

Ordinance # 2026 – 2

Town of Sherry  
Wood County, Wisconsin

**1.01 Title.** Recycling Ordinance for Town of Sherry.

**1.02 Purpose.** The purpose of this ordinance is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in s. 287.11, Wis. Stats., and ch. NR 544, Wis. Adm. Code.

**1.03 Statutory Authority.** This ordinance is adopted as authorized under s. 287.09(3)(b), Wis. Stats.

**1.04 Abrogation and Greater Restrictions.** It is not intended by this ordinance to repeal, abrogate, annul, impair or interfere with any existing rules, regulations, ordinances or permits previously adopted or issued pursuant to law. However, whenever this ordinance imposes greater restrictions, the provisions of this ordinance shall apply.

**1.05 Interpretation.** In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes. Where any terms or requirements of this ordinance may be inconsistent or conflicting, the more restrictive requirements or interpretation shall apply. Where a provision of this ordinance is required by Wisconsin Statutes, or by a standard in ch. NR 544, Wis. Adm. Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the ch. NR 544 standards in effect on the date of the adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance.

**1.06 Severability.** Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

**1.07 Applicability.** The requirements of this ordinance apply to all persons within The Town of Sherry.

**1.08 Administration.** The provisions of this ordinance shall be administered by the Sherry Town Board.

**1.09 Effective Date.** The provisions of this ordinance shall take effect on May 1<sup>st</sup>, 2026 .

**1.10 Definitions.** For the purpose of this ordinance:

- 1) “Bi-metal container” means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.

- 21) "Recyclable materials" includes 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 bi-metal containers.
- 22) "Solid waste" has the meaning specified in s. 289.01(33), Wis. Stats.
- 23) "Solid waste facility" has the meaning specified in s. 289.01(35), Wis. Stats.
- 24) "Solid waste treatment" means any method, technique or process which is designed to change the physical, chemical or biological character or composition of solid waste. "Treatment" includes incineration.
- 25) "Waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
- 26) "Yard waste" means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

**1.11 \*Separation of Recyclable Materials.** Occupants of single family and 2-to-4-unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from postconsumer waste:

- 1) Lead acid batteries
- 2) Major appliances
- 3) Waste oil
- 4) Yard waste
- 5) Aluminum containers
- 6) Bi-metal containers
- 7) Corrugated paper or other container board
- 8) Foam polystyrene packaging
- 9) Glass containers
- 10) Magazines
- 11) Newspaper
- 12) Office paper
- 13) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins
- 14) Steel containers
- 15) Waste tires

**1.12 \*Separation Requirements Exempted.** The separation requirements of s. 1.11 do not apply to the following:

- 1) Occupants of single family and 2-to-4-unit residences, multiple-family dwellings and non-residential facilities and properties that send their postconsumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials specified in s. 1.11 from solid waste in as pure a form as is technically feasible.
- 2) Solid waste which is burned as a supplement fuel at a facility if less than 30 % of the heat input to the facility is derived from the solid waste burned as supplement fuel.

- 7) Newspaper shall be bundled or placed in bags and brought to the Sherry-Milladore Recycling Center.
- 8) Office paper shall be bundled or placed in bags and brought to the Sherry-Milladore Recycling Center.
- 9) Rigid plastic containers shall be rinsed clean and deposited into the proper bins at the Sherry-Milladore Recycling Center.
- 10) Steel containers shall be rinsed clean and deposited into the proper bins at the Sherry-Milladore Recycling Center.
- 11) Waste tires shall be dropped off at Liberty Tire in Auburndale, WI.

**1.16 \*Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings.**

- 1) Owners or designated agents of multiple-family dwellings shall do all of the following to recycle the materials specified in s. 1.11(5) through (15):
  - a) Provide adequate, separate containers for the recycling program established in compliance with the ordinance. The number of recycling containers shall equal or be greater than the number of trash containers and at least one of the following shall be met:
    - i. The minimum total volume of recycling container space is equal to 20 gallons per week per dwelling unit.
    - ii. The ratio of trash container volume to recycling container volume is at most 2:1.
    - iii. 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.
  - b) Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually thereafter about the established recycling program.
  - c) 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.
  - d) Notify tenants which materials are collected, how to prepare the materials in order to meet the processing requirements, collection methods or sites, and locations of drop-off collection sites to recycle materials not collected on-site.
- 2) The requirements specified in 1) 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 s. 1.11(5) through (15) from solid waste in as pure a form as is technically feasible.

**1.17 \*Responsibilities of Owners or Designated Agents of Non-Residential Facilities and Properties.**

- 1) Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in s. 1.11(5) through (15):
  - (a) Provide adequate, separate containers for the recycling program established under this section. 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.

generator of the materials about the reasons for rejecting the items either in writing or verbally. The hauler shall also keep a list of such occurrences and provide it to the Town quarterly.

**1.23 Licensing of Hauler Required.** No person or corporation shall engage in the business of hauling recyclables within the Town of Sherry without being licensed by the Department of Natural Resources under section NR 502.06, Wis. Administrative Code.

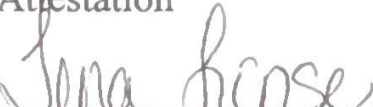
**1.24 \*Enforcement.**

- 1) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the Town of Sherry 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 authorized representative of the Town of Sherry who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.
- 2) Any person who violates a provision of this ordinance may be issued a citation by Sherry Town Board to collect forfeitures. The issuance of a citation shall not preclude proceeding under any other ordinance or law relating to the same or any other matter. Proceeding under any other ordinance or law relating to the same or any other matter shall not preclude the issuance of a citation under this paragraph.
- 3) Penalties for violating this ordinance may be assessed as follows:
  - (a) Any person who violates s. 1.18 may be required to forfeit \$50 for a first violation, \$200 for a second violation, and not more than \$2000 for a third or subsequent violation.
  - (b) Any person who violates a provision of this ordinance, except s. 1.18, may be required to forfeit not less than \$10 or more than \$1000 for each violation.

  
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George Lang, Chairman

  
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Leslie Holtz, Supervisor

  
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Jeffrey Bean, Supervisor

Attestation  
  
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Tena Linse, Clerk

Adopted on May 1<sup>st</sup>, 2026