



# City of Milwaukee

200 E. Wells Street  
Milwaukee, Wisconsin 53202

## Meeting Minutes RECYCLING TASK FORCE

**PRESTON COLE, CHAIR**

*Ald. Joe Dudzik, Michael J. Daun, Lisa Schaal, and Erick Shambarger*

*Staff Assistant, Terry MacDonald*

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Monday, April 27, 2009

1:30 PM

Room 301-A, City Hall

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Meeting convened: 1:40 P.M.

### 1. Roll call

**Present** 4 - Cole, Daun, Shambarger and Schaal

**Excused** 1 - Dudzik

*Also present: James Carroll, Legislative Reference Bureau and Jim Michalski,  
Comptroller's Auditing Division*

### 2. Approval of the minutes of the April 6, 2009 meeting

*Mr. Daun asked that the minutes be amended by rewording his comment on page three that says "Mr. Daun suggested that an educational brochure should be sent out that would provide information to city residents on what is considered recyclable and what isn't", to read as follows: "Mr. Daun commented that the City of Milwaukee recycling educational brochure indicates that plastic containers with the numbers one or two are recyclable, but plastic products that have the numbers three through seven are not and he was wondering if other cities have that same requirement."*

*Mr. Daun moved approval of the minutes as amended, seconded by Mr. Shambarger. There were no objections.*

### 3. Discussion relating to the Task Force's responsibilities

*Mr. Cole directed members to his hand out that was submitted prior to this meeting, that shows what this task force's responsibilities are and what the Department of Public Works' responsibilities are, as was stated in resolution file #081212 (Exhibit 1). He asked if members had any questions or comments on his hand out.*

*There were no questions or concerns relating to Mr. Cole's hand out.*

*Mr. Cole moved to take up agenda item #6 next.*

**4. Presentation given by Dept. of Public Works, Sanitation Division staff on the City's current recycling program**

*Mr. Rick Meyers, Environmental Recycling Specialist appeared and addressed the task force on this matter.*

*Mr. Meyers gave a PowerPoint presentation on the Department of Public Works' recycling program (Exhibit 4). He began by giving a brief history of the program. He showed a graph of the City's residential recycling tonnage collected from 1998 through 2008. He gave an overview of the current City of Milwaukee's recycling program and an overview of how the current program works using a dual stream program.*

*Mr. Shambarger asked if a two persons or a single person collection crew is more efficient?*

*Mr. Meyers replied that he doesn't know. He said the Department of Public Works (DPW) would have to do a time study to determine that.*

*Mr. Cole said this summer DPW will be doing a lot of data collection.*

*Mr. Meyers continued with his presentation by explaining the recycling processing and marketing. He said the recyclables are brought to a City-owned facility, but the processing work is contracted out to Waste Management Recycle America. He said the way the contract is structured, the City pays a set per-ton processing fee and the City receives a revenue share based on what is sold.*

*Mr. Cole asked Mr. Daun if he knows what the provision is if there is a negative per ton processing fee (CPI) number?*

*Mr. Daun replied that he doesn't know, but he will find out.*

*Mr. Meyers continued his presentation by explaining the dual-stream processing system. He showed two pie charts that broke down, by percentages, the materials processed by weight.*

*Mr. Daun asked Mr. Meyers, if he knows by experience, how efficient the current Milwaukee's materials Recovery Facility (MRF) dual-stream processing system would be compared to a single-stream processing system, as it relates to sorting and extracting paper from the other materials?*

*Mr. Meyers' replied that with more modern equipment a dual system could add \$10-15 per ton in processing cost.*

*Mr. Cole said that the capital cost of putting in single-stream processing equipment or whether the City will haul the materials or have them picked up is what this task force needs to consider.*

*Mr. Michalski said that during his interview with Waste Management officials at their single stream facility in Illinois, they said that a single-stream processing system does result in a higher residual (15%) and it also results in a higher volume overall.*

*Mr. Shambarger asked who owns the recycling equipment and building?*

*Mr. Meyers replied that the City owns the equipment and the facility, but the*

contractor is responsible for the maintenance and up-keep of the equipment and facility and to keep the process going.

Mr. Meyers continued with his presentation and said the City's revenue data for recycling in 2004-2008 is \$7.4 million. He said in late 2008 and into 2009 the global melt-down caused commodity prices to go way down, therefore, the net revenue is down to \$6 per ton, but that will eventually go back up.

Mr. Meyers said that prior to the submittal of the final audit report in June of 2008, DPW had already implemented a lot of educational materials, activities and outreach initiatives.

Mr. Meyers said that the vision DPW has for future recycling is to guarantee a biweekly schedule, potential changeover of some bins to carts, investigate the use of a single vs. a dual stream collection process and investigate the use of public vs. private Material Recycling Facility (MRF).

Mr. Shambarger said that given the financial situation the City is in right now, he asked if there is any survey data on if the city could do less garbage collection and more recyclable collection?

Mr. Meyers replied in the negative. He said he could take the total tons picked up and divide it by the weekly carts picked up and that overall total would say the garbage carts are half full, but that still wouldn't give an actual picture, because some carts are filled to capacity each week and need weekly pick up.

Mr. Shambarger asked if this task force will include in its study of a conversion to a single-stream collection process whether the City would haul the recyclables to the Germantown facility or would it use its own facilities?

Mr. Cole replied that this task force will need to consider what the cost would be to the City to convert to a single-stream collection process and whether it would bring the collected recyclables to the Germantown facility or would the City purchase its own equipment and use its own facility and also would it contract out the work like it is doing now.

Mr. Cole said that the City has contracted with Earth Tech consulting in the past and they had worked on the 2004 City's recycling contract request for Proposal (RFP) and has also worked on some conversion to single-stream collection process issues and he would like to have them do a more comprehensive study on the financial scope of converting to a single-stream system. He said this task force would get that information a lot quicker than if he had his own staff do it.

Mr. Meyers said that a publicly-owned facility may be in the City's best interest. He urged the task force and the City of Milwaukee to consider using a publicly-owned regional facility. He said Waukesha is currently looking at a single-stream processing conversion and has outgrown its site and Wauwatosa has recently converted to a single-stream system and is currently hauling it to the Waste Management Germantown location. He said Waukesha County, Wauwatosa and Milwaukee contracts are also all in-line with its optional extension periods. He said there has been some meeting already with those entities on a publicly owned regional facility.

Mr. Cole said he will put together a draft of the frame work for a study that would be done by Earth Tech consulting on a conversion to a single-stream recycling collection process to be review and considered by this task force at its next meeting.

*Mr. Shambarger asked how many vendors are out there that could run the MRF operation?*

*Mr. Meyers replied that there are several adequate companies out there that could operate the MRF, but if the City had it owns facility and if there is a long enough contract it could attract more competitive bids.*

#### **5. Discussion on how the weather can impact the recycling program**

*Mr. Meyers said that during the winter months, there is an impact on collection of recyclables and collections can fall behind during snow and ice removal.*

*Mr. Cole said that the single-stream operation was used this past winter when the city fell 45 days behind due to the winter weather. He said all the recyclables were collected and put together in a garbage truck and were hauled to the Waste Management's Germantown facility. He said they were surprised that it was a very cost effective and efficient alternative.*

*Mr. Daun said that during the difficult weather months, maybe DPW could hire temporary workers to keep the recycling on schedule. He said to cover the cost of the temporary workers the snow and ice fee charge could be increased.*

*Mr. Shambarger said the snow and ice fee is set by the Common Council based on historic averages and in certain cases an increase can be done once a year by resolution.*

*Mr. Shambarger asked if DPW can provide him with maps of the recycling routes? (Exhibit 6)*

*Mr. Meyers replied in the affirmative.*

## 6. Discussion relating to City and State recycling enforcement laws

*This matter was taken out of order, after item #3.*

*Deputy City Attorney Linda Burke and Assistant City Attorney Jay Unora with the ordinance enforcement division appeared to address the task force members on this matter.*

*Atty. Burke said the recycling enforcement provisions are laid out in Chapter 79, Sections 79-43 and onward of the Milwaukee Code of ordinances (Exhibit 2) and it has nothing in it that would require the Department of Neighborhood Services (DNS) or Department of Works (DPW) to actually look for violations or do inspections. She said Section 79-47 gives details on penalties, liens and citations for failure to comply. She said the penalties are either forfeiture by citation, which would be prosecuted in municipal court or by the issuance of an order. If the order isn't complied with the order would result in a special charge and if the special charge isn't paid in a timely matter, it will then be placed on the property tax bill.*

*Atty. Unora said that during his 12 years working in prosecution there have been very few recycling prosecutions that came through the municipal court and those few were for either unauthorized addition or unauthorized removal of recycling material violations.*

*Mr. Meyers referred members to the code violation section in his PowerPoint presentation (Exhibit 3). He said the information he is providing was taken from the Comptroller's recycling audit. He said that in the last couple years the DPW has increased enforcement on commercial and residential properties greater than 4 units. He said most violations that occurred were under Section 79-29, relating to cart contamination.*

*Atty. Burke said when using the word fine for a special charge or citation is confusing, because a special charge is not considered a fine and a citation is considered a fine or forfeiture. She said a citation can be issued for any recycling violation instead of a notice of special charge.*

*Atty. Unora said that violation of Section 79-40, unauthorized removal of recyclables, is the only one listed in Mr. Meyers' chart that is not a special charge and a citation would have to be issued because it is a municipal court offense. He said DNS, DPW or a police officer can issue a citation for any recycling violation.*

*Mr. Cole said that there is a noticeable difference between a special charges and a citation and the DPW will make note of that.*

*Mr. Meyers said that 79-25 is one violation that the audit report recommended that DPW needs to improve enforcement on. He said DPW doesn't actively enforce that section because of the many issues that would be involved when going through people's garbage. He said there may be some legality concerns.*

*Atty. Burke said that a request for a legal opinion should be made for searching of carts on private property. She said once the garbage container is at the curb it isn't considered private property any longer.*

*Mr. Shambarger asked if this task force could request a City Attorney opinion on the enforcement of recyclables?*

*Atty. Burke replied in the affirmative.*

*Mr. Cole asked Ms. MacDonald to prepare a letter to the City Attorney requesting a legal opinion on the enforcement of recyclables as it relates to searching of carts on private property versus curbside.*

*Atty. Burke said that the opinion would contain two parts, one on the searching for recyclables on private property and the second part would be on the searching of cart at the curbside.*

*Mr. Daun said Ald. Kovac suggested a recycling incentive program at the last task force meeting and that if the program is implemented the person would be rewarded for the number of pounds of recyclables. He said a search of the recyclables would need to be taken for such an incentive program and that search could also be used as an enforcement tool.*

*Mr. Cole asked Atty. Burke, if in fact, the cart was at the curbside could a search be used for both the incentive program and as an enforcement tool?*

*Atty. Burke said the City could get a waiver from the people. She said one of the things Atty. Unora brought up was how would City staff know whose garbage it is? She said when prosecuting somebody for a recycling citation, she would have to know it is in fact that person's garbage.*

*Atty. Unora said Municipal Courts' burden of proof is to provide a clearly satisfactory and convincing evidence and if it is a situation where the evidence is from a garbage cart sitting on the curb that is something that would be pretty difficult to prosecute.*

## **7. Discussion on how the City of Milwaukee's recycling program compares to other cities**

*Mr. Meyers referred members to the section of his PowerPoint presentation that shows data taken from Appendix three and five of the Comptroller audit of the City of Milwaukee Recycling Program dated June 2008 (Exhibit 5).*

*Mr. Meyers said the data he is providing is for recycling tons per capita in eight of the 25 largest cities in Wisconsin (data taken from Appendix three) and is for the residential recycling collection program, it does not include yard waste or other dropped off recyclables. He said Milwaukee's recyclables per capita is 86.4, which is a bit lower than the other large cities and the reason for that is the fact that Milwaukee has a high percentage of greater than four unit residential buildings and the four units and up residential buildings are serviced by the private sector and is not included in the count.*

*Mr. Meyers said the data he is providing is for the residential recycling in the U.S. 30 largest cities by population (Data taken from Appendix five) takes a more broader look. He said Milwaukee is the only large City that collects monthly, whereas all of the other large cities collect on a weekly basis.*

## **8. Discussion relating to a single stream recycling operation**

*This item was discussed under item #4.*

**9. Discussion relating to a "Pay As You Throw" program**

*Mr. Shambarger said the La Follette School of Public Affairs, Madison, WI will have a report available on Pay as You Throw program some time after May 8, 2009. He said when he obtains a copy of the report he will have it forward onto to the task force members and could be reviewed by the task force at its next meeting.*

**Meeting adjourned: 3:25 P.M.**

**Terry J. MacDonald**  
**Staff Assistant**

The Recycling Task Force created by the Milwaukee Common Council states;

The Recycling Committee Tasks Are:

To conduct a comprehensive study of the fiscal and operational impacts of a conversion to single stream recycling in the City of Milwaukee;

Provide a comparison of the costs and benefits from continuing a dual-stream recycling program, including the Materials Resource Facility repairs, with those from a conversion to a new single-stream program, including alternative Material Resource Facility options.

The Department of Public Works is to:

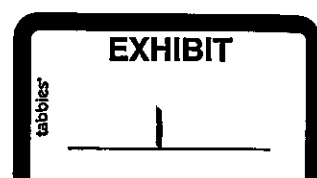
Evaluate its recycling routes to determine the amount of time reasonably required to complete each route and to ensure that each route is properly sized for the most efficient use of staff and equipment;

Consider implementing scheduled curbside set out of recycling carts in neighborhoods without alleys and analyze the feasibility of providing bi-weekly collection of recycling in neighborhoods with and without alleys;

Enhance recycling education by developing educational initiatives that are tailored to the needs of the individual neighborhoods and to make full use of the Milwaukee Recycles website;

Develop and implement a recycling enforcement policy that covers all major requirements of the Milwaukee's Code's recycling provisions for both residential and commercial properties and explore the possibility of having the Department of Neighborhood Services enforce s. 79-25, requiring the separation of recycling from refuse, during building code inspections;

Submit an annual report to the Common Council on the activities, effectiveness, cost and revenue of the recycling program, and the report shall include separate recycling rates for household recycling, yard waste recycling, and other recycling as well as other informative measures such as the amount of recycling and refuse collected per capita, per household, and by area of the City.





constructed so that they shall provide a compatible and practical arrangement on the premises and surrounding area.

b. Large Appliances to be Enclosed. Owners or operators of business and commercial establishments storing large appliances such as refrigerators, stoves, washing machines and other similar items outside of the building structure, shall provide enclosures of the area wherein such items are stored in the same manner and as provided in par a.

c. Definitions. For the purpose of subs. 3 and 4, the following terms therein are defined as follows:

c-1. "Approved waste receptacles" shall mean those as provided and defined in s. 79-4.

c-2. "Secure" shall mean to be locked or closed in such a manner so as to prevent ready access to contents thereof.

c-3. "Shopping center" shall mean a group of commercial establishments planned and developed generally as a unit with off-street parking facilities provided on the property for patrons of said establishments.

**79-4. Waste Container Regulations.**

**1. PORTABLE CONTAINERS.**

a. Requirements. Portable containers for waste, except for containers for use in cart collection, shall be rodent resistant of substantial metal construction equipped with at least 2 handles and a tight fitting cover, shall have a capacity of not less than 20 nor more than 32 gallons and no single container when filled shall weigh more than 100 pounds. Waste not containing garbage may be stored in other approved ways as provided in this chapter, and in the rules of the commissioner.

am. Responsibility for Providing Portable Waste Containers. In areas of the city where the use of carts for the disposal of solid waste has been approved by the common council:

am-1. Owners of single, 2-, 3-, or 4-family dwelling units shall be provided carts by the city.

am-2. Owners of multi-unit dwellings of 5 or more units in the same structure shall provide, at their cost, containers of a type specified by the operations division.

as. Repair, Replacement or Sale. The operations division may:

as-1. Repair damaged portable containers or replace them if necessary and charge the

property owner accordingly in cases where damage or loss can be determined by resident's misuse of the container.

as-2. Sell portable containers, at cost, to those property owners or individuals who require them for the proper disposal of waste.

as-3. Make a special assessment against the property served by the portable container if any charge for repair, replacement or sale of a container is not paid for within 30 days from receipt of billing statement.

b. Plastic Bags, etc. Approved bags and boxes made of plastic or paper shall not be used outside of the portable containers, except for the sole purpose of storing grass clippings, leaves, branches and paper.

c. Posting of Signs. Retail stores selling approved plastic bags intended or generally used for the storage of garbage, rubbish and trash shall have posted, in the vicinity of said bags, in a prominent and conspicuous manner, using bold lettering at least one inch in height, a placard stating as follows: "Garbage stored in plastic bags must be placed in garbage cans." This section of the code shall also be cited on the placard.

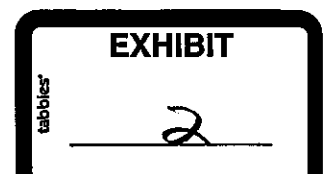
**\* 1.5. PORTABLE CONTAINERS; PROHIBITED USES.**

a. No person shall use a city-owned portable waste container or a city-owned portable recyclable material container for any purpose except the storage of waste or recyclables for curbside or alley collection by the operations division. No person shall use a city-owned portable waste container or a city-owned portable recyclable material container to transport any material for any purpose other than to transport waste or recyclables from the premises to the curb or alley for collection.

b. No person who is the owner, occupant, manager or other responsible agent of any property from which the operations division does not collect waste or recyclables shall permit a city-owned portable waste container or a city-owned portable recyclable material container to be brought onto or remain on the property.

**2. NONPORTABLE CONTAINERS.**

Owners, lessees or managing agents of multi-unit dwellings of 5 or more units in the same structure or condominium design shall provide, at their cost, containers of a type specified by the operations division where the use of portable waste containers is inappropriate. Nonportable containers shall be fully enclosed, rodent resistant and of substantial construction, and have a minimum capacity of one-half cubic yard per



## 79-5 Solid Waste Regulations

yard per dwelling unit or of sufficient capacity to hold 2 weeks of waste accumulation. All owners, lessees or managing agents providing nonportable containers as described in this subsection shall be required as a condition of collection to sign a written declaration, formulated by the city attorney, to the effect that the city shall be held harmless as against any claim, demand or cause of such action which may arise as a result of such collection in favor of any person or entity.

3. **NONPORTABLE CONTAINERS; CONSTRUCTION.** Nonportable, mechanical lift, tapered rear loading containers equipped with casters, wheels, or rollers shall be fully enclosed, rodent resistant, and of substantial construction. Containers shall be secured or modified in such a manner as to prevent accidental tipping or free-rolling.

4. **CONDOMINIUMS.** Where collection service is provided by the department to a condominium complex, the city shall provide containers of a type and quantity determined at the discretion of the operations division to the owners of such condominium units in the same structure or condominium design, regardless of the number of units in the complex.

**79-5. Location of Containers. 1. ON PREMISES.** All containers used for solid waste disposal shall be stored on the premises. Where containers are kept within any enclosure, the enclosure shall have a door of sufficient size to allow the containers to be removed by sliding or rolling forward without being lifted.

2. **NEAR ALLEY.** Containers shall be stored immediately adjacent to the alley except where a premises does not have an alley, in which case containers shall be stored in the rear yard. If the rear yard may not be utilized for this purpose, the side yard may be used providing the containers are sited as conveniently as possible for servicing, as specified by the commissioner of public works. If the property owner can prove to the satisfaction of the commissioner that the rear or side yard cannot be used, the commissioner shall approve an alternate location prior to its use.

3. **ACCESSIBILITY.** It shall be the responsibility of the owners and tenants of every premises where solid waste is collected to provide a clear and unhindered path to all containers. The path shall be a width specified

by the commissioner and shall be free of hindrances such as, but not limited to, large debris, vehicles, locked fences, animals, ice or 3 or more inches of snow. The surface of the path must be firm and nonhazardous.

4. **COLLECTION CHARGE.** If the location of the containers is more than 125 feet from the servicing vehicle or the containers are inconveniently located, the commissioner may charge for collection.

5. **RETURN TO STORAGE LOCATION.** Owners and tenants of those premises serviced by the cart collection system, where carts are left at the alley line or curb line after servicing, shall return the carts to their proper storage location before 10 p.m. on the day they are serviced.

6. **ADDRESSES POSTED.** To facilitate collection services, the addresses of all residences and buildings shall be conspicuously posted at the front and rear or side of all properties so as to be easily seen and read, according to s. 113-2-5.

**79-5.5. Unauthorized Removal of Contents of Waste Containers. 1.** No person shall remove any material from a waste container that has been furnished by the city for the collection of solid waste. This prohibition applies to portable and nonportable containers.

2. This section does not apply to employees and agents of the city in the performance of their duties or to materials that are removed by the person who deposited them.

\***79-5.7. Unauthorized Addition to Contents of Waste Containers. 1.** No person, except the owners or occupants serviced by a nonportable container, may place any hazardous substance, liquid waste, litter, recyclable material or solid waste into that container, without the owners' or occupants' permission.

2. This section does not apply to employees and agents of the city in performance of their duties.

**79-6. Solid Waste Charge.**

1. **PURPOSE.** The purpose of this section is to permit the city as authorized under ss. 66.0405 and 66.0627 Wis. Stats., to recover costs relating to collection of solid waste from one, 2-, 3- and 4- family dwelling units.

## 79-25 Solid Waste Regulations

23. **RECYCLABLE MATERIAL** includes lead acid batteries, major appliances, waste oil, yard waste, aluminum containers, bi-metal containers, corrugated paper or other container board, foam polystyrene packaging, glass containers, magazines, newspapers, office paper, steel containers, waste tires and rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins.

24. **SOLID WASTE** has the meaning given in s. 289.01(33), Wis. Stats.

25. **SOLID WASTE DISPOSAL FACILITY** means a facility that discharges, deposits, injects, dumps or places any solid waste into or on any land or water. The term does not include a facility whose handling of solid waste is limited to the transportation, storage or treatment of solid waste.

26. **SOLID WASTE TREATMENT FACILITY** means a facility that handles solid waste by any method, technique or process that is designed to change the physical, chemical or biological character or composition of solid waste. The term includes a facility that incinerates solid waste.

27. **SPECIAL RECYCLABLE MATERIALS** means lead acid batteries, major appliances, waste oil and yard waste.

28. **STANDARD RECYCLABLE MATERIALS** means aluminum containers, bi-metal containers, corrugated paper or other container board, foam polystyrene packaging, glass containers, magazines, newspapers, office paper, steel containers, waste tires and rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins.

29. **WASTE TIRE** means a tire that is no longer suitable for its original purpose because of wear, damage or defect. The term includes an unserviceable tire as defined in s. 84-48.

30. **YARD WASTE** means yard and garden debris, leaves, grass clippings and brush, including clean woody vegetative material no greater than 6 inches in diameter. The term includes, but is not limited to, all components included in the definition specified in s. 79-1-12-i. The term does not include stumps, roots or shrubs with intact root balls.

**79-25. Separation of Recyclable Materials Required.** Except as provided in s. 79-27, occupants of single family residences, 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from postconsumer waste:

1. **SPECIAL RECYCLABLE MATERIALS.**
  - a. Lead acid batteries.
  - b. Major appliances.
  - c. Waste oil.
  - d. Yard waste.
2. **STANDARD RECYCLABLE MATERIALS.**
  - a. Aluminum containers.
  - b. Bi-metal containers.
  - c. Corrugated paper or other container board.
  - d. Foam polystyrene packaging.
  - e. Glass containers.
  - f. Magazines.
  - g. Newspapers.
  - h. Office paper.
  - i. Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins.
  - j. Steel containers.
  - k. Waste tires.

**79-27. Exemptions from Separation Requirements.** The separation requirements of s. 79-25 do not apply to the following:

1. Occupants of single family residences, 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties that send their postconsumer waste to a licensed solid waste processing facility that recovers the materials specified in s. 79-25 from solid waste in as pure a form as is technically feasible.
2. Solid waste that is burned as a supplemental fuel at a facility if less than 30% of the heat input to the facility is derived from the solid waste burned as supplemental fuel.
3. A standard recyclable material for which a variance has been granted by the Wisconsin department of natural resources under s. 287.11(2m), Wis. Stats., or s. NR 544.14, Wis. Adm. Code.

SUBCHAPTER 2  
RECYCLING

**79-21. Purpose.** The purpose of this subchapter is to promote recycling, composting and resource recovery through the administration of an effective recycling program, as provided in s. 289.11, Wis. Stats., and ch. NR 544, Wis. Adm. Code.

**79-23. Definitions.** In this subchapter:

1. **BI-METAL CONTAINER** means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.

2. **COMMISSIONER** means the commissioner of public works or the commissioner's authorized representative.

3. **CONTAINER BOARD** means corrugated paperboard used in the manufacture of shipping containers and related products.

4. **DEPARTMENT** means the department of public works.

5. **FOAM POLYSTYRENE PACKAGING** means packaging made primarily from foam polystyrene that satisfies one of the following criteria:

a. Is designed for serving food or beverages.

b. Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.

c. Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.

6. **HDPE** means high density polyethylene, labeled by the SPI code #2.

7. **LDPE** means low density polyethylene, labeled by the SPI code #4.

8. **LICENSED SOLID WASTE PROCESSING FACILITY** means a solid waste processing facility that is licensed by the Wisconsin department of natural resources.

9. **MAGAZINES** means magazines and other materials printed on similar paper.

10. **MAJOR APPLIANCE** means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater or stove.

11. **MULTIPLE-FAMILY DWELLING** means a property containing 5 or more residential units, including those which are occupied seasonally.

12. **NEWSPAPERS** means newspapers and other materials printed on newsprint.

13. **NON-RESIDENTIAL FACILITIES AND PROPERTIES** means commercial, retail, industrial, institutional and governmental facilities and properties. The term does not include multiple-family dwellings.

14. **OFFICE PAPER** means high grade printing and writing papers from offices in non-residential facilities and properties. Printed white ledger paper and computer printout are examples of office paper generally accepted as high grade. The term does not include industrial process waste.

15. **OTHER RESINS OR MULTIPLE RESINS** means plastic resins labeled by the SPI code #7.

16. **PERSON** means any individual, corporation, partnership, association, local governmental unit as defined in s. 66.0131(1)(a), Wis. Stats., state agency or authority or federal agency.

17. **PETE** means polyethylene terephthalate, labeled by the SPI code #1.

18. **PLASTIC CONTAINER** means an individual, separate, rigid plastic bottle, can, jar or carton, except that the term does not include a blister pack that is originally used to contain a product that is the subject of a retail sale.

19. **POSTCONSUMER WASTE** means solid waste other than solid waste generated in the production of goods, hazardous waste as defined in s. 289.01(12), Wis. Stats., a hazardous substance as defined in s. 79-1-5, waste from construction and demolition of structures, scrap automobiles or high-volume industrial waste as defined in s. 289.01(17), Wis. Stats. The term includes domestic waste, garbage, tree waste and yard waste, as those terms are defined in s. 79-1-12-d, e, h and i. The term includes some components of commercial waste and rubbish, as those terms are defined in s. 79-1-12-d and g.

20. **PP** means polypropylene, labeled by the SPI code #5.

21. **PS** means polystyrene, labeled by the SPI code #6.

22. **PVC** means polyvinyl chloride, labeled by the SPI code #3.

## 79-40 Solid Waste Regulations

capacitor has been removed and disposed of in accordance with s. 299.45(7), Wis. Stats., if applicable.

**79-40. Unauthorized Removal of Recyclables or Recycling Containers.** 1. No person shall remove any material from a recycling cart, bin or other container that has been furnished by the city or by a private recyclable collector for the purpose of accumulating recyclable materials for collection by the city or the private collector. This prohibition applies to recycling containers located in or by residential and non-residential buildings, at self-help stations and in public places.

2. No person shall remove a recycling cart, bin or other container that has been furnished by the city or by a private recyclable collector.

3. This section does not apply to employees and agents of the city or of a private recyclable collector in the performance of their duties or to materials that are removed by the person who deposited them.

**79-41. Administration and Confidentiality of Record.** 1. The commissioner, the department and the operations division shall be responsible for administration of the provisions of this subchapter.

2. The commissioner is authorized to make reasonable rules for the regulation and administration of this subchapter, including charges for extraordinary, unusual or special services as may be necessary and exemptions for hardship cases, provided such rules do not contravene the specific provisions of this subchapter. Such rules shall be available at the office of the city clerk.

3. To the extent permitted by law, records relating to recycling activities shall be kept confidential when necessary to protect proprietary information.

**79-43. Enforcement.** For the purpose of ascertaining compliance with the provisions of this subchapter, any authorized officer, employee or representative of the commissioner, the department or the department of neighborhood services may use any lawful means to adequately enforce the requirements of this subchapter including, but not limited to, education and information programs and inspections to ascertain proper separation, preparation, collection and disposition of recyclable materials.

## 79-47. Penalties, Liens and Citations.

1. **PENALTIES.** a. A person who fails to comply with s. 79-29 shall receive a written notice with respect to the alleged violation of s. 79-29. Failure to comply with s. 79-29 following such

notification shall result in a special charge of \$20, and the second and each subsequent failure to comply with s. 79-29 within a calendar year shall result in a special charge of \$40.

b. A person who violates s. 79-33 or 79-35 shall forfeit as follows:

b-1. Not less than \$50 nor more than \$200 for a first or 2nd violation within a 12-month period, and the costs and disbursements of such action. Each day of violation shall be a separate offense.

b-2. Not less than \$100 nor more than \$500 for a 3rd or subsequent violation within a 12-month period, and the costs and disbursements of such action. Each day of violation shall be a separate offense.

c. A person who violates s. 79-37 shall forfeit as follows:

c-1. Not less than \$500 nor more than \$1,000 for a first violation within a 12-month period, and the costs and disbursements of such action. Each day of violation shall be a separate offense.

c-2. Not less than \$1,000 nor more than \$5,000 for a 2nd or subsequent violation within a 12-month period, and the costs and disbursements of such action. Each day of violation shall be a separate offense.

d. A person who violates s. 79-40 shall forfeit not less than \$25 nor more than \$500 for each violation, and the costs and disbursements of such action.

e. Any person who fails to comply with s. 79-32 shall be subject to a special charge of \$25 and shall receive a written notice with respect to the alleged violation of s. 79-32. Failure to comply following such notification shall result in a special charge of \$35, and each subsequent failure to comply within a calendar year shall result in a special charge of \$60.

2. **LIENS.** a. Whenever a person fails, omits, neglects or refuses to obey an order of a department or city officer that is made on account of noncompliance with any provision of this subchapter, pursuant to s. 66.0627, Wis. Stats., a special charge shall be made against the subject property.

b. A person who fails to comply with s. 79-25 shall receive a written notice with respect to

## Solid Waste Regulations 79-29

### **79-29. Care of Separated Recyclable Materials.**

To the greatest extent practicable, the recyclable materials separated in accordance with s. 79-25 shall be clean and kept free of contaminants such as food or product residue, oil, grease and other non-recyclable materials, including but not limited to household hazardous waste, medical waste, agricultural chemical containers and hazardous substances as defined in s. 79-1-5. Recyclable materials shall be stored in a manner that protects them from wind, rain and other inclement weather conditions.

**79-31. Residences, Except Multiple-Family Dwellings.** Occupants of single family residences, 2 to 4 unit residences and condominium complexes shall provide for the preparation and collection of separated standard recyclable materials in accordance with the rules of the commissioner.

**79-32. Return to Storage Location.** Owners and tenants of those properties serviced by the recycling collection system, where carts are left at the alley line or curb line after servicing, shall return the carts to their proper storage locations before 10 p.m. on the day they are serviced.

**79-33. Multiple-Family Dwellings.** 1. Except as provided under sub. 2, owners, lessees or designated agents of multiple-family dwellings, except condominium complexes, shall do all of the following to recycle standard recyclable materials:

a. Provide, at their own cost, adequate, separate containers for recyclable materials. Containers shall be stored on the premises in a location that is convenient for deposit and collection of recyclables.

b. Notify in writing, at the time of leasing and at least semi-annually thereafter, all tenants and occupants of the dwellings about the recycling program.

c. Provide for the collection of the materials separated from the solid waste by the users, tenants and occupants and for the delivery of those materials to a recycling facility by private collection.

2. The requirements specified in sub. 1 do not apply to the owner, lessee or designated agent of a multiple-family dwelling if the postconsumer

waste that is generated within the dwelling is treated at a licensed solid waste processing facility that recovers for recycling standard recyclable materials from solid waste in as pure a form as is technically feasible.

### **79-35. Non-Residential Facilities and Properties.**

1. Except as provided under sub. 2, owners, lessees or designated agents of non-residential facilities and properties shall do all of the following to recycle standard recyclable materials:

a. Provide adequate, separate containers for the recyclable materials.

b. Notify in writing, at the time of leasing and at least semi-annually thereafter, all tenants and occupants of the facilities and properties about the recycling program.

c. Provide for the collection of the materials separated from the solid waste by the users, tenants and occupants and for the delivery of those materials to a recycling facility by private collection.

2. The requirements specified in sub. 1 do not apply to the owner, lessee or designated agent of a non-residential facility or property if the postconsumer waste that is generated within the facility or property is treated at a licensed solid waste processing facility that recovers for recycling standard recycling materials from solid waste in as pure a form as is technically feasible.

### **79-37. Disposal of Separated Standard Recyclable Materials Prohibited.**

No person shall dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any standard recyclable materials which have been separated for recycling, except that waste tires may be burned with energy recovery in a solid waste treatment facility.

### **79-39. Management of Special Recyclable Materials.**

1. Occupants of single family residences, 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties shall manage lead acid batteries as provided in s. 79-2-9, and shall handle major appliances, waste oil and yard waste in accordance with this section and the rules of the commissioner.

2. A microwave oven may be disposed of in a solid waste disposal facility if the

**Solid Waste Regulations 79-47-3**

the alleged violation of s. 79-25. Failure to comply with s. 79-25 following such notification shall result in a special charge of \$10, and the second and each subsequent violation within a calendar year shall result in a special charge of \$25.

c. Special charges made under this subsection shall be due and payable 30 days after billing or if not paid within that time become a lien on the subject property as provided in s. 66.0627, Wis. Stats. The lien shall take effect on the date of the delinquency and shall include an administrative charge of \$10. The lien shall automatically be extended upon the current or next tax roll as a delinquent tax against the property and all proceedings in relation to the collection, return and sale of the property for delinquent real estate taxes shall apply to the special charge. The special charge shall not be payable in installments.

d. Whenever a special charge is made against property that is either a single family residence or a 2-family residence, the department assessing the special charge may bill both the occupant of the residence and the owner of the residence, if the department knows that the occupant and the owner are not the same and if the identity of the occupant is known to the department. If the department bills the occupant, the occupant of the residence shall be solely responsible for payment of the special charge within 30 days after billing. If the special charge is not paid within that time, the owner shall become responsible for payment of the special charge on the date of the delinquency. Whenever an occupant is billed for a special charge and the payment is not made within 30 days after billing, the department shall promptly give written notice of such nonpayment to the owner of the residence. Whenever an owner becomes responsible for payment of a special charge because of the delinquency of an occupant under this paragraph, the owner may recover the amount of that special charge under sub. e and s. 200-20.5.

e. Whenever a special charge is assessed under this subsection, a landlord may require a responsible tenant to pay the amount of the special charge under s. 200-20.5.

3. CITATIONS. In addition to other applicable enforcement procedures and

pursuant to the authority of s. 66.0113, Wis. Stats., the commissioners of public works and neighborhood services or their designees may issue citations pursuant to the citation procedure as set forth in s. 50-25 to any person who violates any provision of this subchapter.

**79--Solid Waste Regulations**

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Solid Waste Regulations 79--(HISTORY)

**LEGISLATIVE HISTORY  
CHAPTER 79**

Abbreviations:  
am = amended  
cr = created

ra = renumbered and amended  
rc = repealed and recreated

rn = renumbered  
rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
79-1-0	am	901347	5/14/91	5/18/91
79-1-2.5	cr	911889	3/3/92	3/20/92
79-1-2.5	rc	010404	8/2/2001	8/18/2001
79-1-11	rn to 79-1-12	912123	7/7/92	7/24/92
79-1-11	cr	912123	7/7/92	7/24/92
79-1-11-i	cr	911889	3/3/92	3/20/92
79-1-11	rc	912439	9/27/94	1/1/95
79-1-12-a	am	912439	9/27/94	1/1/95
79-1-12-a	am	010842	11/6/2001	11/22/2001
79-1-12-a	am	040491	11/12/2004	12/3/2004
79-1-12-a	am	060775	11/10/2006	4/1/2007
79-1-12-i	rc	010404	8/2/2001	8/18/2001
79-2-0	rp	970956	11/4/97	11/21/97
79-2-1	rn to 79-2-2	970956	11/4/97	11/21/97
79-2-1	cr	970956	11/4/97	11/21/97
79-2-1-b-0	am	000977	11/10/2000	1/1/2001
79-2-1-b-1	am	080486	9/12/2008	1/1/2009
79-2-1-b-2	am	000977	11/10/2000	1/1/2001
79-2-1-b-4	cr	990118	5/11/99	5/28/99
79-2-2	rn to 79-2-3	970956	11/4/97	11/21/97
79-2-3	rn to 79-2-4	970956	11/4/97	11/21/97
79-2-4	rn to 79-2-5	970956	11/4/97	11/21/97
79-2-5	rn to 79-2-6	970956	11/4/97	11/21/97
79-2-6	rn to 79-2-7	970956	11/4/97	11/21/97
79-2-6	am	980963	12/18/98	1/1/99
79-2-7	rn to 79-2-8	970956	11/4/97	11/21/97
79-2-7	am	980963	12/18/98	1/1/99
79-2-8	rn to 79-2-9	970956	11/4/97	11/21/97
79-2-8	am	980963	12/18/98	1/1/99
79-2-8	am	040491	11/12/2004	12/3/2004
79-2-8	rn to 79-2-8-a	060775	11/10/2006	4/1/2007
79-2-8-b	cr	060775	11/10/2006	4/1/2007
79-2-9	cr	890284	6/27/89	7/18/89
79-2-9	rn to 79-2-10	970956	11/4/97	11/21/97
79-2-9	am	980963	12/18/98	1/1/99
79-2-10	cr	911889	3/3/92	3/20/92
79-2-10	rn to 79-2-11	970956	11/4/97	11/21/97
79-2-10-0	am	951346	1/23/96	2/9/96
79-2-10-d	cr	920560	7/28/92	8/14/92
79-2-10-d	rp	951346	1/23/96	2/9/96
79-2-10-e	cr	920638	1/15/93	2/4/93
79-2-10-e	rp	951346	1/23/96	2/9/96
79-4-1-am-2	am	891613	12/19/89	1/13/90
79-4-1-am-2	am	010858	11/9/2001	1/1/2002
79-4-1-as	am	891613	12/19/89	1/13/90
79-4-1-as-0	am	010858	11/9/2001	1/1/2002
79-4-1.5	cr	940741	9/27/94	10/14/94

79--(HISTORY) Solid Waste Regulations

79-4-1.5-a	am	010858	11/9/2001	1/1/2002
79-4-1.5-b	am	010858	11/9/2001	1/1/2002
79-4-2	am	891613	12/19/89	1/13/90
79-4-2	am	010858	11/9/2001	1/1/2002
79-4-4	cr	921364	4/8/93	4/28/93
79-4-4	am	010858	11/9/2001	1/1/2002
79-4.5	cr	912123	7/7/92	7/24/92
79-4.5	rp	912439	9/27/94	1/1/95
79-5-2	am	011258	2/12/2002	3/1/2002
79-5-6	am	881465	11/18/88	12/9/88
79-5.5	cr	890283	11/28/95	12/15/95
79-5.5	am	971300	12/16/97	1/8/98
79-5.7	cr	000322	11/8/2000	11/29/2000
79-6	m to 79-6.5	000977	11/10/2000	1/1/2001
79-6	cr	000977	11/10/2000	1/1/2001
79-6-1	am	970956	11/4/97	11/21/97
79-6-1	am	010854	11/9/2001	1/1/2002
79-6-2-a	am	001305	2/27/2001	3/16/2001
79-6-4-b	am	010854	11/9/2001	1/1/2002
79-6-4-c	am	010854	11/9/2001	1/1/2002
79-6-5	rp	010854	11/9/2001	1/1/2002
79-6-6	m to 79-6-5	010854	11/9/2001	1/1/2002
79-6-7	rc	910396	6/25/91	7/13/93
79-6-7	am	970956	11/4/97	11/21/97
79-6-7	m to 79-6-6	010854	11/9/2001	1/1/2002
79-6-8	cr	970956	11/4/97	11/21/97
79-6-8	am	990118	5/11/99	5/28/99
79-6-8	m to 79-6-7	010854	11/9/2001	1/1/2002
79-6.5-0	am	000977	11/10/2000	1/1/2001
79-6.5-0	am	060775	11/10/2006	4/1/2007
79-6.5-3	rc	060665	11/10/2006	4/1/2007
79-6.5-3-c-2	am	070737	11/9/2007	11/30/2007
79-9-2	rc	990085	6/22/99	10/8/99
79-9-2-a	am	911243	11/5/91	2/1/93
79-9-2-a	am	951346	1/23/96	2/9/96
79-9-2-c	am	950100	5/16/95	6/3/95
79-9-3	cr	990085	6/22/99	10/8/99
79-9-4	cr	990085	6/22/99	10/8/99
79-11	am	990536	10/19/99	11/5/99
79-12	rc	941051	11/29/94	12/16/94
79-12-1	am	010842	11/6/2001	11/22/2001
79-12.5	cr	010404	8/2/2001	8/18/2001
79-12.5-1	rc	050888	11/15/2005	12/9/2005
79-12.5-2	am	050735	10/18/2005	11/4/2005
79-12.5-2	rp	050888	11/15/2005	12/9/2005
79-12.5-3	m to 79-12.5-2	050888	11/15/2005	12/9/2005
79-14	am	890689	7/25/89	8/15/89
79-14.5	am	891613	12/19/89	1/13/90
79-14.5	am	010858	11/9/2001	1/1/2002
79-15	am	891613	12/19/89	1/13/90
79-15	am	980963	12/18/98	1/1/99
79-15	am	010858	11/9/2001	1/1/2002
79-15	am	051655	5/9/2006	5/26/2006
79-16-1	rc	911889	3/3/92	3/20/92
79-16-1	am	912439	9/27/94	1/1/95
79-16-1	am	890283	11/28/95	12/15/95
79-16-1-a	am	971300	12/16/97	1/8/98

Solid Waste Regulations 79--(HISTORY)

79-16-1-a	am	031615	6/15/2004	7/2/2004
79-16-1-a	am	051298	3/23/2006	4/11/2006
79-16-1-b	am	971300	12/16/97	1/8/98
79-16-1-b	am	031615	6/15/2004	7/2/2004
79-16-1-c	rn to 79-16-1-d	051298	3/23/2006	4/11/2006
79-16-1-c	cr	051298	3/23/2006	4/11/2006
79-16-1-c	am	051702	7/12/2006	7/29/2006
79-16-2	am	891613	12/19/89	1/13/90
79-16-2	am	891826	1/16/90	2/3/90
79-16-2	am	980963	12/18/98	1/1/99
79-16-2	rn to 79-16-2-a	990118	5/11/99	5/28/99
79-16-2-a	am	000977	11/10/2000	1/1/2001
79-16-2-a	rc	010233	6/19/2001	6/30/2001
79-16-2-a	am	010858	11/9/2001	1/1/2002
79-16-2-a-1-b	rn to 79-16-2-a-1-c	011258	2/12/2002	3/1/2002
79-16-2-a-1-b	cr	011258	2/12/2002	3/1/2002
79-16-2-a-1-c	rn to 79-16-2-a-1-d	011258	2/12/2002	3/1/2002
79-16-2-a-1-d	am	050143	6/14/2005	7/1/2005
79-16-2-a-1-d	am	081369	3/3/2009	3/20/2009
79-16-2-a-2	rn to 79-16-2-a-3	060640	9/26/2006	11/11/2006
79-16-2-a-2	cr	060640	9/26/2006	11/11/2006
79-16-2-b	cr	990118	5/11/99	5/28/99
79-16-3	am	881930	3/7/89	3/25/89
79-16-3	am	890284	6/27/89	7/18/89
79-16-3	am	911889	3/3/92	3/20/92
79-16-3	am	940741	9/27/94	10/14/94
79-16-3	am	001458	2/27/2001	3/16/2001
79-17	rn to 79-19	051414	2/28/2006	3/17/2006
79-17	cr	051414	2/28/2006	3/17/2006
79-21	cr	912439	9/27/94	1/1/95
79-23	cr	912439	9/27/94	1/1/95
79-23-16	am	001458	2/27/2001	3/16/2001
79-25	cr	912439	9/27/94	1/1/95
79-27	cr	912439	9/27/94	1/1/95
79-29	cr	912439	9/27/94	1/1/95
79-31	cr	912439	9/27/94	1/1/95
79-32	cr	050883	11/11/2005	1/1/2006
79-33	cr	912439	9/27/94	1/1/95
79-35	cr	912439	9/27/94	1/1/95
79-37	cr	912439	9/27/94	1/1/95
79-39	cr	912439	9/27/94	1/1/95
79-40	cr	890283	11/28/95	12/15/95
79-40	am	971300	12/16/97	1/8/98
79-41	cr	912439	9/27/94	1/1/95
79-41-1	am	010858	11/9/2001	1/1/2002
79-43	cr	912439	9/27/94	1/1/95
79-43	am	980963	12/19/98	1/1/99
79-47	cr	912439	9/27/94	1/1/95
79-47-1-a	m to 79-47-1-b	010233	6/19/2001	6/30/2001
79-47-1-a	cr	010233	6/19/2001	6/30/2001
79-47-1-b	m to 79-47-1-c	010233	6/19/2001	6/30/2001
79-47-1-c	cr	890283	11/28/95	12/15/95
79-47-1-c	am	971300	12/16/97	1/8/98
79-47-1-c	m to 79-47-1-d	010233	6/19/2001	6/30/2001
79-47-1-e	cr	050883	11/11/2005	1/1/2006
79-47-1-e	am	081369	3/3/2009	3/20/2009
79-47-2-a	am	001458	2/27/2001	3/16/2001

**79--(HISTORY) Solid Waste Regulations**

79-47-2-c	am	001458	2/27/2001	3/16/2001
79-47-3	am	001458	2/27/2001	3/16/2001
79-47-3	am	051655	5/9/2006	5/26/2006
79-51	cr	901347	5/14/91	5/18/91
79-51	rp	031604	12/21/2004	7/1/2005
79-53	cr	901347	5/14/91	5/18/91
79-53	rp	031604	12/21/2004	7/1/2005
79-55	cr	901347	5/14/91	5/18/91
79-55	rp	031604	12/21/2004	7/1/2005
79-57	cr	901347	5/14/91	5/18/91
79-57	rp	031604	12/21/2004	7/1/2005
79-59	cr	901347	5/14/91	5/18/91
79-59	rp	031604	12/21/2004	7/1/2005
79-61	cr	901347	5/14/91	5/18/91
79-61	rp	031604	12/21/2004	7/1/2005
79-63	cr	901347	5/14/91	5/18/91
79-63	rp	031604	12/21/2004	7/1/2005
79-65-3	rc	060775	11/10/2006	4/1/2007

# Recycling Task Force Meeting

## April 27, 2009

### Agenda Item 6:

Discussion relating to City and State recycling enforcement laws



# **Required components of an effective recycling program (NR 544.04)**

- Public information and education program
- Ordinance reflecting State law
- System for collecting recyclables from single family and 2 to 4 unit residences
- Equipment and staff to implement the recycling program
- Require owners of multiple family dwellings and non-residential facilities and properties to provide recycling at their facilities and properties
- A means of adequately enforcing the requirements of the effective recycling program
- A compliance assurance plan
- Submittal of an annual program report

# Compliance Assurance Plan

- City of Milwaukee's CAP Created in July of 2006
- The CAP, at a minimum, shall contain the procedure to follow when addressing at least one specific compliance issue

## Ours: 3 scenarios

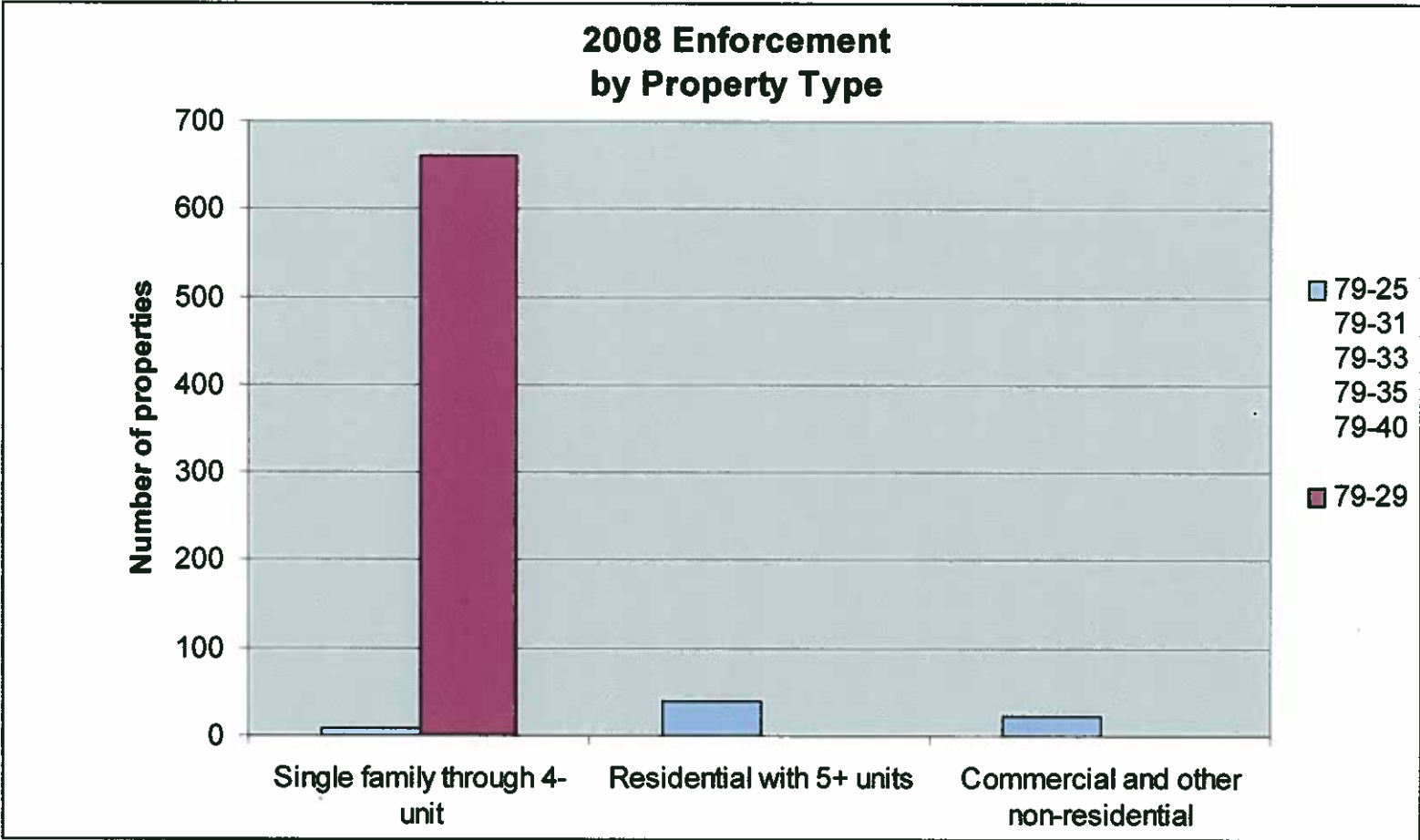
- Violations by Businesses / >4-Unit Multifamily Dwellings / Institutions
- Violations by Residents—Example of contamination of recycling cart
- Violations by Residents, Single Family through 4-plex – Example of Non-Participation

# Recycling Violations and Penalties



<b>Code</b>	<b>Violation</b>	<b>Violation Frequency (within 12 months)</b>	<b>Penalty</b>
<b>79-29</b>	Improper Sorting and Storage of Recyclable Materials	1st	Written Notice
		2nd	\$20
		3rd or more	\$40
<b>79-33, 79-35</b>	Failure to provide containers for collection and provide removal of recyclable materials by Multi-Family Dwellings and Non-Residential Properties	1st & 2nd	\$50 - \$200
		3rd or more	\$100 - \$500
<b>79-40</b>	Removal of Recyclables or Recycling Containers	1st or more	\$25 - \$500
<b>79-25</b>	Non-compliance with separation of recycling materials	1st	\$10
		2nd or more	\$25

# Properties Enforced in 2008



# Enforcement

- Recycling assistance integrated into enforcement process
- Compliance Summary through 2008
  - 161 properties enforced (145 attained compliant status)
  - 30 special charges issued totaling \$3,850.64
- Compliance Summary 2008 alone
  - 65 properties enforced (50 attained compliant status)
  - 23 special charges issued totaling \$3,047.38
- Cart contamination
  - 2006: 315 notices issued resulting in 141 special charges totaling \$2,775
  - 2007: 667 notices issued resulting in 379 special charges totaling \$11,215
  - 2008: 661 notices issued resulting in 353 special charges totaling \$9,915

# Recycling Task Force Meeting

## April 27, 2009

### Agenda Item 4:

Presentation by DPW Sanitation staff on the City's recycling program

Presented by Rick Meyers, Recycling Specialist

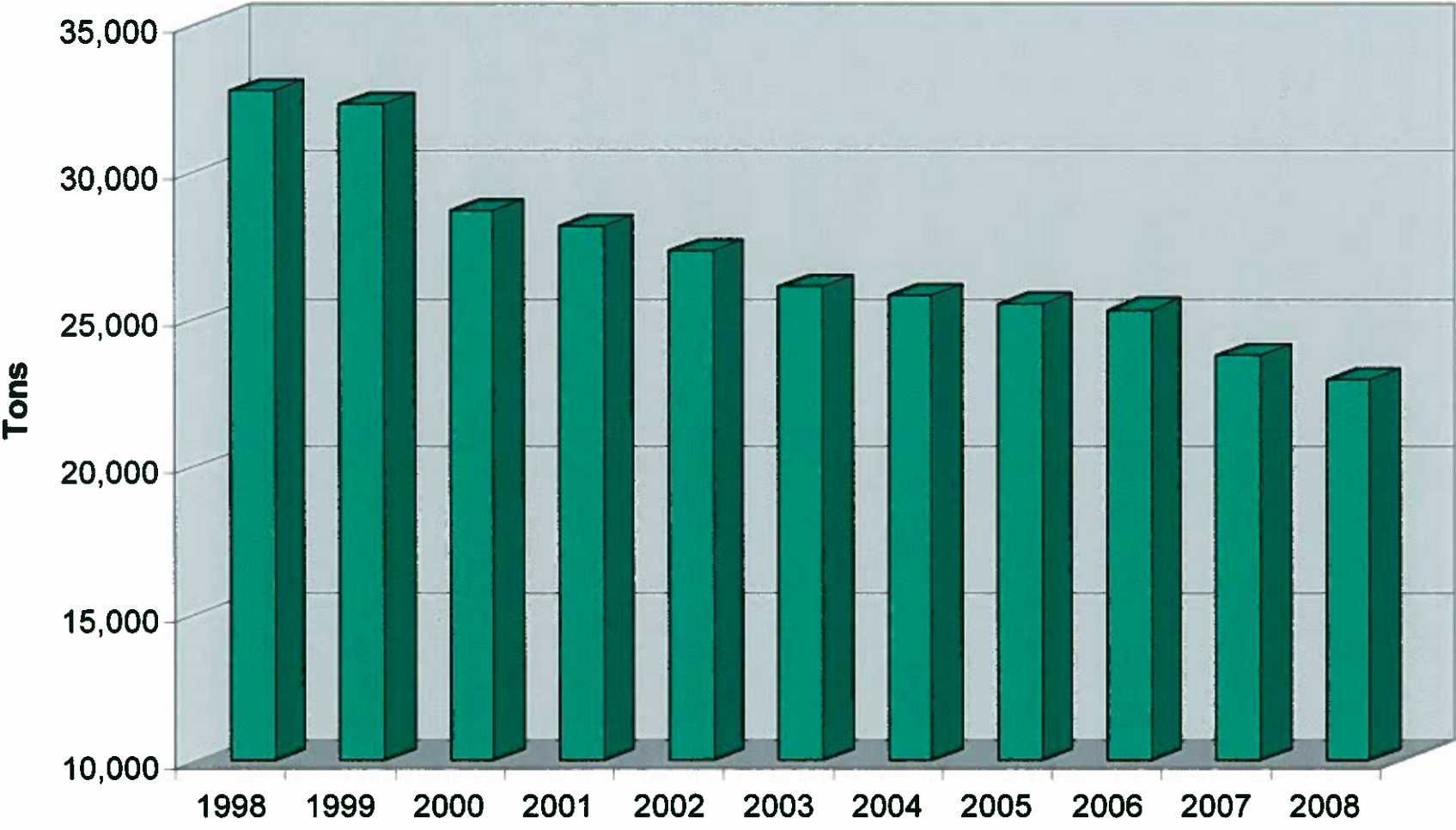


# City of Milwaukee Residential Recycling

## Program History:

- 1971: drop-off sites established for glass, tin-cans, and newspaper
- 1977: experiment with refuse-derived fuel plant
- 1989: curbside pilot program initiated
- **1995: city wide curbside program implemented**

# City of Milwaukee Residential Recycling 1998 - 2008



# City of Milwaukee Residential Recycling

## Program Overview:

- 190,000 single family through 4-unit properties
- 34 recycling routes in winter, 31 in summer
- 85% of HH's serviced with 95-gallon carts picked up monthly (2 summer routes 2X/month)
- 15% of HH's serviced with 18-gallon bins picked up weekly





# Recycling Collection Details

- Dual stream program, municipal collection
- Split carts and split recycling packers
- Semi-automated, single cart system
- Single person collection crew
- High material quality with dual stream collection





# Recyclables Processing & Marketing

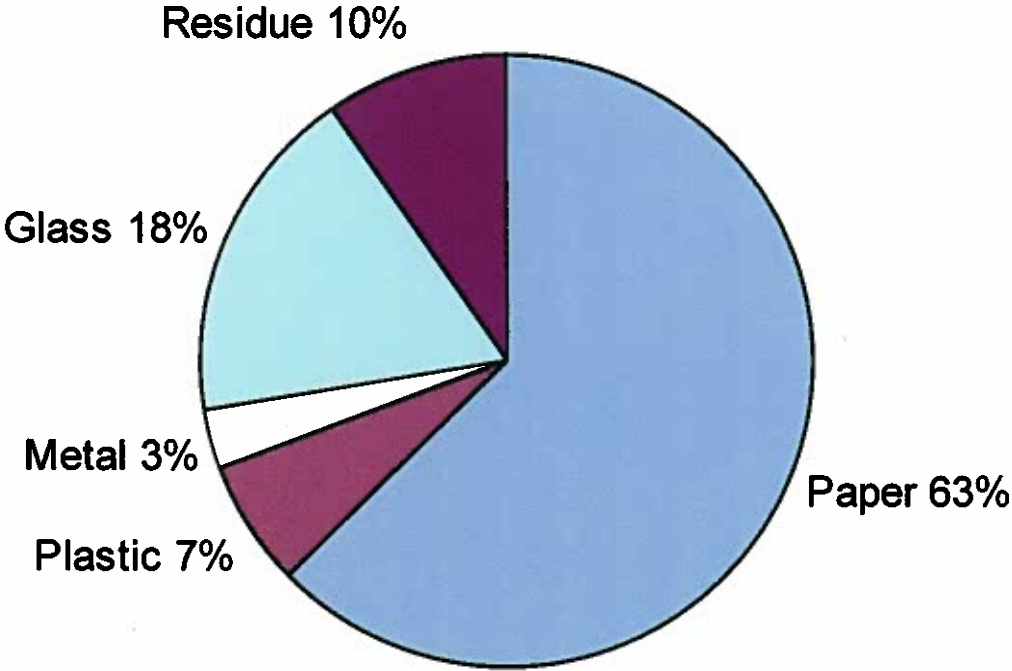
- City owns its Materials Recovery Facility (MRF)
- Contracts out its operation & marketing of recyclables
  - July 1, 2009 entering first of up to 5 optional extension years
  - Could continue contract through June 30, 2014
  - Contract basics:
    - Per ton processing fee, annually adjusted (CPI)
    - 50% revenue share from sale of processed recyclables

# Milwaukee's Materials Recovery Facility

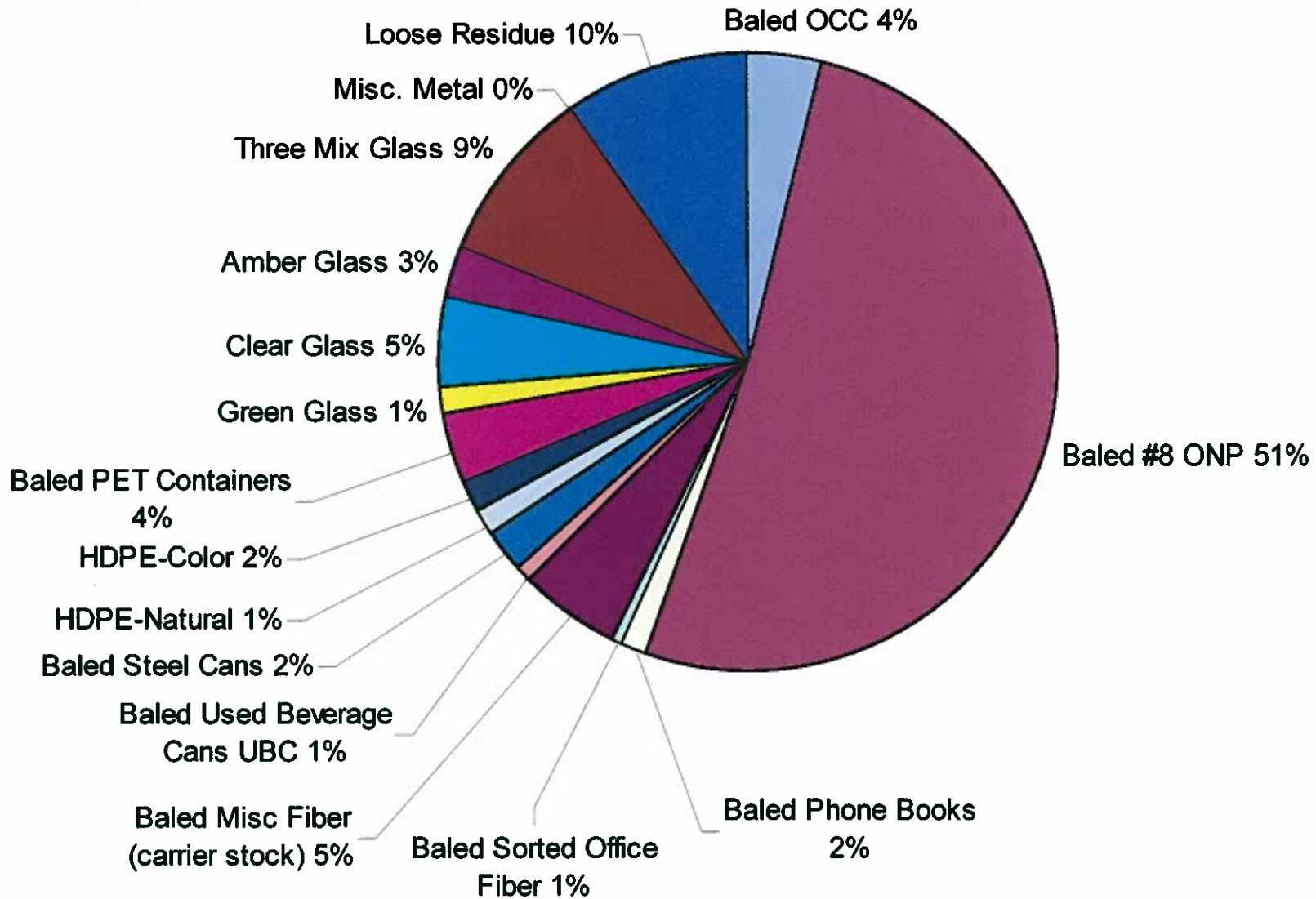
- Dual stream processing
  - Paper fibers
  - Commingled containers



**City of Milwaukee MRF  
Materials Processed by Weight  
2007**



### City of Milwaukee MRF Materials Processed by Weight (2007)



# Financial Data

Revenue to City: **\$7.4 mil.** to General Fund (2004-2008)

2008:

Net Revenue: \$376,395 (\$15.16/T)

Avoided disposal costs: \$725,896 (\$29.24/T)

**Total net benefit: \$1,102,291 (\$44.40/T)**

# Education and Outreach

- UW Grant outreach
- EPA RCC Recycling With a Personal Touch
- Recycling DVD, 3 segments/age groups
- Recycle For Good
  - New advertisements
  - Website
  - Neighborhood campaigns
- Recycle More Wisconsin
- MRF tours & educational programs (Keep Greater Milwaukee Beautiful)

New promotional campaign launched  
Sept 30, 2008



LET'S MAKE MILWAUKEE CLEAN & GREEN.







# Looking forward

- Guaranteed schedule, biweekly
- Potential changeover of some bins to carts
- Single or dual stream collection?
- Public vs. private MRF?

# Recycling Task Force Meeting

## April 27, 2009

### Agenda Item 7:

Discussion on how the city of Milwaukee's recycling program compares to other cities



# Recycling Tons, Wisconsin RUs

<b>Top RUs by Population</b>	<b>Total Household Recyclables per Capita (lbs.)</b>	<b>Rank (out of 25 largest RUs)</b>
Milwaukee	86.4	24
Waukesha, County	157.6	7
Madison	137.7	11
Outagamie, County	187	1
Green Bay	146.5	10
Eau Claire, County	123.3	17
Kenosha	123.8	16
Racine	107.3	20

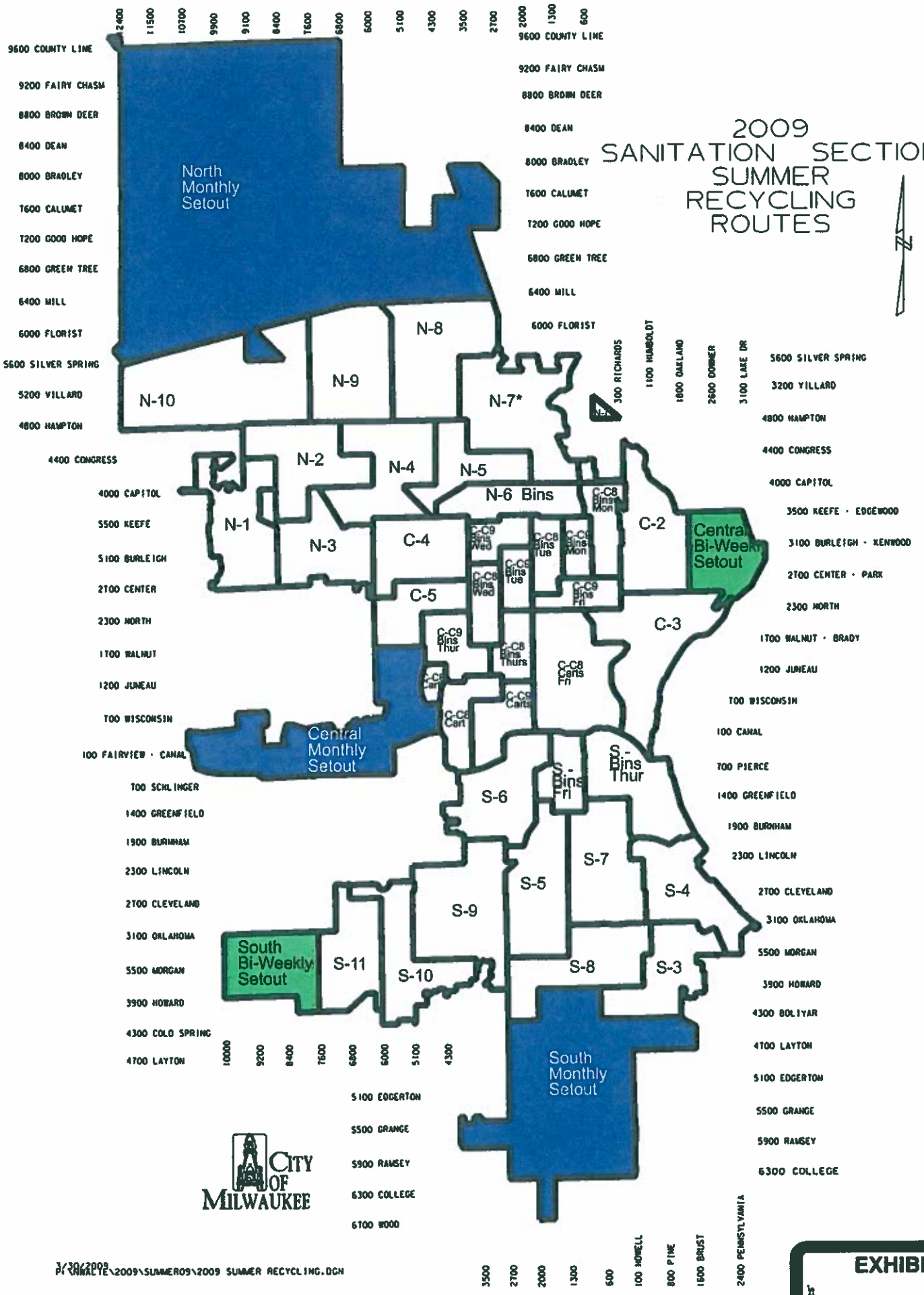
*Data taken from Appendix 3 "Recycling Tons in Wisconsin 25 Largest Responsible Units", of the Audit of the City of Milwaukee Recycling Program, June 2008*

# Residential Recycling in the U.S.

<b>City</b>	<b>Residential Recycling Rate</b>	<b>Frequency</b>	<b>How collected</b>
<b>Columbus</b>	12%	Weekly	Commingled
<b>Austin</b>	28%	Weekly	Source-Separated
<b>Memphis</b>	27%	Weekly	Commingled
<b>Baltimore</b>	27%	Weekly	Source-Separated
<b>MILWAUKEE</b>	25%	Monthly	Source-Separated
<b>Fort Worth</b>	20.6%	Weekly	Commingled
<b>Charlotte</b>	11.5%	Weekly	Commingled
<b>El Paso</b>	2%	NA	NA
<b>Boston</b>	23%	Weekly	Source-Separated

*Data taken from Appendix 5 "Municipal Recycling in the U.S.- 30 largest cities by population", of the Audit of the City of Milwaukee Recycling Program, June 2008*

# 2009 SANITATION SECTION SUMMER RECYCLING ROUTES

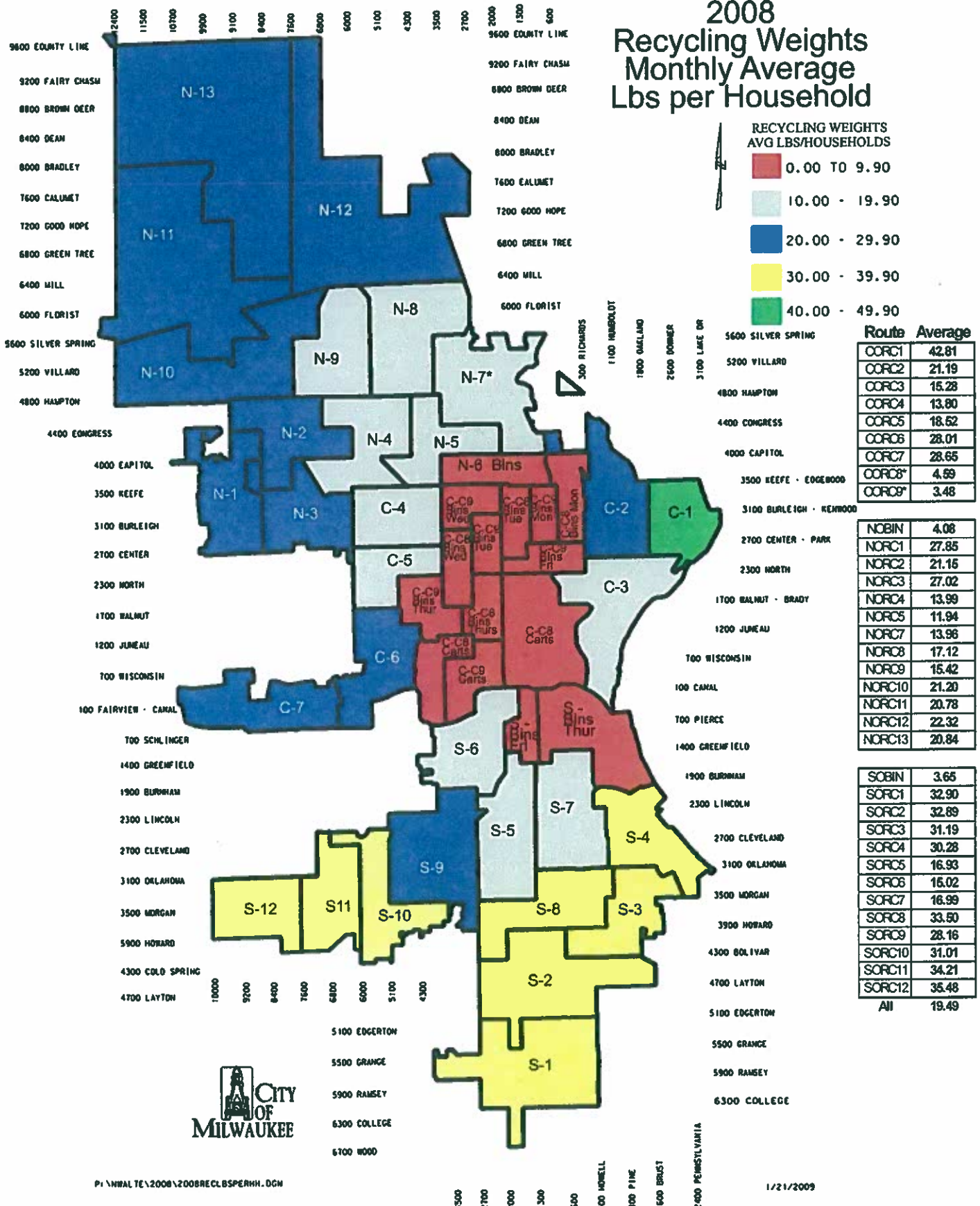


**EXHIBIT**

tabbies

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# 2008 Recycling Weights Monthly Average Lbs per Household



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1/21/2009

**EXHIBIT**

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