

**VILLAGE OF IOLA  
ORDINANCE NO.: 23-01  
GARBAGE AND REFUSE COLLECTION**

**(1) GENERAL.**

- (a) The Village of Iola shall contract with one waste disposal hauler ("collection contractor") to provide waste disposal within the Village limits for all standard residential units, as defined by Section (3)(d), and non-standard residential units as defined by (3)(h). Only the collection contractor shall be authorized to remove accepted recyclables or waste within the Village limits, except property owners within the Village may personally remove such items solely from their own properties, provided the waste and recyclables are delivered to the Waupaca Regional Recycling and Composting Center (WRRCC) or Waupaca County Processing and Transfer Facility (PTF).
- (b) All other properties, including, but not limited to, commercial properties, businesses, multiple residential facilities, or other properties not considered standard residential units and the owners and occupants of those properties shall dispose of their solid waste in compliance with all applicable laws at their sole expense.
- (c) It shall be the responsibility of the owner to provide garbage pickup for all rental properties.

**(2) UTILIZATION OF SERVICES.**

- (a) All standard residential units shall utilize the services of the collection contractor under contract with the Village of Iola.
- (b) All non-standard residential units may opt in each year in order to utilize the service. Property owners of non-standard residential units must specifically request service on an annual basis by submitting a written request to the Village of Iola, by January 1<sup>st</sup> of each year.

**(3) DEFINITIONS.** For purposes of this ordinance the following terms have the following meanings:

- (a) Cart. Cart means the approved solid waste container delivered to residential units by the collection contractor.
- (b) Recyclables. Recyclables means household waste that is accepted by the collection contractor recycling program. (E.g., cans, bottles, paper, plastics, newsprint, cardboard).
- (c) Refuse. Solid waste comprised of rubbish, trash and garbage, excluding recyclables, yard waste and bulky items that are diverted for reuse or recycling.

- (d) Standard Residential Unit. A dwelling unit within the Village, except a residential unit is part of a multiple residential facility or is located on a business or commercial property as determined by the assessor's roll. Standard residential units shall include individual dwelling units, duplex units, and condominium dwellings comprised of 3 units or less.
- (e) Multiple Residential Facility. Any multi-family building, including apartment buildings, or condominiums that contain in excess of 3 dwelling units.
- (f) Solid Waste. Includes refuse, recyclables and bulky items but excluding unpermitted waste as may be determined from time to time by the Village of Iola and subject to applicable State of Wisconsin and Waupaca County standards.
- (g) Bulky Item. Items that do not fit in an empty cart, with no one item exceeding 50 pounds. This includes, but is not limited to, such items as furniture, sinks, doors, toys and bicycles, items qualifying as a bulky item are subject to change in accordance with the collection contractor's definition of bulky items.
- (h) Non-Standard Residential Units. Any dwelling units that the owners of such properties have requested service under (2)(b), other than multiple residential facilities, that would otherwise not be provided services, whether the entire property is zoned or considered commercial,

**(4) GENERAL COLLECTION RULES.** The following rules apply to all residential units of in the Village.

- (a) Provision of Carts. Carts will be provide by the collection contractor to all residential units utilizing services. The initial delivery and cart costs shall be provided by the collection contractor.
- (b) Containers other than Carts Prohibited. All refuse and recyclables must be in carts; all other containers for refuse and recyclables collection are prohibited.
- (c) Cart Placement. Carts shall be placed in the area between the sidewalk and the curb line or in the driveway servicing the property or in front of the premises, or adjacent to the paved roadway area where no curb exists or at the rear of the premises where pickup is in an alley. Placement of carts shall further be governed by such rules as may be established from time to time by the collection contractor. Carts shall be aligned so that the pick-up bar faces the street, without obstruction between or in close proximity to the cart, the street or other objects.
- (d) Collection Schedule. Refuse shall be collected once every week, on a scheduled collection day and recyclables shall be collected every week on the same scheduled collection day as refuse. Collection days shall be determined by the Village's collection contractor. Collection schedules may be altered due to holidays or other circumstances. Collection schedule shall be provided by the Village or collection contractor prior to January 1<sup>st</sup> for the following year.

- (e) Placement and Removal Times of Carts. Carts shall be placed out for collection no earlier than 6:00 A.M. on the day prior to day of customary collection and carts shall be removed from the right-of-way no later than 6:00 P.M. the day after collection.

**(5) CART RULES.**

- (a) Ownership of Carts. Carts remain solely the property of the collection contractor and shall not be the property of the owner or occupant of the residential unit. Carts shall remain with the residential unit, regardless of any changes in ownership or occupancy.
- (b) Care and Replacement of Carts. The owners or occupants of the residential unit are responsible for the proper usage and care of carts assigned their unit. Carts shall be kept in a clean, neat and sanitary condition at all times and the lid shall be kept shut except during depositing of materials into it or the removal of such items by the collection contractor. Owners and occupants shall be responsible, at their expense, for the replacement of carts that are stolen or lost. Replacement costs shall be determined by the Village of Iola and its collection contractor. Carts broken due to normal wear and tear will be fixed without charge to the resident by the collection contractor.
- (c) Cart Exchange. Owners or occupants may exchange only their cart for another available size as determined by the collection contractor, provided the cart to be traded in is in good condition and the owner or occupant pays the exchange fee as determined by the Village of Iola and its collection contractor.
- (d) Additional Carts. Owners or occupants of residential units may obtain additional carts provided the owner or occupant pays all required additional fees and charges to the collection contractor.

**(6) SOLID WASTE AND RECYCLING RULES.**

- (a) Refuse/Recycling Must Fit in Cart. The collection contractor will only accept such refuse and recycling material as may be placed and fits within the carts provided. No refuse or recyclables shall be collected which cannot be placed in the cart due to its size, nature or content.
- (b) Materials Prohibited from other than the Applicable Residential Unit. No person shall transport or convey into the Village any solid waste originated in any other political unit for the purposes of depositing same in any cart for collection, regardless of whether such person has permission from the owner or person in charge of such property or cart. In addition, no one may place any items in carts, except the refuse or recycling generated by the owners or occupants of the residential unit to which the cart has been assigned.
- (c) Scavenging Prohibited. Refuse, bulky items and recyclables placed for collection shall remain the property of the owner or occupant that placed the items until the items are collected by the collection contractor. No persons

other than the owner or occupant that placed the items for collection or the collection contractor may take possession of such items.

(d) Drainage of Liquids. All refuse and recyclables shall be drained of liquids before being deposited in carts for collection.

**(7) VIOLATIONS.** The following violations shall be punishable by forfeiture as set forth by Village of Iola Municipal Code Penalty Provisions:

- (a) Failure to separate recyclables from non-recyclable materials.
- (b) Usage of carts for other than as provided by the collection contractor.
- (c) Scavenging.
- (d) Failure to remove solid waste.
- (e) Removal of solid waste other than by the collection contractor or an individual property owner.
- (f) Any other violation of this ordinance.
- (g) Any violation as applicable per Waupaca County Code of Ordinance Chapter 20. (A copy is attached).

**(8) DISPOSAL OF HAZARDOUS WASTE AND OIL PROHIBITED.** No person shall deposit hazardous waste or any oil product in the Village sanitary landfill site, nor set out such hazardous waste or oil product for collection by a licensed garbage collector. No garbage collector licensed under this Code shall knowingly deposit any hazardous waste or oil product at any location in the Village. Any person desiring to dispose of hazardous waste or oil may contact Waupaca County regarding such disposal.

**(9) COST FOR COLLECTION OF REFUSE AND RECYCLABLES TO RESIDENTIAL UNITS.**

- (a) The costs for collection shall be established annually by the Village Board as a special charge at a public hearing to be held at least 30 days prior to the effective date.
- (b) Failure to pay any special charge by the due date indicated on the billings, shall incur a late payment charge of 1.5% of the due payment. The late payment charge shall be applied to the total unpaid balance for the refuse and recycling service.
- (c) Failure to pay any special charge or late payment charge during a calendar year shall result in the special charge being placed on the property tax roll.
- (d) Pursuant to Wis. Stats Section 66.0627, a special charge is hereby established for refuse and recyclable collection. The special charge shall be established from time to time by action of the Village Board. All special

charges for refuse and recyclable collection shall be payable in quarterly installments and shall be due at the time of payment. Any residential refuse unit for which service is provided and for which a building permit is issued shall pay a special charge at the time of the issuance of an occupancy permit. Said charge shall be in the sum of 1/12 of the annual service charge commencing the month after which the occupancy permit is issued or required and for the remaining months of that year and collected as provided for herein.

- (e) The Village Board shall set the amount of the charge per residential unit annually by resolution and prior Class I newspaper notice of the intent to adopt such resolution establishing such amount, except that in any year in which such a resolution is not adopted, the levy shall be the same as the most recent levy for each residential unit. All receipt from the special charge shall be deposited in a special revenue non-lapsing fund entitled "Garbage/Recycling Collection."

Approved by a vote of 6 in favor and 1 opposed.

Dated: March 13, 2023.

VILLAGE OF IOLA

BY:

  
Jennifer Schustek, Village President

BY:

  
Betty Aanstad, Village Clerk

Laura J. Krogwold, Deputy Clerk

Attest: Laura J. Krogwold

Adopted: March 13, 2023

Approved: March 13, 2023

