

ORDINANCE NO. 2018-09

AN ORDINANCE REPEALING AND RECREATING ARTICLE I, SOLID WASTE OF CHAPTER 432, WASTE MANAGEMENT OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE

THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN, DOES ORDAIN THAT ARTICLE I OF CHAPTER 432 BE RECREATED TO READ AS FOLLOWS:

SECTION 1.

§ 432-1 Definitions.

As used in this article, the following terms will have the following meanings:

~~BIMETAL CONTAINER~~

~~A container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.~~

BRUSH

Trimmings from shrubs, trees, and stalks from garden plants (e.g., rose bush and bamboo). "Brush" does not include tree roots or root balls.

BULK WASTE

Miscellaneous waste material of such size as is not normally collected with garbage, including but not limited to furniture, plumbing fixtures, manufactured-processed wood or wood by-products (two by fours, landscaping timbers and decking materials), small amounts of concrete waste, concrete blocks, paving stones, bricks and similar type materials (amount collected shall be determined by the Public Works Director or his designee on site). ~~Major appliances (white goods) will be collected for a fee (refer to § 432-2E of this article and Chapter 225, Fees and Charges, of this Code).~~

COLLECTIBLE RECYCLABLES

Includes aluminum containers, corrugated paper and other container board, glass containers, magazines, newspaper, office paper, rigid plastic containers, including those made of PETE and HDPE, ~~and steel containers, and bimetal containers.~~ The items listed as collectible recyclables in this definition may be modified by the Public Works Director in accordance with the effective date of Wisconsin law or applicable Wisconsin Department of Natural Resources regulations or variances therefrom. The Public Works Director shall be responsible for informing the public of all acceptable collectible recyclables.

COLLECTIBLE WASTE

Garbage, collectible recyclables, brush, yard waste, and bulk waste.

COMMERCIAL GARBAGE

Waste resulting from the operation of business enterprises, including but not limited to offices, stores, taverns, service stations, restaurants, and similar businesses, excluding hazardous, toxic, noxious or offensive waste, brush, yard waste, bulk waste, or construction debris.

CONSTRUCTION DEBRIS

All waste resulting from construction or reconstruction of any building, roadway, sidewalk, or sewer; also, any yard waste or brush generated by a service contractor.

CONTAINER BOARD

Corrugated paperboard used in the manufacture of shipping containers and related products.

DISPOSABLE BAG

A one-way disposable bag made of polyurethane, paper, or other plastic material with a securing twist tie, consisting of a minimum of two ply for paper and a minimum of 1 1/2 mils thickness for plastic. Whenever the term "disposable bag" or "bag" is used in this article, such words will mean a disposable bag as herein described.

FOAM POLYSTYRENE PACKAGING

Packaging made primarily from foam polystyrene that satisfies one of the following criteria:

- A. It is designed for serving food or beverages.
- B. It consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
- C. It consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.

GARBAGE

Residential miscellaneous waste material, excluding recyclables, including but not limited to discarded material resulting from handling, processing, storing, or consumption of food which is subject to decomposition, decay, and putrefaction, contaminated paper (used tissues), wood and cloth. "Garbage" shall specifically exclude hazardous, offensive, noxious or toxic wastes, bulk waste, construction debris, yard waste, and brush and it must fit in a garbage container so as to allow the lid to close.

GARBAGE CART

One ninety-five-gallon cart. Such cart must be obtained from the Village.

GREEN GRASS

Lawn clippings from mowing capable of decomposition and decaying.

HAZARDOUS AND/OR TOXIC WASTE

Waste materials or substances which, during normal storage and handling, may be a potential cause of harm, sickness, or death, such as explosives, petroleum products, metal or pharmaceutical materials, corrosive chemicals, poisonous or pathogenic substances, pesticides, chemicals, radioactive materials, toxic materials, and all other similar harmful substances, whether in solid, liquid or gaseous form.

HDPE

High-density polyethylene, labeled by the SPI Code No. 2.

HEALTH OFFICER

Brown County Health Department.

INFECTIOUS WASTE

Waste that contains pathogens with sufficient virulence and in sufficient quantity that exposure of a susceptible human or animal to the waste could cause the human or animal to contract an infectious disease.

LDPE

Low-density polyethylene, labeled by the SPI Code No. 4.

MAGAZINES

Magazines and other materials printed on similar paper.

MAJOR APPLIANCE

A residential or a commercial air conditioner, clothes dryer, clothes washer, dishwasher, **electronics (such as computers, desktop printers, fax/copier machines, televisions, computer monitors, DVD players, VCRs, and cell phones)**, freezer, microwave oven, oven, refrigerator, stove, furnace, boiler, dehumidifier, water heater and exercise equipment. **Major appliances are considered bulk waste for purposes of this article.**

MANUFACTURING GARBAGE

Waste resulting from manufacturing processes or operations, excluding hazardous, offensive, toxic or noxious wastes, bulk waste, yard waste, brush, and construction debris.

MEDICAL WASTE

Any container, package or material that contains infectious waste or that is from a treatment area and is mixed with infectious waste.

MULTIPLE-FAMILY DWELLING

A property containing five or more residential units, including those which are occupied seasonally.

NEWSPAPER

A newspaper and other materials printed on newsprint.

NONRESIDENTIAL FACILITIES AND PROPERTIES

Commercial, retail, industrial, institutional and governmental facilities and properties. This term does not include multiple-family dwellings.

NOXIOUS AND/OR OFFENSIVE WASTE

Those wastes that are unwholesome, have an unpleasant smell, or are otherwise noxious and/or offensive, such as manure, filth, slop, carcasses, carrion meat, fish, entrails, hides and hide scrapings, paint, kerosene, oil or greasy substances, and objects that may cause injury to any person or animal, or damage to vehicles, such as barbed wire, briar thorns, and similar materials.

OFFICE PAPER

High-grade printing and writing papers from offices in nonresidential facilities and properties. Printed white ledger and computer printout are examples of office paper generally accepted as high grade. This term does not include industrial process waste.

OTHER RESINS or MULTIPLE RESINS

Plastic resins labeled by the SPI Code No. 7.

PATRON

Any person producing any type of waste material covered by the regulations of this article, typically a resident. In the case of a firm or corporation, the word "patron" will be construed to

mean the principal agent, officer or employee responsible for the firm or corporation.

PERSON

Any individual, corporation, partnership, association, local governmental unit as defined in § 66.0131(1)(a), Wis. Stats., state agency or authority, or federal agency.

PETE

Polyethylene terephthalate, labeled by the SPI Code No. 1.

PLASTIC CONTAINER

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.

POSTCONSUMER WASTE

Waste other than waste generated in the production of goods, hazardous waste as defined in § 291.01(7), Wis. Stats., waste from construction and demolition of structures, scrap automobiles, and high-volume industrial waste as defined in § 289.01(17), Wis. Stats.

PP

Polypropylene, labeled by the SPI Code No. 5.

PS

Polystyrene, labeled by the SPI Code No. 6.

PVC

Polyvinyl chloride, labeled by the SPI Code No. 3.

RECYCLABLE MATERIALS

Lead acid batteries, major appliances, waste oil, yard waste, and collectible recyclables as defined herein.

RECYCLING CART

A sixty-five-gallon or ninety-five-gallon cart authorized for use in disposing collectible recyclables. Such carts must be obtained from the Village to be utilized for collectible recyclables.

SHARPS

Any needle or other device used for the administering and/or transfer of any medicine, drug, solution or substance for the medical treatment of any disease or condition of any human or animal, and any scalpel, knife, tool or appliance used for the treatment, correction or modification of any disease, condition or physical state of any human or animal, where exposure to such thing in an uncontained or unprotected state could subject a human or animal to a needle stick, cut, laceration or other type wound, or to contact with any blood or other bodily fluid of another, or any bacteria, virus, or any other infectious, toxic or hazardous substance.

SHARPS CONTAINER

A red container for sharps, of a type of construction that will reasonably resist penetration of sharps, and which has been generally approved for such a medical use, and which is labeled as containing sharps and, if appropriate, infectious waste and/or biohazard substances.

WASTE TIRE

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

YARD WASTE

All materials originating in the yard and garden which are capable of natural decomposition, including leaves, ~~grass clippings~~ and other vegetation, exclusive of: brush as described herein, stumps, tree roots, and root balls.

§ 432-2 Collection limits and frequency.

- A. Residential garbage collection. Normal accumulation of garbage from residential patrons will be collected by the Village once each week. Patrons must use a garbage cart as provided by or purchased from the Village. Refer to the Village website for the map showing collection days.
- B. Residential recycling collection. Normal accumulations of collectible recyclables from residential patrons will be collected by the Village as a single stream (commingled and recyclables) pursuant to the published Village collection schedule.
- C. Bulk waste regular collection week. The Village will designate the first full week (no holiday) of most months for collecting bulk waste. During this week the Village will collect up to two cubic yards (a pile three feet by three feet by six feet) of rubbish, bulk waste and brown goods without charge. The term "brown goods" means furniture, mattresses, etc. Refer to the Village bulk waste/refuse collection schedule for the scheduled collection weeks. Bulk waste shall be placed at the curb for collection on the normal garbage collection day. Additional waste over two cubic yards placed at the curb during the bulk waste/refuse collection week will be picked up at an additional charge per cubic yard as determined by the Village (refer to Chapter 225, Fees and Charges).
- D. Bulk waste noncollection week. A patron may request bulk waste collection during a noncollection week, such as a renter move-out, but collection is subject to the pickup charges as defined in Chapter 225, Fees and Charges, of the Village Code. The patron must call the Village Hall to schedule the pickup and pay the appropriate fee per Chapter 225. If a patron places bulk waste at the curb during a noncollection week and does not schedule and pay for a collection by the Public Works Department, a notice will be issued to the property owner to remove the bulk waste. If the bulk waste is not removed within 48 hours after the date of notice, the Village will pick up the items and the property owner will be charged according to Chapter 225 of the Village Code.
- E. ~~Major appliance Bulk waste (major appliance) collection. Major appliances such as a refrigerator, clothes washer, clothes dryer, dishwasher, freezer, oven, stove, dehumidifier or water heater are considered white goods. Major appliances are considered bulk waste for purposes of this article. Any appliances containing Freon, such as a refrigerator or freezer, must be properly disposed via special handling. Collection of white goods at any time is considered a special pickup. In order for the white goods to be collected at any time, the patrons must call the Village Hall to schedule pickup and pay a fee per appliance per Chapter 225. Major appliances are not picked up by the Public Works Department. Major appliances can be taken to the LeBrun Waste Disposal Site. As it is illegal to dispose of electronics in landfills, these devices can be taken to the LeBrun Waste Disposal Site, a licensed recycler or the Brown County Hazardous Waste Facility. Disposal fees apply for televisions and computer monitors.~~
- F. ~~Electronics recycling. Effective September 1, 2010, it is illegal to dispose of electronics equipment in landfills. This includes such electronics equipment as computers, desktop printers, fax/copier machines, televisions, computer monitors, DVD players, VCRs, and cell phones. These devices must be recycled by the resident at licensed recyclers such as electronics retailers or the Brown County hazardous waste facility. The Public Works~~

~~Department will collect electronic equipment for a fee per Chapter 225. Electronics equipment may also be taken to the LeBrun waste disposal site by a resident for a fee per Chapter 225.~~

- G F.** Commercial or manufacturing sources. Normal accumulations of garbage from commercial or manufacturing concerns shall be collected weekly by commercial hauler(s).
- HG.** Brush. Brush will be collected most months during the second full week, except during spring and fall cleanup. Refer to the refuse/brush collection schedule for exact collection schedules. Brush and tree limbs removed by a contractor from private property will not be picked up by the Public Works Department but must be disposed of by the contractor.
- HH.** Yard waste. Yard waste will be collected curbside during the spring **and fall** collection period designated by the Public Works Department (refer to the published bulk waste schedule). No bags or reusable containers may be used. No green grass will be collected. Yard waste may not be disposed of with garbage or collectible recyclables, bulk waste, or brush. Persons transporting yard waste shall be responsible to cover or otherwise contain yard waste in a manner so as to prevent scattering of yard waste during transport.
- JI.** Construction debris. Construction debris shall not be picked up by the Public Works Department. It shall be the responsibility of the patron and/or contractor to dispose of construction debris as provided by law.

§ 432-3 Storage of waste between collections.

- A. Owner-occupant storage responsibility. The patron and/or occupant of a premises shall be responsible for the proper and sanitary storage of all collectible waste accumulated at the premises until collection. The owner and/or occupant shall be responsible for the proper sanitary storage of all other waste material and for its disposal according to law.
- B. Storage/location of collectible waste. No owner or occupant of any building shall place or store any refuse ~~cart~~ or ~~any paper~~ recycling cart ~~or any commingled recycling cart~~ in front of any building, or on any corner lot along the side of a building facing the abutting street, except when done for lawful collection in compliance with this **article Code**. When between collections refuse ~~carts or~~ and recycling carts shall be placed in an area **completely** screened ~~or otherwise obstructed~~ from **public** view ~~as best as reasonably possible considering the features of the property at the public right-of-way~~.

§ 432-4 Preparation of garbage and collectible recyclables for collection.

- A. Location of containers for collection.
 - (1) Residential.
 - (a) Residential garbage and collectible recyclables from buildings containing not more than four residential dwelling units will be prepared and placed for collection.
 - (b) Placement location. Containers shall be placed on the driveway apron or on the grassy area immediately adjacent to the curb. Containers shall be placed with the opening facing the street or curb.
 - (2) Multifamily.
 - (a) Residential garbage **and collectible recyclables** from buildings containing **more than four five or more** residential dwelling units will be prepared and placed for collection.
 - (b) Placement location. Containers shall be placed on the driveway apron or on the grassy area immediately adjacent to the curb. Containers shall be placed with the opening facing the street or curb.

- (3) Location of containers in winter. During winter months, garbage and/or collectible recyclables shall be placed in the driveway apron or on an area adjacent to the curbline which has been shoveled free of snow. In cases where the Public Works Director determines that collection would be best facilitated by allowing property owners to place garbage at some other accessible points, this provision of this article may be waived by the Village.
- B. Placement of garbage for collection. All garbage placed curbside for collection shall be in carts approved under this section. Reusable carts which do not constitute approved carts shall not be placed for collection and shall not be emptied by Village personnel.
- (1) Residential garbage. Residential garbage must be placed in cart. Before placing any garbage in the cart for collection, each patron shall place it in a garbage bag. It shall be the responsibility of each patron to keep the garbage relatively free from rainwater and snow until collection.
 - (2) Commercial and manufacturing garbage. Commercial and manufacturing garbage shall be properly placed for collection **and disposed of by a licensed** private haulers.
 - (3) Enclosures (commercial). The Public Works Director shall have the authority to order that any exterior storage area for garbage, recyclables, or refuse be enclosed in a structure if, in his or her determination, the storage of such garbage, recyclables, or refuse is unsanitary or creates or tends to create a nuisance or a detriment to public health or safety. In determining whether an exterior storage structure shall be required under this section, the Public Works Director shall take into account the location of the waste storage, its proximity to residential areas, the likelihood of human exposure or contact with the waste storage areas, and the type of waste being stored. These considerations are to be deemed illustrative and not exclusive. All structures ordered under this section shall be at least three-sided and constructed of materials sufficiently opaque to ensure that the waste is impervious to view from the exterior of the sides. The walls of the structure shall be of a height which is at least one foot taller than the garbage or refuse receptacle, but not over six feet high, and shall be painted or otherwise finished or coated.
- C. Collection of recyclables. Collectible recyclables shall be separated from garbage and other collectible waste and placed for collection in conformity with this subsection.
- (1) Residential collectible recyclables. Occupants of residences containing not more than four dwelling units and occupants of condominiums shall separate collectible recyclables from garbage and other waste and shall keep the collectible recyclables clean and free of contaminants, oil, grease, and other nonrecyclable materials, including but not limited to household hazardous waste, medical waste, and agricultural chemical containers. Recyclable materials shall be stored in carts provided by the Village, with paper, glass, cans, and plastics in a single blue cart, and shall be placed curbside for collection as provided at Subsection A above.
 - (2) Multifamily dwellings and nonresidential facilities and properties.
 - (a) Owners or designated agents of multifamily dwellings and of nonresidential facilities and properties shall be responsible to:
 - [1] Provide adequate containers for recyclable materials **and a storage area completely screened from public view.**
 - [2] Notify tenants in writing at the time of renting or leasing the dwelling or facility, and at least semiannually thereafter, about the established recycling programs.
 - [3] Provide for the collection of materials separated from the waste and the delivery of the materials to a recycling material facility.

[4] Notify tenants of the reasons to reduce and recycle waste, which materials will be collected, how to prepare the materials in order to meet the processing requirements, the collection methods or sites, the locations and hours of operation, and a contact person or company, including the name, address, and telephone number.

~~(b)[5]The requirements of Subsection C(2)(a)[1], [2], [3] and [4] above will not apply to the owners or designated agents of multiple family dwellings if the postconsumer waste generated within the dwelling is treated at a processing facility licensed by the Department of Natural Resources and is a facility which recovers collectible recyclables from waste in as pure a form as is technically feasible. Recyclables shall be disposed of by a licensed private hauler.~~

(3) Collection time. All garbage, collectible recyclables, and other collectible waste shall be placed for collection as required by this article no sooner than 6:00 p.m. the day before collection and no later than 6:00 a.m. on the designated collection day. Any garbage cart, waste, or other item which is not collected in accordance with applicable provisions of this article shall be removed from curbside not later than 12:00 midnight the day of collection and stored completely screened from public view.

§ 432-5 Preparation of brush, refuse and yard waste.

A. Brush and Yard Waste. Brush and yard waste shall be placed in stacks behind and aligned parallel to the curb (~~butt end to face the same line of traffic~~) and shall not obstruct the street, gutter or sidewalk. In areas where ~~there are no~~ sidewalks is adjacent to the curb, brush and yard waste shall be placed behind the sidewalk in stacks aligned perpendicular parallel to and within four feet of the curbline sidewalk, in such a manner as to not interfere with the flow of water in the gutters pedestrian use of the sidewalk. Brush cut by contractors will not be collected by the Village.

~~B. Wooden boxes and lumber. Bulky material, such as wooden boxes and lumber, shall be broken up so it can be reasonably handled and loaded by an end loader into the collection truck.~~

~~C.B.~~ Bulk waste. Bulk waste shall be placed at the curbside in such a manner so as to provide the greatest ease of loading and collection into a truck. In areas where sidewalk is adjacent to the curb bulk waste shall be placed behind the sidewalk in a manner as to not interfere with pedestrian use of the sidewalk. All refuse shall be free of jagged or sharp edges, protruding nails and screws, and any other hazardous condition. Bulky material, such as wooden boxes and lumber, shall be broken up so it can be reasonably handled and loaded by an end loader into the collection truck.

~~D. Yard waste. Yard waste shall be placed neatly in piles within six feet of the curbline and in such a manner as not to interfere with the flow of water through the gutters or to obstruct the sidewalk or street.~~

§ 432-6 Disposal of lead acid batteries, waste oil and used tires.

The owner and/or occupant of any premises shall be responsible for the proper disposal of lead batteries, waste oil, and used tires as follows:

A. Lead acid batteries shall be taken to a retailer of lead acid batteries for disposal.

B. Waste oil shall be disposed of at a state-approved disposal site or at the Village waste oil collection facility on LeBrun Street.

C. Waste tires shall be returned to a tire retailer or taken to the Brown County waste transfer facility.

§ 432-7 **Authority to direct disposal of waste.**

- A. Disposal at the direction of the Public Works Director. All waste, whether collected by the Village pursuant to this article or collected privately, shall be disposed of as directed by the Public Works Director or as otherwise provided by law. Waste shall not be buried on any premises within the Village, and no person shall burn waste outdoors at any time within the Village limits.
- B. Waste on public streets. It shall be unlawful for any patron or person to deposit, throw, place, or leave any waste in, on or upon any street, court, lane, alley, business, public enclosure, vacant lot, house, yard, body of water, or any other place except those places provided in this article for collection purposes. No person shall remove any waste from private premises without the consent of the occupant, owner, or lessee of the premises, and no person shall remove any waste which has been set out for collection unless authorized to do so.
- C. Disruption of collectible waste placed for collection unlawful. Except upon the direction of the Public Works Director, no person shall upset or open any cart, or upset or remove the cover of any cart, placed in the manner provided for by this article for waste collection, or otherwise remove the contents of any such receptacle, in, on or upon any street, alley, or other public place.
- D. Prohibitions on disposable recyclable materials separated for recycling. No person may dispose of in a waste disposal facility or burn in a waste treatment facility any collectible recyclables which have been separated for recycling.

§ 432-8 **Disposal of certain wastes.**

- A. ~~Disposal of animal offal and other offensive wastes. Animal offal and other offensive waste, including dead animals, the droppings from pets, manure, and night soil, Noxious and/or offensive waste~~ may shall not be placed for collection by the municipal collection service. It is the responsibility of the owner ~~of such animals~~ to dispose of the waste in a sanitary manner.
- B. ~~Dead animals. The owner and/or custodian of dead dogs, cats, and other animals shall contact the Village for information concerning handling and disposal. Disposal of droppings from pets may be placed in the garbage cart if double bagged.~~
- C. Cinders and ashes. Cinders, ashes, and any smoldering embers shall not be placed for collection.
- D. Disposal of infectious material. The removal of apparel, bedding, infectious waste, medical waste, or other refuse from homes or places where highly infectious or contagious diseases have prevailed shall be performed only under the supervision and direction of the County Health Officer. Such waste shall not be placed curbside for collection with normal garbage or collectible recyclables.
- E. Hazardous and/or toxic waste. Placing or depositing any hazardous or toxic waste, including, without limitation, explosive materials such as dynamite, dynamite caps, shotgun shells, rifle cartridges, gunpowder, gasoline, or other similar material, in any disposable bag, garbage can, recyclable box or bundle for collection is prohibited.
- F. Disposal of sharps. Sharps shall be handled as infectious material and shall not be placed curbside for collection with normal garbage or collectible recyclables. Sharps shall be placed in a sealed sharps container and taken by the owner or custodian to a registered sharps collection station for disposal.
- G. Questions concerning disposal. When any patron is in doubt as to proper preparation, handling, and disposal of any type of waste, he/she shall contact the Public Works Director for information concerning handling and disposal.

§ 432-9 Special regulations.

- A. Accumulation of waste. In the event that the owner, occupant, or lessee of any premises shall neglect or refuse to clean up and/or remove from the premises any waste as defined herein when ordered to do so by the Health Officer, he, she or it shall be liable for the penalty provided for violation of this article. Should the accumulation occur on any street, alley, or public thoroughfare, the waste may be collected by the Public Works Director or his/her designee and the entire cost thereof assessed against the abutting property.
- B. Enforcement of maximum volume limits. All new commercial and/or manufacturing units may receive municipal waste collection under the provisions of this article if their waste volumes are below the maximum allowable for collection as provided herein. If it is determined at any time that the patron exceeds the maximum volume limit for four consecutive weeks, the Public Works Director may issue a written notice providing that municipal collection services will be terminated at the end of 60 days from the date of the notice.
- C. Failure to comply. The Public Works Director may refuse to furnish collection service to any person, firm or corporation not complying or refusing to comply with this article, the rules and regulations made by the Village Board, or any other orders of the Public Works Director or Health Officer for the collection or disposal of wastes.
- D. Prosecution. When services for the collection of waste have been withdrawn by the Public Works Director from any person, firm or corporation for failure to comply with such rules and regulations, resulting in the accumulation of garbage or other wastes on his, her or its premises, which is offensive or a public nuisance, that person, firm or corporation may be prosecuted under any ordinance of the Village regulating the same.

§ 432-10 Enforcement provisions pertaining to recyclables.

- A. Enforcement by Public Works Department. For the purpose of ascertaining compliance with the provisions of this article in regard to recyclables, any authorized officer, employee, or representative of the Public Works Department may inspect recyclable materials separated for recycling, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings, and nonresidential facilities and properties. Any records relating to recycling activities may be kept confidential if necessary to protect proprietary information. No person, firm or corporation shall refuse access to any authorized officer, employee, or authorized representative of the Public Works Department who requests access for purposes of inspection and who presents appropriate credentials. No person, firm or corporation shall obstruct, hamper, or interfere with any such inspection.
- B. Enforcement not exclusive. The issuance of a citation for a violation of this article shall not preclude proceeding under any other ordinance or law relating to the same matter. Proceeding under any other ordinance or law relating to the same matter shall not preclude the issuance of a citation under this article. Each twenty-four-hour period of violation, disobedience, omission, neglect, or refusal to obey this article or any order made in accordance herewith shall be deemed a separate offense.

§ 432-11 Intent.

Any ordinance in conflict herewith is hereby repealed to the extent that the same is in conflict. This article establishes minimum requirements and shall not be deemed as a limitation or repeal of any other power granted by the Wisconsin Statutes. It is the intent of the Village Board, where any requirements of this article may be inconsistent or conflicting with more restrictive requirements of state law, that the more restrictive requirements or interpretations shall apply. Where a provision of this article is required by the Wisconsin Statutes or by a standard in Chapter NR 544 of the Wisconsin Administrative Code, or wherever this article is unclear, the provisions hereof shall be interpreted in light of the Wisconsin Statutes and Chapter NR 544 standards which were in effect on the date of adoption of this article or in effect on the date of the most recent text amendment to

this article.

§ 432-12 Violations and penalties.

Any person, firm or corporation violating any provision of this article, upon conviction, shall forfeit not less than \$100 nor more than \$500 and pay the costs of prosecution, or, in the event of failure to pay such forfeiture and costs within the time set by the court, any such person shall be committed to the Brown County jail until such forfeiture and costs are paid, but every such commitment shall be for a definite term which shall not exceed 90 days. Each act of violation shall constitute a separate offense.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 3rd day of July, 2018.

James F. Rafter, Village President

ATTEST:

Debra M. Baenen, Village Clerk-Treasurer

DATE OF PUBLICATION: _____

