

ORDINANCE OF THE TOWN OF COTTAGE GROVE, WISCONSIN  
Adopted pursuant to Sec. 25.01 of the Town of Cottage Grove Code

Title: Solid Waste Disposal

Code Section(s) <del>created, amended, or repealed</del>	<u>Section 16.02</u>
Presented to Board by	<u>Chuck Nahn, Stormwater Consultant</u>
Committee Review by	<u>None</u>
Date(s) Public Hearing(s) held (if required)	<u>December 15, 2008</u>
Date adopted	<u>December 15, 2008</u>
Vote	<u>4-0</u>
Date of posting of adoption of ordinance	<u>December 26, 2008</u>
Date of publication of adoption of ordinance	<u>None Required</u>

The Town Board of the Town of Cottage Grove does ordain as follows:

TCG Ord. Section 16.02 entitled "Solid Waste Disposal" is hereby amended to read as follows:

## 16.2 SOLID WASTE DISPOSAL

### (1) DEFINITIONS

- (a) "Person" has the meaning specified in s. ~~144.01(9m)~~289.01(27), Stats.
- (b) "Solid waste" has the meaning specified in s. ~~144.01(15)~~289.01(33), Stats.; and includes "recyclable materials" and "yard waste", as defined in s. TCG 16.01(4)(t,y).
- (c) "Solid waste facility" has the meaning specified in s. ~~144.43(5)~~289.01(35), Stats.

### (2) REGULATION OF SOLID WASTE DISPOSAL

- (d) No person owning, controlling, or occupying any lands within the town limits may permit, or allow the disposal of solid waste upon said lands; without having been granted a license from the Wisconsin department of natural resources (DNR); and having obtained a conditional use permit (CUP) approval from the town board.
- (e) No person may litter, dump, dispose of, or store solid waste upon any lands, public or private, within the town limits, outside of a solid waste facility which has been licensed by the DNR; and has been permitted by the town board.
- (f) No person may litter, dump, or deposit any solid waste on any private property within the town limits, unless the prior written consent of the landowner, or the owner's authorized agent has been obtained; and is on file with the town board.
- (g) No person may allow the accumulation of rocks, trees, brush, stumps, waste building materials, or other debris from land development, building construction, roadway construction, or installation of underground utilities; upon any lands within the town limits for a period of more than 15 days, unless the accumulation is directly related to a construction activity previously permitted for the site, or area, by the town building inspector, or the town board.

(h) No person may dispose of, or place for curbside collection within the town limits; any solid waste or recyclable materials that have been generated from sources outside of the town. This provision shall not apply to any container, or collection point designated by the town board for use by the general public.

(i) No Person shall operate, park or store a motor vehicle so as to cause vehicle fluids or lubricants to become deposited upon public property or upon any private property not owned by said person or upon the surface of any body of water within the Town.

(j) No person shall discharge chemically treated swimming pool discharge onto public property or adjoining private properties. For the purposes of this section, swimming pool water shall be considered chemically treated for three days following the addition of any chemicals to the water.

(k) No person, firm or corporation shall place garbage cans, garbage bags, or other trash receptacles along any Town road; provided that this subsection shall not apply to the placement of such receptacles within 36 hours of any regularly scheduled time for garbage removal. Every day during which such receptacles are permitted to remain shall constitute a separate offense.

(3) PENALTY FOR VIOLATION

In addition to, and separate from, any possible liability which results from a failure to obtain a DNR license, or to comply with any condition of said license; violations of this ordinance shall be punishable as class C forfeitures, under s. TCG 25.04.

(4) EFFECTIVE DATE

(l) The original ordinance was adopted on 19 Jul 1993 and amended on December 15, 2008.

(m) This section shall take effect upon passage and publication.

Adopted this 15<sup>th</sup> day of December, 2008, by a vote of 4 for, 0 against, and 0 abstain.

(Signed copy available in the Clerk's Office)

**TOWN OF COTTAGE GROVE**

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Kris Hampton, Town Chair

**ATTEST:**

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Kim Banigan, Town Clerk

Approved as to form as of this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**ANDERSON & KENT, S.C.**

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Constance L. Anderson  
Cottage Grove Town Attorney