

TOWN OF TRENTON
WASHINGTON COUNTY, WISCONSIN
ORDINANCE NO. 2025.12.01 AMENDING CHAPTER 338 SOLID WASTE

WHEREAS, the Town Code states that the Town Board shall have the authority to enact and amend ordinances; and

WHEREAS, the Department of Natural Resources (DNR) has revised the administrative code that oversees Responsible Units' (RUs) recycling programs and other aspects of Wisconsin's recycling law;

WHEREAS, revisions to the current Town Code provisions are required to comply with the new DNR rules.

NOW, THEREFORE, the Town Board of the Town of Trenton, Washington County, Wisconsin, does ordain as follows:

Section 1. Revise §338-28 Definitions as follows:

- A. Remove definition of BRUSH
- B. Add the following definitions, inserting each alphabetically into the current structure:

ELECTRONIC WASTE

Those electronic devices banned from disposal in Wisconsin, as specified in § 287.07(5), Wis. Stats., including consumer computers, consumer printers and fax machines, consumer video display devices, computer and video display peripherals, DVD players, VCRs, digital video players/recorders and cellphones/telephones with a video display.

FOAM POLYSTYRENE PACKAGING

Packaging made primarily from foam polystyrene that satisfies one of the following criteria: is designed for serving food or beverages, consists of loose particles intended to fill space and cushion the packaged article in a shipping container, or consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.

GLASS CONTAINER

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.

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.

- C. Revise the following definitions, as follows:

NONRESIDENTIAL FACILITIES AND PROPERTIES

Commercial, retail, industrial, institutional and government facilities and properties.
{ Insert: "Non-residential facilities and properties includes 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.

OFFICE PAPER

Remove current definition and replace with: A variety of high-grade printing and writing papers. Printed white ledger and computer printout are examples of office paper generally accepted as high-grade. This term does not include industrial process waste, newspaper or packaging.

PETE {Insert: OR PET}

SOLID WASTE

Replace "§ 281.01(15)" with "§ 281.01(33)"

YARD WASTE

Leaves, grass clippings, yard and garden debris {Insert: and brush, including clean woody vegetative material no greater than 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.}

Section 2. Revise §338-29 Separation of recyclable materials as follows:

- A. Replace "A.(13) Plastic containers" with "A.(13) Rigid plastic containers"
- B. Add "A.(15) Waste tires"
- C. Add "A.(16) Electronic waste"

Section 3. Revise § 338-30 Exceptions as follows:

- A. Replace "§ 338-30. Exceptions." with "§338-30. Separation Requirements Exempted."
- B. In Subsection C, remove: "§ 287.07(7)(d) or"

Section 4. Replace entire § 338-32 Lead acid batteries, waste oil, large metal goods and brush with the following:

§ 338-32 Management of lead acid batteries, waste oil, large metal goods and yard waste.

Occupants of single family and two- to four-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:

- A. Lead acid batteries shall be disposed of in curbside refuse containers or brought to the Town recycling yard during posted hours.
- B. Nonhazardous metal items may be brought to the Town recycling yard during posted hours.
- C. Hazardous major appliances shall be disposed of using Washington County Clean Sweep program, or delivered to a facility that accepts such items.
- D. Waste oil shall be brought to the Town recycling yard during posted hours.
- E. Yard waste shall be composted at home or brought to the Town recycling yard during posted hours. If brought to the Town recycling yard, yard waste shall not be contaminated with non-compostable materials.
- F. Electronic waste shall be brought to the Town recycling yard during posted hours or delivered to a facility that accepts such items.

Section 5. Replace entire § 338-33 Residential properties with the following:

§ 338-33 Preparation and collection of recyclable materials.

Except as otherwise directed by the Town of Trenton, occupants of single family and two- to four-unit residences shall do the following for the preparation and collection of the separated materials specified in § 338-29.

- A. The following items shall be rinsed and placed loosely in curbside recycling carts:
 - (1) Aluminum, steel, tin and bimetal containers
 - (2) Glass food jars and beverage bottles
 - (3) Rigid plastic containers (1-5)
- B. Corrugated paper or other container board shall be flattened and placed loosely in curbside recycling carts.
- C. Magazines, newspaper and office paper shall be placed loosely in curbside recycling carts.
- D. Foam polystyrene packaging shall be placed in curbside refuse carts.
- E. Waste tires shall be delivered to a facility that accepts them for disposal or recycling.

Section 6. Replace entire § 338-34 Nonresidential facilities and properties with the following:

§ 338-34 Responsibilities of owners or designated agents of non-residential facilities and properties.

- A. Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in § 338-29(5) through (15):
- (1) 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.
 - (2) Notify in writing, at least semi-annually, all users, tenants and occupants of the properties about the established recycling program.
 - (3) Provide for the collection of materials separated from the solid waste by the users, tenants and occupants and the delivery of the materials to a recycling facility.
 - (4) 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.
- B. The requirements specified in A. do not apply to the owners or designated agents of non-residential facilities and properties if the postconsumer waste generated within the facility or property is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in § 338-29(5) through (15) from solid waste in as pure a form as is technically feasible.

Section 7. Replace entire § 338-35 Rental units with the following:

§ 338-35 Responsibilities of owners or designated agents of multiple-family dwellings.

- A. Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in § 338-29(5) through (15):
- (1) Provide adequate, separate containers for the recycling program established in compliance with the ordinance. The number of recycling containers shall equal or be greater than the number of refuse containers and at least one of the following shall be met:
 - [a] The minimum total volume of recycling container space is equal to 20 gallons per week per dwelling unit.
 - [b] The ratio of refuse container volume to recycling container volume is at most 2:1.
 - [c] 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.
 - (2) Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program.
 - (3) Provide for the collection of materials separated from the solid waste by the tenants and the delivery of the materials to a recycling facility.
 - (4) 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.
- B. The requirements specified in A. do not apply to the owners or designated agents of multiple-family dwellings if the postconsumer waste generated with the dwelling is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in § 338-29(5) through (15) from solid waste in as pure a form as is technically feasible.

Section 8. Revise § 338-36 Prohibitions on disposal of recyclable materials as follows:

Replace "§ 338-29(5) through (14)" with "§ 338-29(5) through (15)"

Section 9. Replace entire § 338-38 Enforcement, violations and penalties with the following:

§ 338-38 Enforcement.

- A. For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the Town of Trenton may inspect recyclable materials separated for recycling, postconsumer 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 town who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.
- B. Any person who violates a provision of this ordinance may be issued a citation by the Town to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or 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.
- C. Penalties for violating this ordinance may be assessed as follows:
 - (1) Any person who violates § 338-36 may be required to forfeit \$50 for a first violation, \$200 for a second violation, and not more than \$2000 for a third or subsequent violation.
 - (2) Any person who violates a provision of this ordinance, except § 338-36 may be required to forfeit not less than \$10 or more than \$1000 for each violation.

Section 10. 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.

Section 11. Effective Date. This Ordinance shall take effect upon publication or posting by the town Clerk as required, pursuant to Wis. Stat. § 60.80.

Adopted this 15th day of December, 2025.

In favor: 3 Opposed: 0 Abstain: 0 Absent: 0

_____	ss/___	Mike Lipscomb, Town Chairperson
_____	ss/___	Tony Thoma, Town Supervisor
_____	ss/___	Barbara Davies, Town Supervisor
_____	ss/___	Attest, Cindy Komro, Town Clerk

Posted: 12/16/2025