

(8)
With the aid and advice of the Solid Waste Director, develop long-range plans for the provision of adequate disposal sites and the possible future expansion of such sites and services incidental thereto, and make recommendations thereon to the Board for its consideration and approval.

(9)
Develop waste storage, collection and transportation rules and regulations for individuals, firms and units of local, State or federal government served by any such system as needed.

(10)
Negotiate and recommend to the Board, under procedures otherwise established by the Board, contracts with consultants, contractors or other County departments to prepare plans and specifications or construct or operate the County Solid Waste site.

(11)
Prepare an annual budget with assistance from the Solid Waste Director and submit the same to the Board for its approval.

(12)
When appropriate, negotiate and enter into contracts and agreements with units of local, State or federal government or private contractors for the disposal of solid waste.

(13)
Purchase equipment needed for solid waste operations and when necessary, sell equipment no longer required for solid waste operations.

§ 8.05~~Separation of Waste.~~

~~(1)~~
~~The following recyclable material shall be prepared as indicated prior to collection or being deposited at a collection point:~~
~~(a)~~
~~Aluminum cans - rinse, flatten.~~

~~(b)~~
~~Container glass - rinse, remove caps, sort by color (clear, brown and green).~~

~~(c)~~
~~Container plastic: thin necked No. 1 (PETE), No. 2 (HDPE), No. 3 (PVC), No. 4 (LDPE), No. 5 (PP), No. 6 (PS) and No. 7 (OTHER) - rinse, remove caps, flatten.~~

~~(d)~~
~~Corrugated cardboard - keep dry, flatten.~~

~~(e)~~
~~Ferrous metal cans (tin cans) - remove labels, rinse, remove ends and flatten.~~

~~(f)~~
~~Magazines, office paper - keep dry, stack in boxes or tie into bundles.~~

~~(g)~~
~~Newspaper - keep dry, bundle.~~

~~(h)~~
~~Used lead acid vehicle batteries shall be exchanged at a battery dealer or dropped off at a recycling center which accepts batteries.~~

~~(i)~~
~~Waste oil shall be taken to a dealer or recycling center that accepts waste oil.~~

~~(j)~~
~~White goods shall be taken to a scrap metal dealer or the County Solid Waste site's metal pile.~~

~~(k)~~
~~Yard wastes shall be allowed to decompose on the property on which they originated, in a local compost pile with a volume of less than 50 cubic yards or placed in a DNR licensed land application or composting operation.~~

§ 8.05**Separation of Recyclable Material.**

(1)
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:

(a)
Lead acid batteries

(b)
Major appliances

(c)
Waste oil

(d)
Yard waste

(e)
Aluminum containers

(f)
Bi-metal containers

(g)
Corrugated paper or other container board

(h)
Foam polystyrene packaging

(i)
Glass containers

(j)
Magazines

(k)
Newspaper

(l)
Office paper

(m)
Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins

(n)
Steel containers

(o)
Waste tires

(2)
To the greatest extent practicable, the recyclable materials separated in accordance with the procedures above shall be clean and kept free of contaminants such as food or product residue, oil or grease or other nonrecyclable 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.

(3)
Waste haulers that provide transfer stations or curbside pick-up of solid waste shall possess a valid license agreement for the collection of solid waste and recyclables in Oneida County. Waste haulers shall be responsible for the collection of recyclables unless a municipality provides alternative means of collection.

(4)
On or after January 1, 1995, each municipality that desires to dispose of solid waste in the County sanitary landfill shall either adopt and provide an effective recycling program as defined in NR 544 or enter into an agreement which recognizes the County as the responsible unit for recycling. A municipal recycling program shall provide for the recycling of the following items: container glass (clear, brown, green), newspaper, corrugated cardboard, magazines, office paper, aluminum cans, container plastic bottles (No. 1, No. 2, No. 3, No. 4, No. 5, No. 6, No. 7), used motor oil, ferrous metal (tin) cans and polystyrene foam. Such municipal recycling program shall also provide for the separation and recycling of the following items: tires, lead acid batteries, scrap metal items and clean wood including pallets. Variances for any of the previously listed recyclables shall solely be granted by the DNR.

§ 8.051 **Separation Requirements Exempted.**
The separation requirements of s. 8.05(1) do not apply to the following:

(1)
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 s. 8.05 from solid waste in as pure a form as is technically feasible.

(2)
Solid waste which is burned as a supplement fuel at a facility if less than 30 % of the heat input to the facility is derived from the solid waste burned as supplement fuel.

(3)
A recyclable material specified in s. 8.05 for which a variance has been granted by the Department of Natural Resources under s. 287.11(2m), Wis. Stats., or s. NR 544.14, Wis. Adm. Code.

§ 8.052 **Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings.**

(1)

Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in s. 8.05 (1)(e) through (o).

(a)

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.

(b)

Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.

(c)

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.

(d)

Notify users, tenants and occupants which materials are collected, how to prepare 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.

(2)

The requirements specified in 1) do not apply to the owners or designated agents of non-residential facilities and properties if the postconsumer 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 s. 8.05 (1)(e) through (o) from solid waste in as pure a form as is technically feasible.

§ 8.053 Responsibilities of Owners or Designated Agents of Non-Residential Facilities and Properties.

1) Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in s. 8.05 (1)(e) through (o):
   (a) 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.

(b) Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.

(c) 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.

(d) Notify users, tenants and occupants which materials are collected, how to prepare 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.

2) The requirements specified in 1) do not apply to the owners or designated agents of non-residential facilities and properties if the postconsumer 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 s. 8.05 (1)(e) through (o) from solid waste in as pure a form as is technically feasible.

§ 8.054 ***Prohibitions 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 s. 8.05 that have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

§ 8.055**Rate Schedule.**

A current rate schedule shall be maintained by the County Solid Waste Department and available upon request.

§ 8.06**Prohibited Activities.**

No person shall:

(1)

Illegally dump, deposit, discharge or cause to be deposited or discharged any solid waste on or along any highway, in any waters in the County, on the ice of any waters in the County or on any other public or private property in the County.

(2)

Litter or permit to be thrown or deposited from a vehicle any type of solid waste.

(3)

Transport solid waste within the County without providing covers secured to prevent blowing, bouncing, falling or spilling of solid waste. Actual spillage of solid waste is not necessary to constitute a violation of this section.

(4)

Salvage or attempt to salvage any waste material at the County Solid Waste site, unless prior permission is obtained from the landfill staff.

(5)
Deposit any solid waste on any portion of the County Solid Waste site other than as directed by landfill personnel.

(6)
Deposit yard wastes or natural woody wastes at the County Transfer Station Yard wastes may only be disposed of on the property on which they originated, in a local compost pile which is less than 50 cubic yards in volume or in a DNR licensed yard waste compost site.

(7)
Deposit any waste material at the County Solid Waste site other than during those hours of operation when the site is open to the public.

(8)
Deposit live or hot coals at the County Solid Waste site at any time.

(9)
Deposit any type of contaminated soil (i.e. gasoline, diesel or any petroleum product soaked soil) at the County Solid Waste site without approval from the DNR and the County Solid Waste Director.

(10)
Place any hazardous or toxic waste on any lands or in any waters in the County, including the County Solid Waste site.

(11)
The provisions of § **287.81(2)(c)**, Wis. Stats., pertaining to the removal of abandoned boats, vehicles, automobiles and airplanes from the waters of the State are hereby adopted and by reference made a part of this section as if fully set forth herein.

(12)
Dispose of Cathode Ray Tubes (CRTs) or fluorescent light bulbs in any landfill or transfer station located in Oneida County, CRTs and fluorescent bulbs must be separated from garbage and properly recycled.[Added by Ord. No. 36-2008]

§ 8.07**Violations.**
(1)
No Solid Waste Site customer, private hauler or municipality shall cause to be deposited on the County Transfer Station any solid waste which originated in or was generated, accumulated or collected in a municipality which does not have in place an effective recycling program in compliance with NR 544.

~~**(2)**~~
~~All owners or designated agents of multiple-family dwellings and nonresidential facilities and properties shall do all of the following to aid in the collection of recyclable materials for processing:~~
~~**(a)**~~
~~Provide adequate, separate containers for the recyclable materials.~~

~~(b)~~
~~Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program.~~

~~(c)~~
~~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.~~

~~(d)~~
~~Notify tenants of reasons to reduce and recycle solid waste, which materials are collected, how to prepare the materials in order to meet processing requirements, collection methods or sites, locations and hours of operation and a contact person or company, including a name, address and telephone number.~~

(2)
No person shall dispose of any separated recyclable material except as authorized by variance granted by the DNR.

(3)
No person shall fail to separate and properly prepare, as described in § **8.05(2)**, recyclable materials from their solid waste.

§ 8.08**Penalties.**

(1)
Illegal burning; littering; covered loads; illegal salvage; failure to follow solid waste directions; yard wastes; closed hours; mandatory recycling. Any person who violates Subsections **(1)**, **(2)**, **(3)**, **(4)**, **(5)**, **(6)**, **(7)** or **(12)** of § **8.06** or Subsections **(1)**, **(2)**, **(3)** or **(4)** of § **8.07** shall forfeit not less than $50 nor more than $200 for each such violation. The minimum forfeiture for the 2nd offense within a twelve-month period from the date of issuance of a first citation for a like offense shall be not less than $100 nor more than $300. The minimum forfeiture for the 3rd and subsequent offenses within a twelve-month period from the date of issuance of a first citation for a like offense shall be not less than $200 nor more than $400.
[Amended by Ord. No. 36-2008]

(2)
Hot coals; contaminated soil; illegal dumping; hazardous wastes; vehicle recovery from waters or wetlands. Any person who violates Subsections **(8)**, **(9)**, **(10)**, or **(11)** of § **8.06** shall forfeit not less than $500 nor more than $800 for each violation. The minimum forfeiture for the second offense within a twelve-month period from the date of issuance of a first citation for like offense shall be not less than $600 nor more than $1,000. The minimum forfeiture for the 3rd offense and subsequent offenses within a twelve-month period from the date of issuance of a first citation for a like offense shall be not less than $700 nor more than $1200. In all cases involving illegal dumping, restitution shall include removing and properly disposing of illegally deposited solid waste. Monies forfeited for littering and illegal dumping shall be placed in a reward fund to be administered by the Committee. Citizens providing information to the Sheriff's Department or Solid Waste Director leading to the apprehension and conviction of persons illegally dumping solid

waste shall be eligible for a reward of up to $500. Determination of reward amount and recipients will be made by the Committee.

§ 8.09**Supplementary Provisions.**

(1)

Any person who neglects or refuses to pay any forfeiture imposed may be confined to the County Jail until such forfeiture is paid. However, no person shall be so confined unless he has the ability to pay such forfeiture and in no event shall any such person refusing payment be confined more than 30 days.

(2)

In determining whether any person has the ability to pay any forfeiture, all items of income and all assets may be considered regardless of whether or not such income or assets are subject to garnishment, lien, attachment or execution by any creditor.

(3)

The imposition of a forfeiture under this chapter shall not bar nor act as a waiver of rights in any civil action brought by the County or any third party against the violator.

(4)

In addition to imposition of forfeitures, the Solid Waste Director may, in the interests of preserving the County's ability to handle solid wastes, refuse entry to the County Solid Waste site to any person who violates any provision of this chapter. Any person affected may appeal the decision of the Solid Waste Director to the Committee, whose decision shall be final.

~~§ 8.10**Citation Method of Enforcement.**~~

~~Citations may be issued for violations of this General Code, including ordinances for which a statutory counter-part exists. The form of such citation shall comply with § **66.0113(1)**, Wis. Stats. Issuance of citations is expressly limited to personnel deputized by the Sheriff. Members of the Solid Waste Department shall gather evidence in regard to violations of this chapter and forward such information to the Sheriff's Department. Cash deposits from citations issued shall be paid at the Sheriff's Department, office of the Clerk of Circuit Court or by mailing the same to the Office of the Clerk of Court, P.O. Box 400, Courthouse, Rhinelander, Wisconsin 54501. The person receiving the deposit shall issue a receipt for the same~~

§ 8.10 Enforcement.

(1)

For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of Oneida County may inspect recyclable materials separated for recycling, postconsumer 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 authorized representative of Oneida County who requests access for

purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

(2)
Any person who violates a provision of this ordinance may be issued a citation by Oneida County to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this paragraph.

(3)
Penalties for violating this ordinance may be assessed as follows:

(a)
Any person who violates s. 8.054 may be required to forfeit $50 for a first violation, $200 for a second violation, and not more then $2000 for a third or subsequent violation.

(b)
Any person who violates a provision of this ordinance, except s. 8.054, may be required to forfeit not less than $10 or more than $1000 for each violation.