

# TOWN OF BROOKLYN, GREEN COUNTY, WI

## ORDINANCE # 4.1

Adopted: 08/11/2014

### Title: Disposal of Waste and Recyclables at Town facilities

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#### Contents (Sections)

1. Authority and responsibility
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**Section 1 Authority and responsibility** The Town Board has statutory authority, powers and duties pursuant to 60.22(3) - duly adopted village powers (1992) which grant the Town Board powers to regulate, control, license, prevent or permit certain uses and activities for the good order of the Town and for the health, safety and welfare of the public.

**Section 2 Purpose and scope** The purpose of this ordinance is to detail acceptable and prohibited disposal activities at Town facilities.

**Section 3 General provisions** This ordinance was adopted on a roll call vote by a majority of the Town Board with a quorum present and voting and proper notice having been given.

#### **Section 4 Specific Provisions**

##### **4.1 Definitions**

**4.1.1** The terms recyclables and waste have the meanings set forth in then-current Wisconsin Statutes

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## 4.2 Disposal activities by location

### 4.2.1 Town Hall, salt shed, parking lot and surrounding grounds - 400 W. Main St., Brooklyn

Disposal of any and all forms of recyclables and trash is prohibited except in the event a special collection is conducted at the location with Town Board approval.

### 4.2.2 Town Recycling/Solid Waste Facility building, in-drive, yard area and surrounding land- N8790, Benson Road, Brooklyn

Disposal of any and all recyclables and waste is limited to the hours the facility is open for business and then only according to the then-current standards enumerated in Town Ordinances. Disposal of any and all materials not in conformance with the forgoing is prohibited.

### 4.2.3 Liberty Pole Hill Park shelter building, parking lot & in-drive, and surrounding park grounds - corner of Amidon Road & Highway 92, Brooklyn

Only recyclables and waste generated during use of the park may be disposed of at the park. Disposal of any and all carry-in recyclables and waste is prohibited.

All permitted recyclables and waste must be disposed of in the containers provided. Deposit of excess materials on the ground, parking lot or in-drive or in the shelter or is prohibited.

## 4.5 Remedies

### 4.5.1 Enforcement

Any person who violates a provision of this ordinance may be issued a citation as provided for in Town ordinances and procedures, and if found to have failed to comply with this ordinance shall, upon such finding, forfeit no less than \$100 nor more than \$500, together with the costs of prosecution and any applicable penalty assessment.

Issuance of a citation does not preclude the Town from proceeding under Sections 4.5.2 or 4.5.3.

**4.5.2 Abatement** The Town of Brooklyn shall be entitled to abate the violation of this ordinance by any appropriate legal means including removal of the offending materials,

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obtaining injunctive relief or a declaratory judgment and/or enlisting the aid of enforcement mechanisms available to other government agencies.

**4.5.3 Other remedies** Any and all costs incurred by the Town of Brooklyn in effectuating abatement shall be paid by the violator. Non-payment may result in the outstanding amount being placed on the violator's property tax bill as a delinquent charge as provided by Town ordinance. Pursuant to then-current Town ordinance, non-payment could also result in denial by the Town of any application(s) for a license or permit until the outstanding amount is collected.

**4.5.4 Recourse** Anyone issued a citation alleging violation of specific sections of this ordinance may enter a not guilty plea and avail themselves of the Green County Court system.

## Section 5 Standard provisions

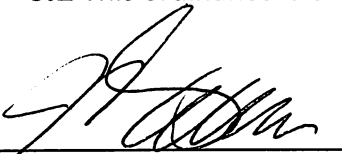
**5.1 Severability** Provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the applicability thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

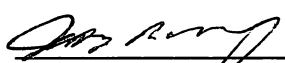
**5.2 Headings and Titles** Headings, labels, and formatting in this ordinance are for the convenience of the reader only and do not provide independent meaning or substance to this ordinance.


## Section 6 Miscellaneous provisions


**6.1** Pursuant to WI Statute 60.80 the clerk shall post this ordinance as required.

**6.2** This ordinance is effective upon being published/posted

  
James B. Scrivner, Chairman

  
Jeffrey McNeely, 1<sup>st</sup> Sup.

  
John Davis Jr., 2<sup>nd</sup> Sup.

Attested by:   
Dan Meixelsperger, Clerk

Published/Posted: September 12<sup>th</sup>, 2014  
*Sept. 18, 2014*