



ORDINANCE 05-2026

AMENDING CHAPTER 264 OF THE VILLAGE OF COTTAGE GROVE CODE OF ORDINANCES

The Village Board of the Village of Cottage Grove, Dane County, Wisconsin, does hereby ordain as follows:

Section I: Section 264-4 of the Village of Cottage Grove Code of Ordinances is amended to read as follows:

§ 264-4 **Definitions.**

The following definitions shall be applicable in this article:

BIMETAL CONTAINER

A container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.

CONTAINER BOARD

Corrugated paperboard used in the manufacture of shipping containers and related products.

FOAM POLYSTYRENE PACKAGING

Packaging made primarily of foam polystyrene that satisfied one of the following criteria:

- A. It is designed for serving food or beverages.
- B. It consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
- C. It 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-resistance glass such as pyrex, lead based glass such as crystal, or TV tubes.

HDPE

High-density polyethylene, labeled by the SPI Code No. 2.

LDPE

Low-density polyethylene, labeled by the SPI Code No. 4.

MAGAZINES

Magazines and other materials printed on similar paper.

MAJOR APPLIANCE

A residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater or stove.

MULTIPLE-FAMILY DWELLING

A property containing five or more residential units, including those which are occupied seasonally.

NEWSPAPER

A newspaper and other materials printed on newsprint.

NONRESIDENTIAL FACILITIES AND PROPERTIES

Commercial, retail, industrial, institutional and governmental facilities and properties. This term 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

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.

OTHER RESINS OR MULTIPLE RESINS

Plastic resins labeled by the SPI Code No. 7

PERSON

Includes any individual, corporation, partnership, association, local governmental unit, as defined in s. 66.299(1)(a), Wis. Stats., state agency or authority or federal agency.

PETE

Polyethylene terephthalate, labeled by the SPI Code No. 1.

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.

POSTCONSUMER WASTE

Solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in s. 291.01(7), Wis. Stats., waste from construction and demolition of structures, scrap automobiles or high-volume industrial waste, as defined in s. 289.01(17), Wis. Stats.

PP

Polypropylene, labeled by the SPI Code No. 5.

PS

Polystyrene, labeled by the SPI Code No. 6.

PVC

Polyvinyl chloride, labeled by the SPI Code No. 3.

RECYCLABLE MATERIALS

Lead acid batteries; major appliances; waste oil; yard waste; aluminum containers; corrugated paper or other container board; foam polystyrene packaging; glass containers; magazines; newspaper; office paper; rigid plastic containers, including those made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins; steel containers; waste tires; and bimetal containers.

SOLID WASTE

The meaning specified in s. 289.01(33), Wis. Stats.

SOLID WASTE FACILITY

The meaning specified in s. 289.01(35), Wis. Stats.

SOLID WASTE TREATMENT

Any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. "Treatment" includes incineration.

WASTE TIRE

A tire that is no longer suitable for its original purpose because of wear, damage or defect.

YARD WASTE

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

Section II: Section 264-8 of the Village of Cottage Grove Code of Ordinances is amended to read as follows:

§ 264-8. 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 § 264-5A(5) through (15):
 - (1) Provide adequate, separate containers for the recycling program established in compliance with this article. The number of recycling containers shall be equal to or be greater than the number of trash 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 trash 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 semiannually thereafter about the established recycling program.
 - (3) Provide for the collection of the materials separated from the solid waste by the tenants and the delivery of the materials to a recycling facility.
 - (4) Notify tenants of reasons to reduce and recycle solid waste, which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or sites, locations of drop-off collection sites to recycle materials not collected on-site.
- B. The requirements specified in Subsection A do not apply to the owners or designated agents of multiple-family dwellings if the postconsumer waste generated within the dwelling is treated at a processing facility licensed by the Department of Natural Resources that recovers for recycling the materials specified in § 264-5A(1) through (15) from solid waste in as pure a form as is technically feasible.

Section III: Section 264-9 of the Village of Cottage Grove Code of Ordinances is amended to read as follows:

§ 264-9 Responsibilities of owners or designated agents of nonresidential facilities and properties.

- A. Owners or designated agents of nonresidential facilities and properties shall do all of the following to recycle the materials specified in § 264-5A(1) through (15):
 - (1) Provide adequate, separate containers for the recyclable materials. 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 semiannually, all users, tenants and occupants of the properties about the established recycling program.

(3) Provide for the collection of the 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 of reasons to reduce and recycle, which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or sites, locations of drop-off collection sites to recycle materials not collected on-site.

B. The requirements specified in Subsection A do not apply to the owners or designated agents of nonresidential 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 § 264-5A(1) through (15) from solid waste in as pure a form as is technically feasible.

Section IV: Section 264-10 of the Village of Cottage Grove Code of Ordinances is amended to read as follows:

§ 264-10 Collection and handling of recyclables.

No person, persons or other entity generating waste within the Village of Cottage Grove shall do any of the following:

A. Mix or permit intermixing of recyclable and nonrecyclable materials intended for collection by a collection/hauler or intended to be processed at a materials recycling facility.

B. Deposit of cause to be deposited any recyclable material at any authorized collection point when the site is closed or not operating.

- C. Deposit or cause to be deposited any recyclable material in or upon any public street, public waters or public grounds in the Village of Cottage Grove except at authorized locations within appropriate packaging or placed into appropriate containers during specifically authorized collection periods if any are provided.
- D. Deposit or cause to be deposited any recyclable material in any container not specifically intended for the collection of that type or group of recyclable material.
- E. Deposit or cause to be deposited any nonrecyclable material in any container specifically intended for the collection or deposit of recyclable material.
- F. Anti-scavenging provision. Persons shall not pilfer recyclables or disturb recyclables once those materials are placed for collection. All recyclable materials placed for collection pursuant to this article shall thereupon become the property of the Village of Cottage Grove or the Village of Cottage Grove's authorized agent or a private collector/hauler with whom persons in the Village of Cottage Grove have contracted to perform functions pursuant to the recycling plan provided in this article. Only persons authorized by the Village of Cottage Grove or the generator of waste shall collect or handle recyclable materials once those materials have been placed appropriately for collection. Any and each collection by unauthorized persons in violation of this provision shall constitute a separate and distinct offense punishable as provided hereinafter.
- G. No person may dispose of in a solid waste disposal facility or burn in a solid waste treatment facility any of the materials specified in § 264-5A(5) through (15) that have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

Section V: Section 264-12 of the Village of Cottage Grove Code of Ordinances is amended to read as follows:

§ 264-12 Violations and penalties.

- A. General. Except as provided in Subsection B below, any person who violates this article shall be subject to the general penalty provisions of Chapter 1, General Provisions, § 1-19 of this Code.
- B. Any person who violates any provisions of this article or any regulations promulgated pursuant to this article shall forfeit, upon conviction thereof, not less than \$50 nor more than \$200 for each separate violation hereunder, provided that the range of the forfeiture for the third and any subsequent violation of this article or regulations promulgated pursuant thereto within a twelve-month period shall be not less than \$100 nor more than \$500 for each separate violation. Each incident of violation shall be a separate offense, and each day or part thereof during which a violation occurs or continues shall be deemed a separate offense.
- C. For the purpose of ascertaining compliance with the provisions of this article, any authorized officer, employee or representative of the Village of Cottage Grove 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 representative of the Village of Cottage Grove who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.

Section VI: This ordinance shall take effect upon compliance with the publication/posting requirements of the Wisconsin Statutes.

Adopted on this 2nd day of March 2026

BY ORDER OF THE VILLAGE BOARD
VILLAGE OF COTTAGE GROVE

Cynthia Kelm-Nelson, Village President

ATTEST:

Lisa Kalata, Village Clerk