TITLE XI

Chapter 62

RECYCLING

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62.01 PURPOSE.

The purpose of this ordinance is to promote recycling, composting and resource recovery through the administration of an effective recycling program as provided in Section 287.11, Wis. Stat., and Chapter NR 544, Wisconsin Administrative Code.

62.02 STATUTORY AUTHORITY.

This ordinance is adopted as authorized under Section 287.09(3)(b), Wis. Stat. and the City of Blair.

62.03 ABROGATION AND GREATOER RESTRICTIONS.

It is not intended by this ordinance to repeal, abrogate, annul or impair or interfere with any existing rules, regulations, ordinances or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall apply.

62.04 INTREPRETATION.

In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power

granted by the Wisconsin Statutes. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in Chapter NR 544, Wisconsin Administrative Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the Chapter NR 544 standards in effect on the date of the adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance.

62.05 SEVERABILITY.

Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

62.06 APPLICABILITY.

The requirements of this ordinance apply to all persons within the City of Blair.

62.07 ADMINISTRATION.

The provisions of this ordinance shall be administered by the City of Blair.

62.08 EFFECTIVE DATE

The provisions of this ordinance shall take effect on January 1, 1995.

62.09 DEFINITIONS FOR THE PURPOSE OF THIS ORDINANCE

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

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

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

(A) Is designed for serving food or beverages.

(B) Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.

(C) Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.

(4) 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.

(5) "HDPE" means high-density polyethylene, labeled by the resin code #2.

(6) “LDPE” means low-density polyethylene, labeled by the resin code #4.

(7) “Magazines” means magazines and other materials printed on similar paper.

(8) “Major appliance” means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater or stove.

(9) “Multiple family dwelling” means a structure containing five (5) or more residential units, including units that are occupied seasonally.

(10) “Newspaper” means a newspaper and other materials printed on newsprint.

(11) “Non-residential facilities and properties” means commercial, retail, industrial, institutional and governmental 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.

(12) “Office paper” means high-grade printing and writing papers. This term does not include industrial process waste, newspaper or packaging.

(13) “Other resins or multiple resins” mean plastic resins as labeled by the resin code #7.

(14) “Person” includes any individual, corporation, limited liability company, Partnership, association, local government unit, as defined in Section 66.0131(1)(a), Wis. Stats., state agency or authority or federal agency.

(15) “PETE” or “PET” means polyethylene terephthalate, labeled by the resin code #1.

(16) “Plastic container” means an individual, separate, rigid plastic bottle, can, jar or carton, except for a blister pack, that is originally used to contain a product that is the subject of a retail sale.

(17) “Post-consumer waste” means solid waste other than solid waste generated in the production of goods, hazardous waste as defined in Section 291.01(7), Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in Section 289.01(17), Wis. Stats.

(18) “PP means polypropylene, labeled by the resin code #5.

(19) “PS” means polystyrene, labeled by the resin code #6.

(20) “PVC” means polyvinyl chloride, labeled by the resin code #3.

(21) Recyclable materials” 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.

(22) "Solid waste" has the meaning specified in Section 289.01(33), Wis. Stats.

(23) "Solid waste facility" has the meaning specified in Section 289.01(35) Wis. Stats.

(24) "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.

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

(26) "Yard waste" means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than six inches (6″) in diameter. This term does not include stumps, roots or shrubs with intact root balls.

62.10 SEPARATION OF RECYCLABLE MATERIALS.

Occupants of single family and two (2) to four (4) unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from post-consumer 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) Newspaper

(12) Office paper

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

(14) Steel containers

(15) Waste tires

62.11 SEPARATION REQUIREMENTS EXEMPTED.

The separation requirements of Section 62.10 do not apply to the following:

(1) Occupants of single family and two (2) to four (4) unit residences, multiple-family dwellings and non-residential facilities and 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 62.10 from solid waste in as pure a form as is technically feasible.

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

(3) A recyclable material specified in Section 62.10(5) through 62.10(15) for which a variance has been granted by the Wisconsin Department of Natural Resources under Section 287.11(2m), Wis. Stats., or Section NR 544.14, Wisconsin Administrative Code.

62.12 CARE OF SEPARATED RECYCABLE MATERIALS.

To the greatest extent practicable, the recyclable materials separated in accordance with Section 62.10 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 that protects them from wind, rain and other inclement weather conditions.

62.13 MANAGEMENT OF LEAD ACID BATTERIES, MAJOR APPLIANCES, WASTE OIL AND YARD WASTE.

Occupants of single family and two (2) to four (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 shall be delivered to a retail drop-off center or delivered to a retailer. This service is free to customers who buy a new battery at the retailer.

(2) Major appliances shall be dropped off at the City Shop on Spring Street twice per year during City of Blair Clean-up Days.

(3) Waste oil shall be deposited at a retail drop-off center.

(4) Yard waste shall be deposited at the compost site or disposed of on site by owner. (Example: mulch for garden.)

62.14 PREPARATION AND COLLECTION OF RECYCLABLE MATERIALS.

Except as otherwise directed by the City of Blair, occupants of single family and two (2) to four (4) unit residences shall do the following for the preparation and collection of the separated materials specified in Section 62.10(5) through 62.10(15).

(1) Aluminum containers shall be rinsed, crushed, bagged and removed by authorized haulers during curbside pick-up.

(2) Bi-metal containers shall be free of paper, rinsed and placed in totes, paper bags or boxes and removed by authorized haulers during curbside pick-up.

(3) Corrugated paper or other containerboard shall be clean, dry and flattened and/or cut into easy handling size. Tie together or place broken down cardboard into boxes and it shall be removed by authorized haulers during curbside pick-up.

(4) Foam polystyrene packaging isn't recyclable for curbside pick-up; but may be taken to St. Vincent de Paul Donation Center in La Crosse. They accept one shopping cart of expanded polystyrene per day for free.

(5) Glass containers shall be free of all rings, caps, and lids, rinsed clean, bagged and then removed by authorized haulers during curbside pick-up.

(6) Magazines shall be dry, bundled and put in paper bags and removed by authorized haulers during curbside pick-up. NO inappropriate material will be collected.

(7) Newspaper shall be dry, bundled or bagged and removed by authorized haulers during curbside pick-up.

(8) Office paper shall be dry, bundled or bagged and removed by authorized haulers during curbside pick-up.

(9) Rigid plastic containers shall be prepared and collected as follows:

(A) Plastic bottles or jugs made of PETE, including resin code #1 shall be cleaned with the plastic lids, caps or pumps thrown away and removed by authorized haulers during curbside pick-up.

(B) Plastic bottles or jugs made of HDPE, including resin code #2 shall be cleaned with the plastic lids, caps or pumps thrown away and removed by authorized haulers during curbside pick-up.

(C) Plastic containers made of PVC, including resin code #3, are NOT removed by authorized haulers during curbside pick-up.

(D) Plastic containers made of LDPE, including resin code #4, are NOT removed by authorized haulers during curbside pick-up.

(E) Plastic containers made of PP, including resin code #5, are NOT removed by authorized haulers during curbside pick-up.

(F) Plastic containers made of PS, including resin code #6, are NOT removed by authorized haulers during curbside pick-up.

(G) Plastic containers made of other resins or multiple resins, including resin code #7, are NOT removed by authorized haulers during curbside pick-up.

(10) Steel containers shall be dropped off at the City Shop on Spring Street twice per year during City of Blair Clean-up Days.

(11) Waste tires shall be dropped off at the City Shop on Spring Street twice per year during City of Blair Clean-up Days.

62.15 RESPONSIBILITIES OF OWNERS OR DESIGNATED AGENTS OF MULTIPLE FAMILY DWELLINGS.

(1) Owners or designated agents of multiple family dwellings shall do all of the following to recycle the materials specified in Section 62.10(5) through Section 62.10(15).

(A) Provide adequate, separate container 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 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 the recycling facility.

(D) 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.

(2) The requirements specified in (1) do not apply to the owners or designated agents of multiple family dwellings if the post-consumer waste generated within the dwelling is treated at a processing facility licensed by the Wisconsin Department of Natural Resources that recovers for recycling the materials specified in Section 62.10(5) through Section 62.10(15) from solid waste in as pure a form as is technically feasible.

62.16 RESPONSIBILITIES OF OWNERS OR DESIGNATED AGENTS OF NON-RESIDENTIAL FACILITIES AND PROPERTIES.

(1) Owners of designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in Section 62.10(5) through Section 62.10(15):

(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 post-consumer waste generated within the facility or property is treated at a processing facility licensed by the Wisconsin Department of Natural Resources that recovers for recycling the materials specified in Section 62.10(5) through Section 62.10(15) from solid waste in as pure a form as is technically feasible.

62.17 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 Section 62.10(5) through Section 62.10(15), that have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

62.18 ENFORCEMENT.

(1) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the City of Blair 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 authorized representative of the City of Blair 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 the City of Blair to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same of 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 Section 62.17 may be required to forfeit fifty dollars ($50.00) for a first violation, two hundred dollars ($200.00) for a second violation and not more than two thousand dollars ($2,000.00) for a third or subsequent violation.

(B) Any person who violates a provision of this ordinance, except Section 62.17, may be required to forfeit not less than ten dollars ($10.00) nor more than one thousand dollars ($1,000.00) for each violation.

ADOPTED: December 5, 1994

February 15, 2023 – renumbered to Chapter 62 (was Chapter 60)
November 22, 2023 – amended Section 62.13(2)
December 1, 2025 – revised Chapter to comply with WI Recycling Laws (July 1, 2025)