

STATE OF WISCONSIN
Town of St. Germain, Vilas County
Resolution SG19-03-2
Rescinding of Ordinance SG98-8-1

WHEREAS the Town of St. Germain on August 10, 1998 adopted ordinance SG98-8-1 titled Solid Waste Disposal and Burning; and

WHEREAS the St. Germain Fire Chief has advised that all provisions of that ordinance are adequately provided for and enforced by Administrative Rulings of the Wisconsin Department of Natural Resources; and

WHEREAS the St. Germain Town Board of Supervisors does not wish to include unnecessary chapters in the Town Code of Ordinances,

THEREFORE BE IT RESOLVED that the Town Board of Supervisors does hereby rescind ordinance SG98-8-1 and all amendments to it.

Adopted this 11th day of March 2019

Attest



Tom Christensen, Chairman



Tom Martens, Clerk

SOLID WASTE DISPOSAL AND BURNING ORDINANCE**SECTION I: GENERAL PROVISIONS**

(A) Purpose. The purpose of this ordinance is to insure the public health, safety, and general welfare by controls upon solid waste disposal in the Town of St. Germain.

(B) Definitions:

(1) "Waste" means garbage, refuse, and all other discarded materials, excluding sewage, and processed sewage known as sludge.

(2) "Garbage" means any discarded material resulting from handling, processing, storage, or consumption of food or beverage products and containers thereof.

(3) "Refuse" means discarded matter resulting from commercial, industrial, residential and community life which is subject to decomposition, not including sewage and garbage, but including materials and debris resulting from construction and demolition.

(4) "Yard Waste" means grass clippings, leaves, branches, brush, stumps, or other remains from vegetation.

(5) "Person" means any individual, partner, corporation, joint venture, or government entity.

(6) "Open Burning" means combustion in which the by-products therefrom are emitted directly into the ambient air. It includes the burning of materials in a barrel, stove, grill, fire pit, outdoor fireplace, or other container which may hold materials while they are burning, regardless of whether the by-products of combustion first pass through a chimney prior to their emission into the ambient air. This definition does not include the burning of clean wood, brush, leaves, grass clippings, cardboard, or charcoal.

SECTION II: RESTRICTIONS AND PROHIBITIONS

(A) Open Burning of Garbage. It shall be unlawful for any person to burn garbage or refuse on any property, private or public, in the Town of St. Germain. This includes the open burning of wet combustible refuse, garbage, oily substances, asphalt, and plastic or rubber products. Exempt from this provision of this ordinance is the burning of yard waste, clean untreated wood, clean, dry, unlined or uncoated paper products and bailer twine.

SOLID WASTE DISPOSAL AND BURNING ORDINANCE

(B) Open Burning of Yard Waste, Clean Untreated Wood, Clean Paper Products and Bailer Twine. Any person with yard waste, clean untreated wood, clean, dry, unlined or uncoated paper products and bailer twine generated on their own property may burn these materials on their own property with a valid permit issued by the State Fire Warden, unless other regulations prevent open burning. All allowed open burning shall be conducted in a safe, pollution free manner, when wind and weather conditions are such as to minimize adverse effects and in conformance with local and state fire protection regulations. The Town constable may prevent and suspend open burning under this section upon receipt of a complaint about such open burning, and when the by-products of combustion from such open burning appear likely to offend a reasonable person under circumstances then existing.

(C) Disposal of Solid Waste. It shall be unlawful for any person to bury or burn solid waste on any property private, or public, in the Town of St. Germain.

(D) Exemptions. This ordinance does not apply to outdoor wood or coal burning furnaces that are being used for residential or commercial heating purposes, so long as waste, garbage, or refuse are not being burned in such furnaces.

SECTION III: VIOLATIONS

(A) Forfeiture. Any person who violates, neglects, or refuses to comply with any provision of this ordinance shall be subject to a forfeiture of not more than \$50.00 for the first violation, \$75.00 for the second violation, and \$100.00 for the third and subsequent violations, plus the costs of prosecution, including attorney's fees. Each day a violation exists shall be considered a separate and distinct violation of this ordinance, and all forfeitures under this ordinance shall apply accordingly.

SECTION IV: SEVERABILITY

The 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 is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not effect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

SECTION V: CONFLICTING ORDINANCES

Ordinances which conflict with this Ordinance are hereby repealed.

SOLID WASTE DISPOSAL AND BURNING ORDINANCE

SECTION VI: EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication, as provided by law.

Adopted this 10th day of AUGUST, 1998.

TOWN OF ST. GERMAIN, WISCONSIN

Brian F. Shewer
Town Chairman

John P. Gardner
Supervisor #1

David J. Nagel
Supervisor #2

Clifford
Supervisor #3

Supervisor #4

ATTEST:

Th E White
Town Clerk

Date Adopted: 8-10-98

Date Published: 8-19-98

Adopted this 10th day of AUGUST, 1998.

TOWN OF ST. GERMAIN, WISCONSIN

Brian F. Shuman
Town Chairman

John D. Gardner
Supervisor #1

Donald J. Nagel
Supervisor #2

Charles
Supervisor #3

Supervisor #4

ATTEST:

Th E Noll
Town Clerk

Date Adopted: 8-10-98

Date Published: 8-19-98

Date Effective: 8-19-98