

## Chapter 16

### GARBAGE AND REFUSE PICKUP

**[HISTORY: Adopted by the Town Board of the Town of Linn 11-13-1995 (Ch. 16 of the 1995 Code). Amendments noted where applicable.]**

#### GENERAL REFERENCES

Recycling — See Ch. 15.

#### § 16-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**GARBAGE** — Discarded materials resulting from the handling, processing, storage and consumption of food. [§ 281.01(4), Wis. Stats.]

**HAZARDOUS WASTE** — Any substance which meets the definition set forth in § 291.01(7), Wis. Stats., as in effect on the date hereof or as hereinafter amended.<sup>1</sup>

**MAJOR APPLIANCE** — A residential or commercial air conditioner, furnace, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, pump, oven, refrigerator or stove. [§ 287.01(3), Wis. Stats.]

**REFUSE** — Combustible and noncombustible rubbish, including but not limited to paper, wood, metal, glass, cloth and products thereof; litter and street rubbish; ashes; and lumber, concrete and other debris resulting from the construction or demolition of structures. Such term shall not include items enumerated in § 16-3C hereof.

**RESIDENTIAL UNIT** — A detached building containing up to three separate dwelling (or living) units, designed for occupancy by not more than three families.

**ROAD** — A publicly or privately owned or maintained right-of-way which:

- A. Provides motor vehicle access to two or more residential units;
- B. Is accessible year around (including prompt snowplowing) to the largest type and size of hauling equipment from time to time in use by the garbage and refuse hauler, including, where appropriate, an adequate turnaround area;
- C. Is adequately maintained and constructed to afford access to such hauling equipment without unnecessary wear and tear and without unnecessary damage to the road; and
- D. Is not a driveway, as that term is commonly used, serving one or more dwellings (or living units) under common ownership or control.

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<sup>1</sup>. Editor's Note: Amended at time of adoption of Code (see Code Adoption Ordinance).

**YARD WASTE** — Leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than six inches in diameter. This term does not include stumps, roots or shrubs with intact root balls. [§ 287.01(17), Wis. Stats.]

**§ 16-2. Containers.**

- A. All garbage and refuse shall be placed in secured containers that are tightly sealed so as to eliminate rodents and other pests from getting into the garbage or refuse. These containers can be plastic, metal or of any other material that will hold up to the weather and pests.
- B. The size and weight of such containers shall be such that they can be handled by one person and shall not exceed 70 pounds.

**§ 16-3. General regulations.**

- A. Garbage and refuse pickup service is offered solely to residential units located within the Town of Linn.
- B. All eligible property owners wishing to avail themselves of this removal service must place garbage and refuse containers so as to be accessible to the hauler at all times. Unless special arrangements have been made, the property owner is responsible for delivering all garbage and refuse containers to an easily accessible area beside a road, as defined herein, prior to the time of pickup. Other pickup arrangements can be made between the hauler and the resident but there shall be no extra cost for the Town.<sup>2</sup>
- C. Pickup service is for residential unit garbage and refuse only. Further, the following material will not be picked up under this service:<sup>3</sup>
  - (1) Lead acid batteries.
  - (2) Major appliances.
  - (3) Waste oil.
  - (4) Yard waste.
  - (5) Aluminum containers.
  - (6) Bimetal containers (for carbonated or most beverages that are primarily of a combination of steel and aluminum).
  - (7) Corrugated paper or other container board.
  - (8) Foam polystyrene packaging.
  - (9) Glass containers.

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2. Editor's Note: Amended at time of adoption of Code (see Code Adoption Ordinance).

3. Editor's Note: See Ch. 15, Recycling.

- (10) Magazines.
- (11) Newspaper.
- (12) Office paper.
- (13) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins.
- (14) Steel containers.
- (15) Waste tires or inner tubes.
- (16) Hazardous waste.
- (17) Furniture.

D. The hauler may refuse to pick up any garbage or refuse or other material which is not, at the time of pickup, in full compliance with this chapter. Any such items not picked up shall be properly disposed of by the residential unit owner within not more than six days or prior to the next scheduled pickup, whichever is shorter.

**§ 16-4. Violations and penalties.** <sup>4</sup>

Any person, firm or corporation violating the provisions of this chapter shall be subject to a penalty as provided in Chapter 1, § 1-4 of this Code. The cost of collection and disposal, if not paid, may be placed as a lien on the property by recording with the Register of Deeds a notice signed by the Clerk/Treasurer of the Town of Linn setting forth the name of the offender, the case number, the amount owed and the address and legal description of the residential unit. Amounts due are payable within 30 days of court action and shall bear interest at 1% per month. Each day of violation will constitute a separate offense.

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4. Editor's Note: Amended at time of adoption of Code (see Code Adoption Ordinance).