

**TOWN OF CEDARBURG
ORDINANCE NO. 2011-03**

**An Ordinance to Amend Chapter 273, Solid Waste
Town of Cedarburg Code of Ordinances, Ozaukee County, Wisconsin,
For Collection Alternatives for Refuse Cart Overflow.**

The Town Board of the Town of Cedarburg, Wisconsin, do ordain as follows:

Chapter 273 of the Town of Cedarburg Code of Ordinances is hereby amended to read as follows:

**(The text modified with a strikethrough shall be deleted).
(The text modified with an underline shall be added).**

§ 273-5. Refuse containers and carts.

A. General container standards. All refuse containers or carts shall be as described in § 273-3 of this article. They shall be maintained in a nuisance- and odor-free condition and shall be sufficient to prevent the scattering of contents by weather conditions or animals.

B. Approved containers. All garbage created, accumulated or produced shall be deposited in refuse containers or carts of a type approved by the Town.

[Amended 10-4-2006 by Ord. No. 2006-11; 2-6-2008 by Ord. No. 2008-5; 12-2-2010 by Ord. No. 2010-17]

(1) After, December 31, 2010, except as provided herein, only approved refuse carts shall be used by residents of the Town for the collection of refuse. No household may have more than three carts per residence. The following exception may apply to the requirements of using refuse carts:

Residents with a permanent physical limitation or disability that make it unreasonably difficult or not possible to use a refuse cart for collection at a residential unit, and for whom no regular assistance with the refuse carts is available, may apply to the Director of Public Works for an exemption from the refuse cart requirement for the residential unit. However, if such exemption is granted the only other type of containers that may be used is plastic bags of not more than 32 gallons in size and its contents of refuse weighing less than 50 pounds.

(2) All newly constructed homes receiving occupancy permits after January 1, 2006, shall be required to purchase a refuse cart or carts as described in § 273-3. No household may have more than three carts per residence. Refuse not contained within the cart (overflow) will not be collected, unless in compliance with Subsection B(1) above or as otherwise permitted by this article, Subsection B(3) below.

(3) Town residents may bring overflow refuse to the Town yard, (that area adjoining the Town Hall and Town Garage and surrounded by a chain link fence) for placement in assigned containers. Overflow shall not contain recyclable material, shall not contain any hazardous or prohibited material, and shall consist only of refuse generated in the Town of Cedarburg. All overflow refuse must be in plastic bags. No large or bulk items may be dropped off. These items will require a special pick-up as defined in this article.

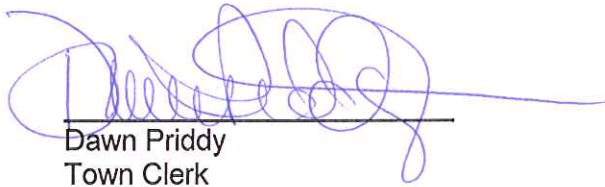
Drop off will only be accepted during regular business hours for Town Hall or during open hours for the recycling center. During regular business hours, residents must sign in at Town Hall prior to depositing the overflow refuse. During recycling center hours, residents must check in with the yard attendant before depositing overflow refuse.

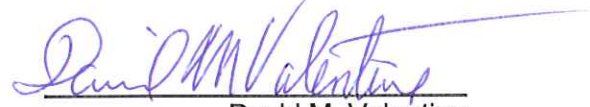
(4) Any refuse carts purchased from the Town will be covered by the manufacturer's applicable warranty. Damage that occurs to the cart, either within or after the expiration of the applicable manufacturer's warranty, during normal refuse collection activities shall be repaired or replaced by the Town. If the refuse cart is damaged due to abuse, vandalism, unauthorized repair or alteration or failure due to natural calamities, such as fire, storm or high winds, it will be the homeowner's responsibility to have the cart repaired or replaced.

**(The above text modified with a strikethrough shall be deleted).
(The above text modified with an underline shall be added).**

This ordinance shall be in full force and effect upon its passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, this 2nd day of March, 2011.


Dawn Priddy
Town Clerk


David M. Valentine
Town Chairman