



Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed

**File created:** 11/27/2018      **In control:** COMMON COUNCIL

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**Effective date:**

**Title:** A substitute ordinance relating to solid waste regulations.

**Sponsors:** ALD. STAMPER

**Indexes:** SOLID WASTE, SOLID WASTE DISPOSAL

**Attachments:** 1. Proof of publication

Date	Ver.	Action By	Action	Result	Tally
11/27/2018	0	COMMON COUNCIL	ASSIGNED TO		
3/28/2019	1	CITY CLERK	DRAFT SUBMITTED		
4/4/2019	1	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
4/16/2019	1	COMMON COUNCIL	PASSED	Pass	14:0
4/29/2019	1	MAYOR	SIGNED		
5/2/2019	1	CITY CLERK	PUBLISHED		

181292  
SUBSTITUTE 1

ALD. STAMPER

A substitute ordinance relating to solid waste regulations.

- 79-1-2.5      am
- 79-1-5.5      cr
- 79-1-7.5      cr
- 79-1-11.5      cr
- 79-1-12      rc
- 79-1-13      cr
- 79-14.5      rc
- 79-23-2      rc
- 79-23-16      rc
- 79-23-19      rc
- 79-23-30      rc
- 81-35.9      rp

This ordinance authorizes the department of public works to accept solid waste for deposit at city drop-off centers, with the exclusion of hazardous substances of non-domestic origin and manufacturing waste. Any person that deposits the specified materials at a city drop-off center shall be assessed a fee according to a fee schedule established by the commissioner of public works or his or her designee. The fee for certain types of solid waste may be waived as set forth in the fee

schedule. This ordinance also makes more consistent certain definitions in various parts of the solid waste regulations.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 79-1-2.5 of the code is amended to read:

**79-1. Definitions.**

**2.5. COMPOSTING** means the controlled biological reduction of ~~[[yard-waste]]~~ >>organics<< to humus.

Part 2. Section 79-1-5.5 of the code is created to read:

**5.5. LANDFILL MATERIAL** means material that is neither recyclable material nor suitable for composting.

Part 3. Section 79-1-7.5 of the code is created to read:

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

Part 4. Section 79-1-11.5 of the code is created to read:

**11.5. RESIDENTIAL DWELLING** means a property containing 4 or fewer dwelling units.

Part 5. Section 79-1-12 of the code is repealed and recreated to read:

**12. SOLID WASTE** consists of the following categories:

a. Bulky waste is discarded articles, including, but not limited to, furniture designed or manufactured for indoor use, including, but not limited to, upholstered furniture, that has been left exposed in an outdoor area, including an unenclosed porch. The term does not include electronic devices, as defined in sub. 4.5, or major appliances as defined in s. 79-23-10.

b. Commercial waste is garbage, rubbish, tree waste, bulky waste, liquid waste, or nauseous or offensive materials resulting from the operation of business enterprises, including, but not limited to, factories, offices, stores or restaurants.

c. Construction waste is waste resulting from construction, demolition, alteration or repair, including excavated material. This includes, but is not limited to, roofing material, brick, stones, concrete, lumber, drywall, paneling and other construction material and is exclusive of any waste resulting from a fire, any painted bricks, blocks or concrete, any asphalt, or any concrete containing iron rods.

d. Domestic waste is garbage, rubbish, tree waste, or certain liquid waste or nauseous or offensive materials resulting from human habitation and the usual routine of housekeeping of residential or multiple-family dwelling units, churches, charitable educational institutions, charitable organizations or residence buildings used by such charitable organizations incident to their operation.

e. Garbage is all waste, animal, fish, fowl, fruit, or vegetable matter incident to and resulting from the

use, preparation or storage of food for human consumption, including spoiled food.

f. Manufacturing waste is waste resulting from manufacturing or industrial processes, but shall not include waste generated by human habitation of the manufacturing or industrial premises.

g. Organics is compostable garbage and yard waste.

h. Rubbish is miscellaneous waste material resulting from housekeeping or ordinary mercantile enterprises, including boxes, cartons, excelsior, paper, ashes, cinders, tin cans, bottles, broken glass, metals, rubber, packaging, including flexible packaging or multi-layer containers, plastics, lawn or garden waste or similar materials.

i. Tree Waste is domestic or commercial waste resulting from the removal, pruning or trimming of trees, including branches, limbs, trunks and stumps having a diameter of greater than 6 inches.

j. Yard waste is leaves, grass clippings, garden debris and brush. Brush includes branches and tree limbs having a diameter of less than 6 inches.

Part 6. Section 79-1-13 of the code is created to read:

**13. 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.

Part 7. Section 79-14.5 of the code is repealed and recreated to read:

**79-14.5. Depositing of Materials at Drop-off Centers. 1. MATERIALS ACCEPTED.** Solid waste shall be accepted for deposit at a city drop-off center according to the conditions for load acceptance established by the commissioner or his or her designee, subject to the exclusions in sub. 2.

**2. EXCLUSION.** Manufacturing waste and materials that are hazardous substances, other than domestic waste, shall not be accepted for deposit.

**3. FEE.** Any person that causes to be deposited, dropped, dumped, discharged or left any solid waste at a city drop-off center shall be assessed a fee according to a fee schedule established by the commissioner of public works or his or her designee.

**4. FEE WAIVED FOR CERTAIN TYPES OF SOLID WASTE.** The fee for selected types of solid waste may be waived according to the fee schedule established by the commissioner of public works or his or her designee.

Part 8. Section 79-23-2 of the code is repealed and recreated to read:

**79-23. Definitions.**

**2.** Commissioner shall mean the commissioner of public works and such supervisory employees of the department to whom his or her authority may be delegated.

Part 9. Section 79-23-16 of the code is repealed and recreated to read:

**16.** Person includes any individual, contractor, firm or corporation, or agent or servant thereof.

Part 10. Section 79-23-19 of the code is repealed and recreated to read:

**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.

Part 11. Section 79-23-30 of the code is repealed and recreated to read:

**30.** Yard waste means leaves, grass clippings, garden debris and brush. Brush includes branches and tree limbs having a diameter of less than 6 inches.

Part 8. Section 81-35.9 of the code is repealed.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

Department of Public Works-Sanitation

Dana J. Zelazny

LRB171653-2

March 28, 2019