

## ORDINANCE

An Ordinance to amend Section 13.030 of the Manitowoc Municipal Code regarding Regulation of Commercial Garbage Haulers.

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

**Section 1.** Section 13.030 is amended to read as follows:

### **“13.030 Regulation of Commercial Garbage Haulers.**

...

#### **(3) Collection and Disposal.**

...

(a) Collection of Recyclables. As a condition of receiving a commercial garbage hauler’s license, each commercial garbage hauler must provide sufficient staff and equipment to collect and properly deliver or process recyclables. **Commercial garbage haulers shall provide curbside recycling at least monthly.** Recyclables shall be kept separate from other solid waste collected by the licensed garbage hauler and the recyclables shall not be disposed of at a licensed landfill. **The containers used for the collection of recyclables shall be clearly labeled that they are for Recyclable Materials Only.**

(b) Pricing. Commercial garbage haulers shall adopt and utilize a volume-based **tiered** rate structure for the collection of solid waste from occupants of single-family and two- to four-unit residences. The **tiered** rate structure shall provide a flat base charge for weekly nonrecyclable garbage which is placed in a single container of 45 gallons or less **and/or additional tiers up to and including single containers of 96 gallons or less,** except as may otherwise be permitted by the ~~Streets~~ **Public Works** Committee and the Department of Natural Resources. The rate structure shall meet the requirements of Wis. Stat. § [287.11](#) and any other Department of Natural Resources requirements for a volume-based recycling program. The rate structure shall provide that recyclables will be collected at no additional charge to that made for the collection of solid waste to residential customers residing in buildings with four or less dwelling units, except that haulers may make a separate charge for the collection of yard waste and yard debris.

(c) Mixed Load Prohibited. The contents and municipality of origin of each load of garbage or refuse shall be reported accurately to the operators of the landfill in which the garbage is disposed of. In reporting the contents of each load originating in the City of Manitowoc, the hauler shall also report whether the contents consist entirely of residential waste from residential properties with four or less dwelling units, or of any other types of waste. As used in the preceding sentence, **residential waste** shall exclude any waste collected in containers of more than 100 gallons, as well as any demolition, building or remodeling waste. When the garbage or refuse is disposed of at a landfill, no hauler shall mix garbage, refuse or other waste in any one load, part of which may be compensable by the City and part of which is not compensable by the City. Exceptions may be granted to this provision when the hauler submits a plan for apportioning the mixed load to the City of Manitowoc and the other jurisdictions involved in the plan which is approved in writing by the Director of Public Works and an authorized representative of the other jurisdictions, and the hauler complies with any conditions required in the grant of such permission. Any violation of these mixed load requirements shall be cause for immediate revocation of the license issued to such hauler.

(d) Cooperation with Recycling Program. Commercial garbage haulers shall be required to take other measures, such as preparing reports and providing equipment compatible with available recycling facilities, as the City may require for the successful operation of its recycling program. This obligation shall extend to any requirements placed on the City by the State of Wisconsin or any of its agencies, as well as any measures approved by the City’s **Public Works** ~~Streets and Sanitation~~ Committee which are reasonably necessary for the effective operation of the City’s recycling program. **Haulers shall provide residential recycling tonnage data to the City of Manitowoc on or before February 1<sup>st</sup> each year. The data shall include the name of the Materials Recovery Facility (MRF) used to process the materials.**

(e) Fees. All fees, including but not limited to tipping fees, associated with the disposal of waste shall be the sole responsibility of the party delivering the waste to the disposal facility.

(f) Haulers. The garbage haulers are required to abide by the delivery requirements to the specified landfill in accordance with the waste disposal agreement between the City of Manitowoc and the County of Manitowoc. **Haulers shall be required to notify the City of Manitowoc in writing within one week whenever they change or use a new Materials Recovery Facility (MRF).**

**Section 2.** This ordinance shall take effect the day after publication.

INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_

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APPROVED \_\_\_\_\_

Justin M. Nickels, Mayor

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| <b>Fiscal Impact:</b>             | Anticipate no more than \$300 for ordinance publication and code update costs of which are appropriated in the 2026 adopted budget. No additional tax levy or 2026 budget amendments needed. |
| <b>Funding Source:</b>            | General Fund – Clerks – Pub of Legal Notices ((1100-13100-532100))   |
| <b>Finance Director Approval:</b> | /SMA   |
| <b>Approved as to form:</b>       | /EGN   |

This Ordinance was drafted by Eric G. Nycz, City Attorney