

It is expected that a Quorum of the Personnel Committee, Administration Committee, and Common Council will be attending this meeting: (although it is not expected that any official action of any of those bodies will be taken)

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
November 16, 2009
7:00 PM
or immediately following the Administration Committee

AGENDA

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
 - 1. [November 2, 2009](#)
- D. ACTION ITEMS
 - 1. [Street Use Application – 16th Annual Fox Cities New Year’s Eve Celebration; Thursday, December 31, 2009; 10:30 to 12:30 AM, Community Forward, Inc.](#)
 - 2. [Recommendation to Execute Agreement with Kaempfer & Associates for Preparation of Wastewater Collection System Operation and Maintenance \(O&M\) Manual](#)
 - 3. [Consideration of O-21-09, an Ordinance Relating to Refuse Collection and Recycling Materials and Collection](#)
- E. ADJOURNMENT

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha City Clerk at 967-3603 24-hours in advance of the meeting for the City to arrange special accommodations."

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
November 2, 2009
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Taylor at 7:25 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Alderman Benner, Roush, Taylor, Wisneski, Pack, Hendricks, Zelinski, Englebert
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke, DPW Radtke, CDD Keil,
Clerk Galeazzi.

C. MINUTES TO APPROVE

1. [October 19, 2009](#)

Moved by Ald. Wisneski, seconded by Ald. Pack to approve minutes.
Motion carried on voice vote

D. ACTION ITEMS

1. [Street Use Application – Festival Foods Turkey Trot; Thursday, November 26, 2009;
7:00 AM – 10:00 AM](#)

Moved by Ald. Zelinski, seconded by Ald. Englebert to recommend approval to Common Council
Motion carried on voice vote.

2. [Request to Install Crosswalk on Garfield Avenue at Mondy Akrosil LLC](#)

DPW Radtke explained the request from the Safety Coordinator at Mondy Akrosil. Safety concern of their employees crossing from the parking lot to the plant prompted the request for a crosswalk. DPW Radtke investigated the area and feels the major safety concern results from trucks parking on both sides of Garfield Avenue which may cause a vision obstruction. DPW Radtke recommended denying the request to install a crosswalk and forward the parking issue on Garfield Avenue to the Parking Committee.

Wes Neil, Plant Manager of Mondy Arkosil, spoke on the issue. Putting a parking restriction in the area could help with pedestrian crossing, but may cause other issues for the involved industries.

Moved by Ald. Pack, seconded by Ald. Englebert to deny the request and refer the parking issues to the Parking Committee.
Motion carried on voice vote.

3. [Request to Install Crosswalk on Nassau Street at Nicolet Elementary School](#)

DPW Radtke explained the original request from the principal of Nicolet School. He investigated the area and determined that installing a crosswalk at mid block may actually increase the safety hazard due to proximity to the intersection and poor sight distance for motorists. When he relayed his findings to the principal, the request for the installation of a crosswalk on Nassau Street was withdrawn. DPW Radtke recommended denying the request.

Moved by Ald. Pack, seconded by Ald. Wisneski to deny request.
Motion carried on voice vote.

E. ADJOURNMENT

Moved by Ald. Zelinski, seconded by Ald. Roush to adjourn at 7:43 p.m.
Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, WCMC
City Clerk



STREET USE APPLICATION

Sponsored by: COMMUNITY FORWARD INC.

Responsible Person: JAMES TAYLOR

Address: 340 BROAD ST.

Phone: 725-4857

Email Address: _____

Street Use Date: 12-31-09

Start Time: 10:30 PM

End Time: 12:30 AM

Number of Units: _____

Street Route: (Attach Map) MAIN & MILWAUKEE STREETS

Description of Use _____

Liability Insurance has been secured in the amount of \$ _____ with the City of Menasha named as the additional insured.

Insurance Company _____ Policy No. _____

(Attached is a copy of the insurance certificate).

Date: 10-30-09 Applicant's Signature: James Taylor

Permit Fee: Each application for a Street Use Permit shall be accompanied by a fee of Twenty-Five Dollars (\$25.00). Make checks payable to City of Menasha. See highlighted portion of the attached City of Menasha Municipal Code.

CPD 240-9

Note to events planning to use City Parks and/or greenspace: Any multi-day event or event which plans to sell beer and/or wine to the public must appear before the Parks and Recreation Board.

TO BE COMPLETED BY CITY STAFF

Scheduled Park & Recreation Board Review Date: _____

Not Required: _____ Approved: _____ Denied: _____

Scheduled Common Council Review Date: _____

Approved: _____ Denied: _____

APPROVAL:

Police Dept. [Signature] Fire Dept. [Signature] Public Works Dept. MR City Attorney [Signature]

STREET

PUBLIC PARKING

Don't Family Bakery & Restaurant
Moon's Jeweler
HOT NEW NOW!
HAWKPOST DISCOUNTS

MAIN STREET

BANTA CORPORATION

WELLS FARGO



WELLS FARGO

STREET

FIREWORKS DISPLAY AREA

BROAD

Germania Hall

Millon's Chiropractic

FIRST STAR

PUBLIC PARKING

CHUTE



Maple Leaf Market



WELLS FARGO

WELLS FARGO RESTAURANT

GRAND STANDS

MARINA



LOUISIANA LIGHTS

CENTER

Anderson

MAIN STAGE

PUBLIC PARKING

WATER

BUILDING

ACORD CERTIFICATE OF LIABILITY INSURANCE

OP ID KE
BRINT-1

DATE (MM/DD/YYYY)
11/02/09

PRODUCER ISC-Rippl/Manier Group PO Box 207 - 333-D 1st Street Menasha WI 54952 Phone: 920-722-2799 Fax: 920-722-1590	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.												
INSURED Community Forward, Inc. PO Box 185 Menasha WI 54952	<table border="1"> <tr> <th>INSURERS AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A: Capitol Indemnity Corporation</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> </table>	INSURERS AFFORDING COVERAGE	NAIC #	INSURER A: Capitol Indemnity Corporation		INSURER B:		INSURER C:		INSURER D:		INSURER E:	
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INSURER C:													
INSURER D:													
INSURER E:													

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS								
A X	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	CP00325121	06/15/09	06/15/10	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000								
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$								
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$								
	EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$								
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<table border="1"> <tr> <td>WC STATU-TORY LIMITS</td> <td>OTH-ER</td> </tr> <tr> <td>E.L. EACH ACCIDENT</td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - EA EMPLOYEE</td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - POLICY LIMIT</td> <td>\$</td> </tr> </table>	WC STATU-TORY LIMITS	OTH-ER	E.L. EACH ACCIDENT	\$	E.L. DISEASE - EA EMPLOYEE	\$	E.L. DISEASE - POLICY LIMIT	\$
WC STATU-TORY LIMITS	OTH-ER												
E.L. EACH ACCIDENT	\$												
E.L. DISEASE - EA EMPLOYEE	\$												
E.L. DISEASE - POLICY LIMIT	\$												
	OTHER												

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

City of Menasha is listed as additional insured.

CERTIFICATE HOLDER

CITYM-1

City of Menasha
140 Main Street
Menasha WI 54952

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
[Signature]



Memorandum

DATE: November 12, 2010

TO: Board of Public Works

FROM: Mark Radtke, Director of Public Works *MR*

RE: Recommendation to Execute Agreement with Kaempfer & Associates for Preparation of Wastewater Collection System Operation and Maintenance (O&M) Manual

In late August the Engineering Department solicited proposals for the preparation of an Operation and Maintenance Manual for its wastewater collection system. The City submitted Requests for Proposals to seven engineering firms but received only one proposal in response, that being from Kaempfer & Associates located in Oconto Falls. Kaempfer is very familiar with our system as they have been the consultant for the City's extensive Sewer System Evaluation Study being undertaken these past few years.

The preparation of the O&M Manual is a very comprehensive process that must comply with the standards established by the Wisconsin Department of Natural Resources (WDNR). The City of Menasha received a low interest loan from the Clean Water Fund Program under Wisconsin Administrative Code NR 162.12 for the completion of sanitary sewer improvements in its Phase 3 Rehabilitation project. The WDNR requires that the O&M Manual be prepared before the Clean Water Fund loan is closed out and will withhold up to 5% of the loan proceeds until the O&M is satisfactorily submitted. For the City of Menasha that amounts to approximately \$120,000.

Based on this information, I recommend the City enter into agreement with Kaempfer & Associates for engineering services for the preparation of the Wastewater Collection System Operation and Maintenance Manual at a cost not to exceed \$16,000.

Enclosure (RFP, Agreement)

Enclosure (RFP, Agreement)

AMENDMENT NO. 2 TO
AGREEMENT FOR ENGINEERING SERVICES BETWEEN
CITY OF MENASHA, WISCONSIN
AND KAEMPFER & ASSOCIATES, INC. FOR
WASTEWATER COLLECTION SYSTEM REHABILITATION IMPROVEMENTS

THIS AMENDMENT, made and entered into on this _____ day of _____, 2009, by and between the City of Menasha, Wisconsin, hereinafter referred to as the "Owner", and Kaempfer & Associates, Inc., a corporation, authorized to provide engineering services in the State of Wisconsin, hereinafter referred to as "Engineer":

WITNESSETH:

WHEREAS, the Owner requires engineering services to plan, design, bid, and construct wastewater collection system rehabilitation improvements; and

WHEREAS, Engineer has available and offers to provide personnel and facilities necessary to accomplish the work within the required time.

NOW THEREFORE, Owner and Engineer agree as follows:

I. DESCRIPTION OF PROJECT

Owner and Engineer agree that the Project is as described in Exhibit "A" titled, "Description of Project for Wastewater Collection System Rehabilitation Improvements", and dated September 14, 2009. If, during the course of performing the engineering work, Owner and Engineer agree that it is necessary to make changes in the Project as described in Exhibit "A", such changes will be incorporated into the Agreement by written amendment.

II. SCOPE OF ENGINEERING SERVICES

Engineer agrees to perform those services which are more particularly described hereafter. Unless modified in writing by both parties, duties of Engineer shall not be construed to exceed those services specifically set forth herein. Engineer agrees to perform those planned tasks described in Exhibit "B" titled "Scope of Engineering Services for Wastewater Collection System Rehabilitation Improvements," dated September 14, 2009.

III. SCOPE OF OWNER SERVICES

The Owner shall examine all information presented by the Engineer and render decisions pertaining to this information in a timely manner. The Owner shall designate a person with authority to act on the Owner's behalf on all matters concerning the project.

Owner agrees to provide one copy of all correspondence, published reports, studies and evaluations, sanitary sewer mapping, plans and specifications, drawings, and operating data concerning the City of Menasha wastewater collection system facilities; and other data requested by the Engineer to complete the project. All borrowed material will be promptly returned to the Owner upon completion of the project. Owner agrees to make its properties available and accessible for inspection by the Engineer.

IV. AUTHORIZATION, PROGRESS, AND COMPLETION

In signing this Amendment, the Owner grants the Engineer specific authorization to proceed with work described in Parts B12 and B13 of Exhibit "B". The work shall be completed in accordance with the schedule in Exhibit "A".

V. COMPENSATION

For the services described in Exhibit "B", which are to be performed by the Engineer, the Owner agrees to pay, and the Engineer agrees to accept, compensation in accordance with the methods and schedules set forth in Exhibit "C" dated September 14, 2009.

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment as of the day and year first above written.

KAEMPFER & ASSOCIATES, INC.

CITY OF MENASHA, WISCONSIN

By 
Christopher Raempfer, P.E.
President

By _____
Donald Merkes
Mayor

By 
Taryn S. Nall, P.E.
Secretary

By _____
Deborah Galeazzi
City Clerk

Date 9/14/09

Date _____

Approved as to form and execution

By _____
City Attorney

Date _____

AMENDMENT NO. 2

EXHIBIT "A"

DESCRIPTION OF PROJECT
FOR
WASTEWATER COLLECTION SYSTEM REHABILITATION IMPROVEMENTS
SEPTEMBER 14, 2009

Engineering services performed under this Amendment are required for the planning, design, bidding, and construction of Phase 3 Wastewater Collection System Rehabilitation Improvements. The work is divided into thirteen parts: Project Management, Project Coordination, Manhole Inspection Program, Smoke Testing Program, Sewer Televising Program, Sanitary Lateral Televising, Sump Pump Inspection Program, Report Preparation, Phase 3 Sewer Rehabilitation Design Services, Phase 3 Sewer Rehabilitation Bidding Services, Phase 3 Sewer Rehabilitation Construction Related Services, Wastewater Collection System O&M Manual Preparation, and Field and Special Studies. Only Wastewater Collection System O&M Manual Preparation and Field and Special Studies are authorized by this Amendment.

EXISTING CONDITIONS

The Menasha wastewater collection and treatment system presently serves the entire developed area in the City of Menasha. The wastewater collection system consists of four (4) sewage lift stations, and approximately 50.3 miles of collector, trunk, and interceptor sewers ranging in size from 8 inches to 48 inches in diameter. A Wastewater Collection System Operation and Maintenance (O&M) Manual is required as a condition of obtaining Clean Water Fund Loan funding for the Phase 3 Wastewater Collection System Rehabilitation Improvements project.

DESCRIPTION OF PROJECT

A collection system O&M manual will be prepared that complies with the Wisconsin Department of Natural Resources requirements. A copy of the O&M manual certification checklist is included at the end of this Exhibit.

The manual will describe the O&M requirements of the City of Menasha wastewater collection system facilities. The manual will be divided into ten parts as shown in the attached preliminary outline. Part 'A' will be an introduction that describes the purpose and use of the manual. Part 'A' will include a list of references that should be available to the City staff and a list of telephone numbers and addresses for key contacts.

Part 'B' will contain a description of the wastewater collection facilities. The description will include an overview of the sanitary sewer system, sewage lift stations, and design criteria for gravity sewers. The description will include figures showing the collection system facilities, drainage districts, and pipeline materials.

Part 'C' will contain operating instructions for the sanitary sewer system. The operating instructions will be divided into sections describing inflow and infiltration control and prevention, maintenance schedule, sewer cleaning, odor control, inspection, and equipment used in the operation and maintenance of sanitary sewers.

Part 'D' will contain operating instructions for the sewage lift stations. The operating instructions will be divided into sections describing equipment operation, utilities, design and equipment summary, and valve indices for each of the four sewage lift stations. The operating instructions will include figures showing the arrangement of the piping and equipment at each facility.

Part 'E' will be reserved for operating instructions for the SCADA system.

Part 'F' will contain a description of staffing and records. Part 'F' will include an organization chart for the City staff and will include a discussion on certification and training requirements. Part 'F' will also include a description of the City records system and will contain examples of the WDNR and City forms that are routinely used.

Part 'G' will contain a general description of safety requirements and procedures. Part 'G' will include a general discussion on safety requirements and detailed discussions on personal protective equipment, confined spaces, trenches and excavations, working in streets and roads, chemical hazards, electrical hazards, mechanical hazards, and fire hazards.

Part 'H' will contain the general maintenance instructions for the wastewater collection system. Part 'H' will include a description of the equipment numbering system and a description of the manufacturer's O&M instructions for the wastewater collection system facilities.

Part 'I' will include a description of the emergency operating conditions and response program. Part 'I' will include discussion on emergency response and operating plans, vulnerability analysis, and procedures for obtaining outside help.

Part 'J' will contain supplemental information that is frequently used by the City staff or is referred to in the manual. Part 'J' will include copies of the sewer use ordinance and user charge system, collection system map, general discharge permit, compliance maintenance annual report, and other reference material the City staff should be familiar with.

The O & M manual text would be prepared using Microsoft Word and the figures would be prepared using AutoCAD. A copy of the electronic files for the project will be given to the Owner. Each part of the manual will be independently numbered to allow it to be updated without affecting the other parts of the manual. The manuals will be assembled in 3-ring notebooks so the contents can be easily updated and revised.

The O&M manual will be prepared in accordance with the WDNR guidelines. A draft of the O&M manual will be reviewed with the City. The City's comments will be incorporated into the manual. Copies of the O&M manual and O&M manual certification checklist will be submitted to the WDNR for review and approval. Copies of the final O&M manual will be provided for City use.

PROJECT SCHEDULE

The draft collection system O&M manual will be completed within 90 days of authorization. The final collection system O&M manual will be completed and submitted to the WDNR within 30 days of Owner acceptance of the O&M manual.

Wastewater Collection System Operation and Maintenance Manual Certification Checklist

Form 8700-310 (R 5/07)

Page 1 of 4

Notice: This form is authorized by s. NR 162.12(1)(k)(1), Wis. Adm. Code. Receipt of this information by the Department is mandatory to obtain a CWFPP loan. Failure to submit a completed form may result in denial of loan funds for the project. Personal information collected on this form will be used for program administration and may be made available to requesters as required by Wisconsin Open Records law [s. 19.31–19.39, Wis. Stats.].

Facility Information

Municipality Name		Clean Water Fund Project No.	Plan & Spec Approval No.	WPDES Permit No.	
Address			City	State	ZIP
Name of Firm that Prepared Manual	Name of Individual who Prepared Manual	Phone Number	E-Mail Address		
Checklist Completed By		Phone Number	E-Mail Address		

Municipal Acceptance

We certify that to the best of our knowledge and belief, the information provided on this form and any associated attachments are true, accurate and complete.

Project Engineer Name		Title			
Signature			Date Signed		
Authorized Representative Name		Title			
Signature			Date Signed		

Operator Acceptance

I certify that I have reviewed the Operation and Maintenance Manual developed for this project and find that the manual meets the information and training requirements for this wastewater collection system.

Operator Name		Title			
Signature			Date Signed		

Leave Blank – DNR Use Only

This certification checklist has been reviewed by me and is acceptable.	
DNR Reviewer Name	Date Received
Reviewer Signature	Date Reviewed

NOTE: An acceptable Operation and Maintenance (O&M) Manual must address the applicable items in this checklist. For upgrading projects, addenda or revisions to the existing O&M manual may be provided. The applicable portions of this checklist should then be completed for the addenda or revisions. Manufacturers' Manuals and other standard reference materials do not need to be included with the copy of the manual provided to DNR.

Wastewater Collection System Operation and Maintenance Manual Certification Checklist

Form 8700-310 (R 5/07)

Page 2 of 4

A. General	Page No.	Satisfactory	N/A
1. Table of Contents			
2. Introduction – Purpose and use of the manual			
3. Contact Information			
a. Emergency telephone numbers and addresses			
b. Telephone number, address, contact person for:			
i. Utilities			
ii. DNR regional and central office			
4. Format			
a. Text written to operator			
b. Manual is an instructional tool			
c. Manual is organized and makes sense			
i. General information and discussion			
ii. Inspection, operation and maintenance sections including specific safety procedures and concerns			
d. Appendices			
e. Will user find manual helpful (satisfactory)			
f. Index Tabs			
B. Staffing			
1. Line diagram showing each position			
2. General description of responsibility of each position			
3. Qualifications required for each position			
C. Spill and Bypass Events			
1. Reporting procedures and contacts			
2. Sanitary Sewer Overflow or Bypass Notification Report (Form 3400-184)			
D. Safety			
1. General discussion			
2. Personal hygiene			
3. Hazards			
a. Physical injuries			
b. Pathogens (recommended inoculations)			
c. Oxygen deficiency and noxious gases			
d. Electrical safety			
e. Explosion and fire			
f. Chemical safety			
g. Equipment safety			
h. Laboratory safety			
i. Traffic and roadway safety			
4. Definition of confined spaces and applicable rules and regulations for entry			
5. Safety procedures for confined space entry			
6. List of specific hazardous areas and confined spaces at treatment facility/collection system			
7. List of actual chemicals used and a Material Safety Data Sheet (MSDS) for each			
8. Safety equipment and first aid kits (types and locations)			
9. Accident reports			
10. Job safety instruction and training			

Wastewater Collection System Operation and Maintenance Manual Certification Checklist

Form 8700-310 (R 5/07)

Page 3 of 4

E. Security and Emergencies	Page No.	Satisfactory	N/A
1. Vulnerability Assessment			
2. Emergency Response Plan			
3. Emergency Operating Plan			
4. Emergency Generators and Pumps			
a. Functional description, location and procedures			
b. Startup and normal operation			
c. Emergency repair procedures and procedures for obtaining outside help			
d. Trouble shooting guide (table format)			
e. Safety associated with tasks			
F. Operation and Maintenance			
1. Sewers and Manholes			
a. Functional description of system (may refer to maps and general description)			
b. Normal operation, alternative operation and emergency operation			
c. Inspections			
d. Maintenance tasks, schedules and procedures			
e. Trouble shooting guide (table format)			
f. Safety associated with tasks			
2. Lift Stations			
a. Function, location and description of lift stations			
b. Schematic drawing			
c. Normal operation, startup, alternate operation and emergency operation			
d. Maintenance tasks, schedules and procedures			
e. Trouble shooting guide (table format)			
f. Safety associated with tasks			
3. Sewer Cleaning Equipment			
a. Function and location of equipment (each unit)			
b. Trouble shooting guide (table format)			
c. Safety associated with tasks			
4. Safety Equipment			
a. Tasks and procedures			
b. Personnel assigned to each task			
c. Schedules by which tasks are done			
d. Trouble shooting guide (table format)			
5. Appurtenances (inverted siphons, chlorinators, air relief valves, telemetering equipment, etc.)			
a. Functional description, schematics and location			
b. Normal operation, alternate operation and emergency operation			
c. Mechanical and/or electrical components			
d. Trouble shooting guide (table format)			
e. Safety associated with tasks			
G. Appendices			
1. WPDES General Permit WI-0047341 "Bypasses or Overflows from Sewage Collections Systems"			
2. Sewer use ordinance and user charge system			
3. Sewer System Map			
4. Capacity, Management, Operation & Maintenance Program (if applicable)			
5. Compliance Maintenance Annual Report (CMAR): Collection System Section			

AMENDMENT NO. 2

EXHIBIT "B"

SCOPE OF SERVICES
FOR
WASTEWATER COLLECTION SYSTEM REHABILITATION IMPROVEMENTS
SEPTEMBER 14, 2009

The work to be performed under this Agreement is divided into thirteen major parts. The Wastewater Collection System O&M Manual Preparation and Field and Special Studies are authorized by this Amendment. The detailed tasks associated with each part of the work authorized by this Amendment are as described herein.

PART B12 WASTEWATER COLLECTION SYSTEM O&M MANUAL PREPARATION

The Engineer shall provide professional services to prepare a wastewater collection system O&M manual. The detailed tasks involved in this part of the work are as described herein.

- Task 12.01 -- Meet with the Owner to review project requirements and discuss relevant issues concerning the project.
- Task 12.02 -- Provide monthly updates of the project progress.
- Task 12.03 -- Prepare draft outline for O & M manual. Review draft outline for O & M manual with Owner. Update draft outline to reflect Owner comments.
- Task 12.04 -- Prepare an introduction for the manual describing the purpose and use of the manual.
- Task 12.05 -- Develop valve numbering system for each sewage lift station facility. Incorporate valve numbering system in operating instructions.
- Task 12.06 -- Prepare operating instructions for gravity sewers, sewer cleaning equipment, portable emergency generators, and portable pumps. Operating instructions will describe arrangement and operation of each wastewater collection system facility.
- Task 12.07 -- Prepare figures showing the arrangement of the wastewater collection system, pipeline sizes, pipeline materials, and drainage districts.
- Task 12.08 -- Prepare operating instructions for sewage lift stations. Operating instructions will include normal, alternate and emergency operating procedures.
- Task 12.09 -- Prepare figure showing site plan of each wastewater collection system facility from information collected in Field and Special Studies or information provided by the Owner.
- Task 12.10 -- Prepare figure showing equipment and piping arrangement for each wastewater collection system facility.

- Task 12.11 -- Prepare figure showing schematic of process piping and equipment for each wastewater collection system facility.
- Task 12.12 -- Prepare routine operating procedure for each wastewater collection system facility.
- Task 12.13 -- Obtain information on testing and monitoring requirements.
- Task 12.14 -- Prepare a description of testing and monitoring requirements.
- Task 12.15 -- Obtain information on maintenance procedures.
- Task 12.16 -- Prepare a description of equipment identification system.
- Task 12.17 -- Assemble manual for Owner to file manufacturer's O&M instructions for existing wastewater collection system facilities: Ninth Street Sewage Lift Station, Twelfth Street Sewage Lift Station, Paris Street Sewage Lift Station, and Third Street Sewage Lift Station. Provide 3-ring binders, table of contents, and equipment dividers for filing manufacturer's O&M instructions.
- Task 12.18 -- Prepare a description of Manufacturer's O&M manual filing system.
- Task 12.19 -- Prepare a description of maintenance instructions system.
- Task 12.20 -- Obtain information on staffing requirements and personnel qualifications.
- Task 12.21 -- Prepare a description of staffing requirements and personnel qualifications and responsibilities.
- Task 12.22 -- Obtain information on Owner safety procedures and requirements.
- Task 12.23 -- Prepare a description of safety considerations and requirements.
- Task 12.24 -- Obtain information on the SCADA system operation and maintenance.
- Task 12.25 -- Prepare a general operation description of the SCADA system.
- Task 12.26 -- Obtain information on as-built records system.
- Task 12.27 -- Obtain copies of current Owner and WDNR forms.
- Task 12.28 -- Prepare a description of Owner records and reports. Include examples of WDNR and Owner forms.
- Task 12.29 -- Select supplemental information for inclusion in the O & M manual.
- Task 12.30 -- Prepare text using Microsoft Word. Prepare figures using AutoCAD. Provide one copy of electronic files for Owner's use.
- Task 12.31 -- Review draft of the O&M manual with the Owner. Incorporate Owner comments into manual.

- Task 12.32 -- Assemble O&M manuals in 3-ring notebooks so information can be easily updated and revised.
- Task 12.33 -- Prepare and submit two (2) copies of O&M manual and O&M manual certification checklist to the WDNR for review and approval.
- Task 12.34 -- Prepare five (5) copies of the final O&M manual. Provide three (3) copies of the O&M manual for the Owner's use.

PART B13 FIELD AND SPECIAL STUDIES

The Engineer shall provide professional services to perform or coordinate all field and special studies needed to supplement the preparation of the Wastewater Collection System O&M Manual. The detailed tasks involved in this part of the work are as described herein.

- Task 13.01 -- Meet with representatives of the City to determine project requirements and discuss relevant issues concerning the project.
- Task 13.02 -- Develop a detailed work plan for performing wastewater lift station capacity evaluations and other field and special studies. The work plans shall consist of a scope of work, schedule, and estimated cost.
- Task 13.03 -- Perform pumping testing at each lift station to determine the actual capacity of the pumps. The task includes the following work items:
- * Perform physical inspection of Sewage Lift Station.
 - * Obtain existing pump information.
 - * Perform as-built measurements of the existing wet wells.
 - * Coordinate cleaning of the wet wells, if necessary, with the City staff.
 - * Perform pump drawdown tests.
 - * Evaluate test data and summarize results in a memorandum to the City.
- Task 13.04 -- Perform other field and special studies work as required to supplement preparation of the Wastewater Collection System O&M manual.

AMENDMENT NO. 2

EXHIBIT "C"

COMPENSATION
FOR
WASTEWATER COLLECTION SYSTEM REHABILITATION IMPROVEMENTS
SEPTEMBER 14, 2009

Compensation for the services provided under Article II "Scope of Engineering Services" and described in Exhibit "B" shall be as described in Part C1, Method and Amount of Compensation.

PART C1 METHOD AND AMOUNT OF COMPENSATION

The Owner agrees to compensate the Engineer for the services described in Exhibit "B" Part B12 and Part B13 in accordance with the following table. Parts B1 through B11 have been completed or are currently being completed. The amount shown in the table for work performed on a time and expense basis is the estimated cost. The total cost of engineering services for Parts B12 and B13 shall not exceed the amounts shown for Parts B12 and B13 of \$16,000 for the scope of work described in Parts B12 and B13.

<u>Part</u>	<u>Description</u>	<u>Compensation</u>	
		<u>Method</u>	<u>Amount</u>
B12	Wastewater Collection System O&M Manual Preparation	LS	\$13,500
B13	Field & Special Studies	T & E	\$2,500

AMENDMENT NO. 2

EXHIBIT "D"

KAEMPFER & ASSOCIATES, INC.
 Hourly Direct Salary Costs
 2009

The following direct salary costs will be used to develop labor costs for time and expense work performed in 2009.

Labor Category	Salary Cost Dollars Per Hour
Chief Engineer	\$37.30
Senior Engineer - 6	\$32.45
Senior Engineer - 5	\$30.10
Senior Engineer - 4	\$27.85
Senior Engineer - 3	\$25.50
Engineer - 5	\$24.35
Engineer - 4	\$23.20
Engineer - 3	\$20.90
Engineer - 2	\$18.60
Engineer - 1	\$16.30
Engineering Assistant - 4	\$16.75
Engineering Assistant - 3	\$15.00
Engineering Assistant - 2	\$13.25
Engineering Assistant - 1	\$11.50
Technician - 6	\$18.60
Technician - 5	\$17.50
Technician - 4	\$16.30
Technician - 3	\$15.10
Technician - 2	\$13.95
Technician - 1	\$12.80
Clerical - 4	\$15.10
Clerical - 3	\$13.95
Clerical - 2	\$12.80
Clerical - 1	\$11.65

The following mileage rates will be used for work performed in 2009:

Vehicle	Cost Per Mile, Dollars
Truck	\$0.50
Light Truck	\$0.40
Van	\$0.35
Car	\$0.35

August 27, 2010
~~June 9, 2009~~

Re: Request for Proposal for Engineering Services

Dear _____:

The City of Menasha is requesting proposals for providing engineering services for preparation of an Operation and Maintenance (O&M) Manual for its wastewater collection system. The City of Menasha shall receive sealed proposals until 3:00 p.m. on Thursday, September 10, 2009. A draft O&M Manual shall be submitted to the Menasha Department of Public Works within 90 days of authorization to proceed. The final O&M Manual shall be submitted to the Menasha Department of Public Works within 30 days of receiving comments on the draft O&M Manual.

The proposal shall contain the following information:

Section 1 Project Organization

- Listing of Collection System O&M Manuals prepared by firm including references (Community, Contact, Phone Number).
- Team members who will be participating in the work. Provide a copy of the resumes for the team members.
- Provide a copy of a Collection System O&M Manual completed by the team members.

Section 2 Description of Project

- A description of the project is presented in Attachment "A". All of the work elements in the description of project shall be completed to comply with the WDNR requirements.
- Provide an outline of the Collection System O&M Manual.

Section 3 Scope of Services

- The scope of services to be provided by the engineering firm for preparation of the O&M Manual is presented in Attachment "B".

Section 4 Compensation

- Provide a lump sum cost for providing the professional services for preparation of the O&M Manual and associated work described in the project description and scope of services.
- Identify any field and special studies required for the preparation of the O&M Manual and the estimated cost for the services. Field and special studies would be compensated on a time and expense basis.

Please contact me if you have any questions.

Sincerely,

CITY OF MENASHA

Mark Radtke, P.E.
Director of Public Works

Enc: As Noted

ATTACHMENT "A"

DESCRIPTION OF PROJECT

A collection system O&M manual will be prepared that complies with the Wisconsin Department of Natural Resources requirements. A copy of the O&M manual certification checklist is included at the end of this Attachment.

The manual will describe the O&M requirements of the City of Menasha wastewater collection system facilities. The manual will be divided into ten parts as shown in the attached preliminary outline. Part 'A' will be an introduction that describes the purpose and use of the manual. Part 'A' will include a list of references that should be available to the City staff and a list of telephone numbers and addresses for key contacts.

Part 'B' will contain a description of the wastewater collection facilities. The description will include an overview of the sanitary sewer system, sewage lift stations, electrical power distribution, and design criteria for gravity sewers. The description will include figures showing the collection system facilities, drainage districts, and pipeline materials.

Part 'C' will contain operating instructions for the sanitary sewer system. The operating instructions will be divided into sections describing inflow and infiltration control and prevention, maintenance schedule, sewer cleaning, odor control, inspection, and equipment used in the operation and maintenance of sanitary sewers.

Part 'D' will contain operating instructions for the sewage lift stations. The operating instructions will be divided into sections describing equipment operation, utilities, design and equipment summary, and valve indices for each of the eleven sewage lift stations. The operating instructions will include figures showing the arrangement of the piping and equipment at each facility.

Part 'E' will be reserved for operating instructions for the SCADA system.

Part 'F' will contain a description of staffing records. Part 'F' will include an organization chart for the City staff and will include a discussion on certification and training requirements. Part 'F' will also include a description of the City records system and will contain examples of the WDNR and City forms that are routinely used.

Part 'G' will contain a general description of safety requirements and procedures. Part 'G' will include a general discussion on safety requirements and detailed discussions on personal protective equipment, confined spaces, trenches and excavations, working in streets and roads, chemical hazards, electrical hazards, mechanical hazards, and fire hazards.

Part 'H' will contain the general maintenance instructions for the wastewater collection system. Part 'H' will include a description of the equipment numbering system and a description of the manufacturer's O&M instructions for the wastewater collection system facilities. Information on the computerized maintenance management system will be included in the manual.

Part 'I' will include a description of the emergency operating conditions and response program. Part 'I' will include discussion on emergency response and operating plans, vulnerability analysis, and procedures for obtaining outside help.

Part 'J' will contain supplemental information that is frequently used by the City staff or is referred to in the manual. Part 'J' will include copies of the sewer use ordinance and user charge system, collection system map, discharge permit, compliance maintenance annual report, and other reference material the City staff should be familiar with.

The O & M manual text would be prepared using Microsoft Word and the figures would be prepared using AutoCAD. A copy of the electronic files for the project will be given to the Owner. Each part of the manual will be independently numbered to allow it to be updated without affecting the other parts of the manual. The manuals will be assembled in 3-ring notebooks so the contents can be easily updated and revised.

The O&M manual will be prepared in accordance with the WDNR guidelines. A draft of the O&M manual will be reviewed with the City. The City's comments will be incorporated into the manual. Copies of the O&M manual and O&M manual certification checklist will be submitted to the WDNR for review and approval. Copies of the final O&M manual will be provided for City use.

ATTACHMENT "B"

SCOPE OF SERVICES

PART B1 WASTEWATER COLLECTION SYSTEM O&M MANUAL PREPARATION

The Engineer shall provide professional services to prepare a wastewater collection system O&M manual. The detailed tasks involved in this part of the work are as described herein.

- Task 1.01 -- Meet with the Owner to review project requirements and discuss relevant issues concerning the project.
- Task 1.02 -- Provide monthly updates of the project progress.
- Task 1.03 -- Prepare draft outline for O & M manual. Review draft outline for O & M manual with Owner. Update draft outline to reflect Owner comments.
- Task 1.04 -- Prepare an introduction for the manual describing the purpose and use of the manual.
- Task 1.05 -- Develop valve numbering system for each sewage lift station facility. Incorporate valve numbering system in operating instructions.
- Task 1.06 -- Prepare operating instructions for gravity sewers, sewer cleaning equipment, portable emergency generators, and portable pumps. Operating instructions will describe arrangement and operation of each wastewater collection system facility.
- Task 1.07 -- Prepare figures showing the arrangement of the wastewater collection system, pipeline sizes, pipeline materials, and drainage districts.
- Task 1.08 -- Prepare operating instructions for sewage lift stations. Operating instructions will include normal, alternate and emergency operating procedures.
- Task 1.09 -- Prepare figure showing site plan of each wastewater collection system facility.
- Task 1.10 -- Prepare figure showing equipment and piping arrangement for each wastewater collection system facility.
- Task 1.11 -- Prepare figure showing schematic of process piping and equipment for each wastewater collection system facility.
- Task 1.12 -- Prepare routine operating procedure for each wastewater collection system facility.
- Task 1.13 -- Obtain information on testing and monitoring requirements.
- Task 1.14 -- Prepare a description of testing and monitoring requirements.
- Task 1.15 -- Obtain information on maintenance procedures.

- Task 1.16 -- Prepare a description of equipment identification system.
- Task 1.17 -- Assemble manual for City to file manufacturer's O&M instructions for existing wastewater collection system facilities: Ninth Street Sewage Lift Station, Twelfth Street Sewage Lift Station, Paris Street Sewage Lift Station, and Third Street Sewage Lift Station. Provide 3-ring binders, table of contents, and equipment dividers for filing manufacturer's O&M instructions.
- Task 1.18 -- Prepare a description of Manufacturer's O&M manual filing system.
- Task 1.19 -- Prepare a description of maintenance instructions system.
- Task 1.20 -- Obtain information on staffing requirements and personnel qualifications.
- Task 1.21 -- Prepare a description of staffing requirements and personnel qualifications and responsibilities.
- Task 1.22 -- Obtain information on City safety procedures and requirements.
- Task 1.23 -- Prepare a description of safety considerations and requirements.
- Task 1.24 -- Obtain information on the SCADA system operation and maintenance.
- Task 1.25 -- Prepare a general operation description of the SCADA system.
- Task 1.26 -- Obtain information on as-built records system.
- Task 1.27 -- Obtain copies of current City and WDNR forms.
- Task 1.28 -- Prepare a description of City records and reports. Include examples of WDNR and City forms.
- Task 1.29 -- Select supplemental information for inclusion in the O & M manual.
- Task 1.30 -- Prepare text using Microsoft Word. Prepare figures using AutoCAD. Provide one copy of electronic files for Owner's use.
- Task 1.31 -- Review draft of the O&M manual with the Owner. Incorporate Owner comments into manual.
- Task 1.32 -- Assemble O&M manuals in 3-ring notebooks so information can be easily updated and revised.
- Task 1.33 -- Prepare and submit two (2) copies of O&M manual and O&M manual certification checklist to the WDNR for review and approval.
- Task 1.34 -- Prepare five (5) copies of the final O&M manual. Provide three (3) copies of the O&M manual for the Owner's use.

PART B2 FIELD AND SPECIAL STUDIES

The Engineer shall provide professional services to perform or coordinate all field and special studies needed to supplement the preparation of the Wastewater Collection System O&M Manual. The detailed tasks involved in this part of the work are as described herein.

- Task 2.01 -- Meet with representatives of the City to determine project requirements and discuss relevant issues concerning the project.
- Task 2.02 -- Develop a detailed work plan for performing wastewater lift station capacity evaluations and other field and special studies. The work plans shall consist of a scope of work, schedule, and estimated cost.
- Task 2.03 -- Perform pumping testing at each lift station to determine the actual capacity of the pumps. The task includes the following work items:
 - * Perform physical inspection of Sewage Lift Station.
 - * Obtain existing pump information.
 - * Perform as-built measurements of the existing wet wells.
 - * Coordinate cleaning of the wet wells, if necessary, with the City staff.
 - * Perform pump drawdown tests.
 - * Evaluate test data and summarize results in a memorandum to the City.
- Task 2.04 -- Perform other field and special studies work as required to supplement preparation of the Wastewater Collection System O&M manual.

AN ORDINANCE RELATING TO REFUSE COLLECTION
AND RECYCLING MATERIALS AND COLLECTION

Introduced by Mayor Merkes

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Sections 8-3-1, 8-3-4, 8-3-5, 8-3-6, 8-3-7, and 8-3-9 are amended to read as provided in attached document:

SECTION 2: Section 8-3-10 is renumbered to Sections 8-4-1 through 8-4-12 and amended to read as provided in attached document:

This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this 7th day of December, 2009.

Donald J. Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

CHAPTER 3

Refuse Disposal and Collection

SEC. 8-3-1 TITLE; REFUSE COLLECTION SERVICE.

- (a) **TITLE.** This Chapter shall be known as the Solid Waste Management Ordinance of the City of Menasha, hereinafter referred to as Ordinance or Chapter.
- (b) **UNDER CONTROL OF DIRECTOR OF PUBLIC WORKS.** Except as exempted by this Chapter, the collection, removal and disposal of all garbage and rubbish shall be under the direction and control of the Director of Public Works and in strict conformity with the provisions of this Section and with such additional rules and regulations as may be made from time to time and may be deemed necessary or desirable to carry out the provisions of this Chapter and which are not inconsistent herewith.
- (c) **PERIODS OF COLLECTION.**
- (1) Residential. All garbage and rubbish ~~will~~ shall be collected once each week in accordance with a schedule fixed by the Director of Public Works.
 - (2) Commercial and Industrial Waste. Garbage from commercial establishments ~~will~~ shall be collected once each week up to 2 cubic yards per collection. Additional collections will be charged a fee to be determined by the Director of Public Works. Such fee shall be approved by the Common Council by motion or resolution. No manufacturing or construction waste ~~will~~ shall be collected as part of the City general garbage collection.
 - (3) Multi-Family Residential Collection. Garbage and rubbish ~~will~~ shall be collected once each week up to 1/12th cubic yard per dwelling unit per collection. Additional collections ~~will~~ shall be charged a fee to be determined by the Director of Public Works. Such fee shall be approved by the Common Council by resolution.
 - (4) Industrial Waste. No manufacturing or construction waste ~~will~~ shall be ~~picked up~~ collected as part of the City general garbage collection. Waste from offices and lunch rooms ~~will~~ may be ~~taken~~ collected. No more than five (5) thirty-six (36) gallon containers ~~will~~ shall be taken from any one location in anyone pickup.
 - (5) Department of Public Works personnel are directed to immediately report all violations to their Street/Sanitation Superintendent or his/her designee, who ~~will~~ shall in turn contact the City Attorney for ordinance enforcement.

SEC. 8-3-2 DECLARATION OF POLICY.

It is hereby declared to be the purpose and intent of this Chapter to enhance and improve the environment and promote the health, safety and welfare of the City by establishing minimum standards for the storage, collection, transport, processing, separation, recovery and disposal of solid waste.

SEC. 8-3-3 DEFINITIONS.

For the purpose of this Chapter, the following words and phrases shall have the meanings given herein unless different meanings are clearly indicated by the context.

- (a) **AGRICULTURAL ESTABLISHMENT** -- An establishment engaged in the rearing and slaughtering of animals and the processing of animal products or orchard and field crops.
- (b) **BULKY WASTE** -- Items whose large size precludes or complicates their handling by normal collection, processing or disposal methods.
- (c) **COLLECTION** -- The act of removing solid waste from the storage area at the source of generation.
- (d) **COMBUSTIBLE MATERIALS** -- Items which include but shall not be limited to the following: domestic garbage, newspapers, books, magazines, cards, wrappings, crates, leaves, lawn clippings, brush and tree limbs, wood chips, asphalt shingles, old roofing, boards and old furniture without metal frames, cartons, bottles and tin cans (except aerosol cans).
- (e) **COMMERCIAL UNIT** -- Commercial units shall be all property other than residential units and shall include boarding houses, motels and resorts.
- (f) **CONDOMINIUMS** -- A form of individual ownership within a building which may entail joint ownership and responsibility for maintenance and repairs of the land and other common property of the building.
- (g) **CURB** -- The back edge or curb and gutter along a paved street or where one would be if the street was paved and had a curb and gutter.
- (h) **DEMOLITION WASTES** -- That portion of solid wastes consisting of wastes from the repair, remodeling or reconstruction of buildings, such as lumber, roofing and sheathing scraps, rubble, broken concrete, asphalt and plaster, conduit, pipe, wire, insulation and any other materials resulting from the demolition of buildings and improvements.
- (i) **DISPOSAL** -- The orderly process of discarding useless or unwanted material.
- (j) **DNR** -- The Wisconsin Department of Natural Resources.
- (k) **DWELLING UNIT** -- A place of habitation occupied by a normal single family unit or a combination of persons who may be considered as equivalent to a single family unit for the purpose of this Chapter.
- (l) **GARBAGE** -- Includes every refuse accumulation of animals, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in, or storing of meat, fish, fowl, fruit or vegetables originally used for foodstuffs.
- (m) **HAZARDOUS WASTE** -- Those wastes such as toxic, radioactive or pathogenic substances which require special handling to avoid illness or injury to persons or damage to property and the environment.
- (n) **INDUSTRIAL WASTE** -- Waste material, except garbage, rubbish and refuse, directly or indirectly resulting from an industrial processing or manufacturing operation.
- (o) **LITTER** -- Solid waste scattered about in a careless manner, usually rubbish.
- (p) **NON-RESIDENTIAL SOLID WASTE** -- Solid waste from agricultural, commercial, industrial or institutional activities or a building or group of buildings consisting of four (4) or more dwelling units.
- (q) **PERSON** -- Individuals, firms, corporations and associations, and includes the plural as well as the singular.

- (r) **MULTI-FAMILY RESIDENTIAL DEVELOPMENT** -- A building or group of buildings consisting of 5 or more dwelling units.
- (s) **PRIVATE COLLECTION SERVICES** -- Collection services provided by a person licensed to do same by the DNR.
- (t) **RECYCLABLE WASTE** -- Waste material that can be remanufactured into usable products and shall include, by way of enumeration but not by way of limitation, glass, plastics, newspapers, cardboard, metals (aluminum, steel, tin, brass, etc.).
- (u) **REFUSE** -- Includes all waste material, including garbage, rubbish and industrial waste.
- (v) **REGULATED WASTE** -- Regulated waste means liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing any materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.
- (w) **RESIDENTIAL SOLID WASTE** -- All solid waste that normally originates in a residential environment from residential dwelling units.
- (x) **RESIDENTIAL UNIT** -- Residential unit shall mean an individual household capable of independent habitation by a family unit. A single family dwelling shall be considered to be one (1) residential unit; multi-family dwelling shall be considered to be multiple residential units, the number of residential units to equal the number of family units to be housed therein. Residential units shall not include boarding houses, motels or resorts.
- (y) **RUBBISH** -- Includes combustible and noncombustible waste material, except rocks, concrete, bricks and similar solid materials, plaster or dirt, that is incidental to the operation of a building.
- (z) **SCAVENGING** -- The uncontrolled removal of materials at any point in solid waste management.
- (aa) **SOLID WASTE** -- Garbage, rubbish and other useless, unwanted or discarded material from agricultural, residential, commercial, industrial or institutional activities. Solid waste does not include solid or dissolved material in domestic sewage.
- (bb) **STORAGE** -- The interim containment of solid waste in an approved manner after generation and prior to collection and ultimate disposal.
- (cc) **STORAGE AREAS** -- Areas where persons place containers during non-collection days as well as areas where containers are set out on collection day.
- (dd) **YARD WASTES** -- Deciduous materials including, but not limited to, grass clippings, leaves, garden wastes, prunings, tree trimmings and brush.

SEC. 8-3-4 REFUSE STORAGE AREAS.

Storage areas shall be kept in a nuisance- and odor-free condition. Litter shall not be allowed to accumulate. Collection crews ~~will~~ shall not be responsible for cleaning up loose or refuse materials from any containers which have become ruptured or broken due to wet conditions, animals, vandalism or other cause. The occupant and/or owner shall be responsible for cleaning up ~~this litter~~ and maintaining the refuse storage area. Litter not collected shall not be allowed to accumulate. ~~Violation will result in the occupant and/or owner being notified to clean up his area with continued violation resulting in the owner being prosecuted under the provision of this and other City Ordinances.~~ Any occupant or owner who is notified to clean up a refuse storage area

but fails to do so within 14 days shall be in violation of this Chapter. No occupant or owner may store ~~garbage~~ refuse containers in front of the nearest wall of the house or building to any street.

SEC. 8-3-5 APPROVED WASTE AND REFUSE CONTAINERS.

- (a) **GENERAL CONTAINER STANDARDS.** Suitable containers of a type approved by the City shall be provided by the property ~~owner or tenant~~ occupant or owner in which to store all ~~solid waste~~ refuse except for bulky or certain yard wastes as provided for herein. Containers, in order to be approved, shall provide for efficient, safe and sanitary handling of ~~solid wastes~~ refuse. They shall be maintained in a nuisance- and odor-free condition and shall be sufficient to prevent the scattering of contents by weather conditions or animals.
- (b) **APPROVED CONTAINERS.** Approved containers shall consist of the automated container issued by the City. Those containers shall be either 32, 64 or 96 gallons. Any overflow shall be placed in a plastic garbage bag not greater than 33 gallons and may not exceed 30 pounds per bag. The bags must be closed so as to prevent refuse from spilling. The plastic bag shall be of sufficient strength to allow lifting and loading of contents without tearing. All other containers not specified shall be illegal.
- (c) **COMMERCIAL USERS.** All commercial users must purchase an approved refuse container. Ninety-six gallon containers may be purchased from the ~~City Garage~~ Public Works Facility at a cost to be established by the Department of Public Works and approved by the Common Council. Such fee may be changed from time to time. All containers greater than 96 gallons must be approved by the Department of Public Works.
- (d) **VOLUME BASED COLLECTION FEES.** To comply with legislative intent it is declared to be the policy of the City of Menasha that refuse collection fees be established on a volume basis.
 - (1) Fees shall be established by the Director of Public Works and approved by the Common Council for refuse in excess of 64 gallons ~~per~~ per week for residential users, 1/12th cubic yard per week per dwelling unit for multi-family residential users, and 2 cubic yards per week for commercial users. Such fee may be changed from time to time. A copy of the fee schedule shall be available from the Finance Department, City Clerk, or ~~City Garage~~ Public Works Facility.
 - (2) Condominiums are allowed a container approved by the Director of Public Works sufficiently large enough to contain the equivalent of not more than 64 gallons per dwelling unit per week without an additional fee. In the event that a condominium exceeds the allowed volume, the billing will be made to the condominium association.
 - (3) All residential users, excluding multi-family residential users, may receive up to 6 ~~tags~~ stickers per year for excess bags or bulky items at no additional cost. Such tags shall be delivered either to the property owner or resident in a manner determined by the Director of Public Works. Additional ~~tags~~ stickers may be purchased at the ~~City Garage~~ Public Works Facility or ~~Finance~~ Public Works/Engineering Department. The cost for additional bags may differ from the cost for bulky items.
 - (4) All fees shall be collected in a manner determined by the Comptroller and approved by the Common Council. Section 3-1-13 shall apply to any unpaid fees.

SEC. 8-3-6 COLLECTION OF REFUSE.

(a) PLACEMENT FOR COLLECTION.

- (1) Residential solid waste shall be accessible to collection crews. Residential ~~solid waste~~ refuse in approved containers shall be placed immediately behind the curb of the public street for collection. Yard and bulky wastes from residential units shall likewise be placed in neat, orderly fashion behind the curb. Collection crews will not collect residential solid waste unless it is placed at the curb of a public street. ~~Residential units~~ The occupant or owner shall bring the solid waste to the public right-of-way for collection. Should collection crews be unable to discharge contents of ~~garbage~~ refuse containers into collection vehicles using normal handling procedures, the containers, including contents, will be left at curb side. The occupant or owner shall make provisions to assure that the ~~solid waste~~ refuse therein can be collected on the next collection day. Collection crews will not empty ~~garbage~~ refuse containers by means other than dumping. All containers shall be placed at least 3 feet from any obstruction. Multiple containers shall be placed side by side, at least three feet apart.
- (2) No ~~garbage~~ refuse containers ~~or other containers for refuse~~ other than those of the City shall be placed, kept, stored or located within the right-of-way of a street or alley; provided, however, that the Board of Public Works Committee may authorize the location of such containers within the public right-of-way at specified places and times when such location is necessary for the expeditious collection and disposition of refuse.

(b) RESTRICTION ON TIME OF PLACEMENT. All ~~containers for refuse~~ refuse containers shall be placed in collection locations as designated in Subsection (a) above only after 4:00 p.m. on the evenings prior to the regular collection time the following day. All bags and containers for refuse disposal shall be removed from the curbside collection point within twenty-four (24) hours after the regular collection time. City employees will not enter any structures to remove any ~~garbage~~ solid waste or refuse, except by written agreement with the property owner.

(c) YARD WASTES. All yard wastes shall be separated from other refuse and placed or disposed of in such locations and at such times as established by the Director of Public Works. There will be no curbside collection of yard wastes other than prunings, tree trimmings and brush, except when the Director of Public Works declares there will be a special collection for leaves; then the leaves shall be placed in bulk within the terrace section of the street right-of-way. It is a violation of this section to place yard wastes or leaves in the street or curb.

(d) BRUSH.

- (1) All prunings, tree trimmings, brush, shrubbery, and tree limbs shall be placed at the curb and may not exceed ten (10) inches in diameter. Any prunings, tree trimmings, brush, shrubbery, and tree limbs in excess of five (5) inches in diameter may not exceed six (6) feet in length.
- (2) Prunings, tree trimmings, brush, shrubbery, and tree limbs shall be collected once per month on a date to be established by the Public Works Director. No prunings,

tree trimmings, brush, shrubbery, or tree limbs may be placed on the curbside or public right-of-way more than forty-eight (48) hours before the pickup time.

- (3) Any collection of prunings, tree trimmings, brush, shrubbery, and tree limbs at any time other than the date designated will require the payment of a fee. Such fee will be established from time to time by the Board of Public Works to reflect the actual cost of pickup, including administrative costs, as close as possible. The method of collection of said fee shall be determined by the Comptroller.
- (4) The Department of Public Works may declare an emergency and waive these regulations as circumstances require.
- (5) The Department of Public Works ~~will~~ shall not collect any prunings, tree trimmings, brush, shrubbery, and tree limbs which ~~shall~~ have been placed on the curbside as the result of the work of a contractor or other commercial activity.
- (6) Brush resulting from clearance of a lot for construction shall not be collected by the City.

SEC. 8-3-7 PROHIBITED ACTIVITIES AND NON-COLLECTIBLE MATERIALS.

- (a) **DEAD ANIMALS.** It shall be unlawful to place any dead animal, or parts thereof in a refuse container for collection provided, however, this Section shall not apply to animal parts from food preparation for human consumption.
- (b) **ASHES.** Ashes placed for collection shall be extinguished and completely cold. Ashes shall be wrapped and secured in a bag and then placed in an appropriate container to preclude the leakage of ashes and/or the rupture of the bag during handling.
- (c) **IMPROPER PLACEMENT.** It shall be unlawful to place, or allow to be placed, any solid waste upon the roads, streets, public or private property within the City contrary to the provisions of this Chapter.
- (d) **COMPLIANCE WITH CHAPTER.** It shall be unlawful to store, collect, transport, transfer, recover, incinerate or dispose of any solid waste within the boundaries of the City contrary to the provisions of this Chapter.
- (e) **IMPROPER TRANSPORTATION.** It shall be unlawful to transport any solid waste in any vehicle which permits the contents to blow, sift, leak or fall there from. If spillage does occur, the collection crew shall immediately return spilled materials to the collection vehicle and shall properly clean, or have cleaned, the area. All vehicles used for the collection and transportation of solid waste shall be durable, easily cleanable and leak proof, if necessary, considering the type of waste and its moisture content. Collection vehicles shall be cleaned frequently to prevent nuisances and insect breeding and shall be maintained in good repair.
- (f) **INTERFERENCE WITH AUTHORIZED COLLECTOR.** No person other than an authorized collector shall collect or interfere with any ~~garbage~~ refuse after it shall have been put into a ~~garbage receptacle~~ refuse container and ~~deposited~~ placed in the proper ~~place~~ area for the collector, nor shall any ~~authorized~~ person molest, hinder, delay or in any manner interfere with an authorized ~~garbage~~ refuse collector in the discharge of his/her duties.
- (g) **PRIVATE DUMPS.** It shall be unlawful for any person to use or operate a dump.
- (h) **BURNING OF WASTE.** It shall be unlawful for any person to burn solid waste in any manner, except as provided elsewhere in this Code of Ordinances.

- (i) **NON-COLLECTIBLE MATERIALS.** It shall be unlawful for any person to place for collection any of the following wastes:
 - (1) Hazardous waste;
 - (2) Toxic waste;
 - (3) Chemicals;
 - (4) Explosives or ammunition;
 - (5) Drain or waste oil or flammable liquids;
 - (6) Large quantities of paint;
 - (7) Tires.
- (j) **HOSPITAL WASTES.** It shall be unlawful for any person to place ~~of~~ for collection any pathogenic hospital, medical waste, or regulated waste. Such items as needles and syringes may be disposed of as long as they are packaged and contained to eliminate injury to collection crews.
- (k) **BUILDING WASTE.** All waste resulting from remodeling, construction or removal of a building, roadway or sidewalk shall be disposed of by the owner, builder or contractor, unless arrangements have been made with the Director of Public Works.
- (l) **ANIMALS INTERFERING WITH COLLECTION.** Dogs must not be tied within reach of ~~garbage cans~~ refuse containers.
- (m) **RESIDENCY.**
 - (1) ~~Rubbish, yard waste and garbage~~ Refuse and yard waste disposal, either at curb side or designated areas shall be for City residents only. Any other person, partnership or corporation who does so will be subject to the penalties of this ordinance, as well as any other person who knowingly permits non-residents to do so.
 - (2) Any person, partnership or corporation dumping yard waste, solid waste, rubbish or ~~garbage~~ refuse at any place other than an authorized drop-off site, shall be subject to the penalty provisions of this ordinance.
 - (3) Any person, firm or corporation mixing household refuse with yard waste or other defined recyclables, or any person permitting same to be done, shall be subject to the penalties of this ordinance.
- (n) **TIRE DISPOSAL FEES.**
 - (1) Residents disposing of tires at the authorized site (s) are subject to a fee which will be established by the Board of Public Works to reflect the actual cost of tire disposal.
 - (2) Method of collection of the fee established under section 8-3-7 (n)(2) shall be determined by the Board of Public Works. These fees may be changed from time to time as may be determined by the Board of Public Works, but not more than once each calendar year.
 - (3) Tires prohibited. No tires used by commercial or manufacturing establishments are permitted in the disposal areas.
- (o) **FREON CHARGED GOODS.**
 - (1) ~~Any items placed for collection which contain freon which needs to be disposed will be collected and the owner/owners/occupant of the building from which the item was collected~~ Any occupant or owner who places items that contain freon for collection and disposal shall be charged a fee which ~~will~~ shall be established by the Board of Public Works to reflect the actual cost of freon disposal.

- (2) The fee established in Section 8- 3- 7(0)(1) shall not be levied if the ~~owner/owners/occupant who places the item for collection~~ shows occupant or owner provides evidence to the ~~Street~~ Public Works Superintendent that ~~freon removal~~ has already been ~~done~~ removed by a Department of Natural Resources certified vendor.
 - (3) The method of collection of the fee established under Section 8-3-7(0)(1) shall be determined by the Board of Public Works.
- (p) **MICROWAVES.**
- (1) ~~Any microwaves placed for collection will be collected and the owner/owners/occupant of the building from which the item was collected~~ Any occupant or owner who places a microwave for collection and disposal shall be charged a fee which ~~will~~ shall be established by the Board of Public Works to reflect the actual cost of microwave disposal.
 - (2) The method of collection of the fee established under Section 8-3-7(p)(1) shall be determined by the Board of Public Works.
- (q) **PENALTIES.**
- (1) The Department of Public Works shall place a tag on all refuse placed in violation of the provisions of this chapter.
 - (2) Failure to comply with any lawful directive of the Department of Public Works within 24 hours shall constitute a further violation. Each day of non-compliance shall constitute a new violation. Should the Department of Public Works be required to collect refuse which has been placed in violation of this chapter, the actual costs of collection, separation, and/or disposal shall be deemed to be a special charge and collected under Section 3-1-13. At least 48-hour actual notice, written or telephonically, shall be given to the occupant and/or property owner prior to City collection and billing.
 - (3) The provisions of Section 1-1-7 shall apply to any violations of this chapter.

SEC. 8-3-8 REFUSE FROM OUTSIDE THE MUNICIPALITY.

It is unlawful for any person, firm or corporation to place, deposit or cause to be deposited, for collection, any waste or refuse not generated within the corporate limits of the City of Menasha.

SEC. 8-3-9 COMPOST BOXES.

- (a) No occupant or owner may keep a ~~box for the storage of compost~~ compost box larger than 5 cubic yards.
- (b) No compost box may be placed in front of the nearest wall or the house or structure to any street.
- (c) All ~~occupants or owners of~~ compost boxes must be maintained ~~compost boxes~~ in such a fashion so as to not become unsightly nor to emit or cause any foul, offensive, nauseous, noxious, or other disagreeable odor, effluvia or stench.
- (d) Any violation of this section shall constitute a public nuisance whose abatement shall be subject to Sec. 11-7-5.

SEC. 8-3-10 RECYCLING.

SEC. 8-4-1 TITLE; RECYCLING MATERIALS AND COLLECTION SERVICE.

- (a) **TITLE.** This Chapter shall be known as the Recycling Materials and Collection Ordinance of the City of Menasha, hereinafter referred to as Ordinance or Chapter.
- (b) **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. 159.11, Wis. Stats., and Chapter NR 544, Wis. Adm. Code.
- (c) **STATUTORY AUTHORITY.** This ordinance is adopted as authorized under s. 159.09(3)(b), Wis. Stats.
- (d) **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.
- (e) **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 Chapter 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 Chapter NR 544 standards in effect on the date of the adopted of this ordinance, or in effect on the date of the most recent text amendment to this ordinance.
- (f) **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.
- (g) **APPLICABILITY.** The requirements of this ordinance apply to all persons within the City of Menasha and to all waste, refuse or recyclable materials generated within the City of Menasha.
- (h) **ADMINISTRATION.** The provisions of this ordinance shall be administered by the Department of Public Works.
- (i) **EFFECTIVE DATE.** The provisions of this ordinance shall take effect on January 1, 1995.

SEC. 8-4-2 DEFINITIONS.

- (a) "Bimetal container" means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.
- (b) "Container board" means corrugated paperboard used in the manufacture of shipping containers and related products.
- (c) "Foam polystyrene packaging" means packaging made primarily from foam polystyrene that satisfies one of the following criteria:
 - (1) Is designed for serving food or beverages.

- (2) Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
- (3) Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.
- (d) "HDPE" means high density polyethylene, labeled by the SPI code #2.
- (e) "LDPE" means low density polyethylene, labeled by the SPI code #4.
- (f) "Magazines" means magazines and other materials printed on similar paper.
- (g) "Major appliance" means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, oven, refrigerator, or stove, residential and commercial furnaces, boilers, dehumidifiers, water heaters and microwave ovens with intact capacitors.
- (h) "Multiple-family dwelling" means a property containing 5 or more residential units, including those which are occupied seasonally.
- (i) "Newspaper" means a newspaper and other materials printed on newsprint.
- (j) "Nonresidential facilities and properties" means commercial, retail, industrial, institutional and governmental facilities and properties. This term does not include multiple family dwellings.
- (k) "Office paper" means high grade printing and writing papers from offices in nonresidential facilities and properties. Printed white ledger and computer printout are examples of office paper generally accepted as high grade. This term does not include industrial process waste.
- (l) "Other resins or multiple resins" means plastic resins labeled by the SPI code #7.
- (m) "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.
- (n) "PETE" means polyethylene terephthalate, labeled by the SPI code # 1.
- (o) "Plastic container" means 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.
- (p) "Post-consumer waste" means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in s. 144.61(5), Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in s. 144.44(7)(a) 1., Wis. Stats.
- (q) "PP" means polypropylene, labeled by the SPI code #5.
- (r) "PS" means polystyrene, labeled by the SPI code #6.
- (s) "PVC" means polyvinyl chloride, labeled by the SPI code #3.
- (t) "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 bimetal containers.
- (u) "Single-stream collection" means a system for commingled collection of recyclable fibers, containers or other recyclable materials in which the materials are separated from solid waste at the point of collection and are transported to a processing facility to be sorted into marketable commodities.
- (v) "Solid waste" has the meaning specified in s. 144.01 (15), Wis. Stats.

- (w) "Solid waste facility" has the meaning specified in s. 144.43(5), Wis. Stats.
- (x) "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.
- (y) "Waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
- (z) "Hard waste" means leave, 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.

SEC. 8-4-3 SEPARATION OF RECYCLABLE MATERIALS.

All occupants or owners of single-family residences, 2-4 unit residences, multifamily residences and nonresidential facilities and properties shall separate the following recyclable materials from post-consumer waste:

- (a) LEAD ACID BATTERIES. Lead acid batteries shall be taken to the City of Menasha dropoff site on Baldwin Street.
- (b) MAJOR APPLIANCES. Major appliances shall be collected curbside in accordance with Ordinance 0-24-92.
- (c) WASTE OIL. Waste oil shall be taken to the City of Menasha dropoff site on Baldwin Street.
- (d) YARD WASTE. Yard waste shall be collected curbside in accordance with Ordinance 0-22-90, or at times specified by the Director of Public Works, or taken to the City of Menasha dropoff site on Baldwin Street.
- (e) WASTE TIRES. Waste tires shall be taken to the City of Menasha dropoff site on Baldwin Street in accordance with Ordinance 0-1-90.
- (f) RECYCLABLE MATERIALS. Recyclable materials enumerated in Section 8-4-4.

The separation requirements of this section do not apply to any recyclable material specified in Sec. 8-4-4 for which a variance has been granted by the Department of Natural Resources under s. 159.11(2m), Wis. Stats., or s. NR 544.14, Wis. Adm. Code.

SEC. 8-4-4 SINGLE-STREAM RECYCLABLE WASTE COLLECTION.

The City of Menasha hereby adopts a single-stream recyclable waste curbside collection system, minimally once per month with a schedule fixed by the Director of Public Works, for the following recyclable materials:

- (a) Aluminum containers.
- (b) Corrugated paper or other container board.
- (c) Foam polystyrene packaging.
- (d) Glass containers.
- (e) Magazines or other material printed on similar paper.
- (f) Newspaper or other material printed on newsprint.
- (g) Office paper.

- (h) Plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS and other resins or multiple resins.
- (i) Steel containers.
- (j) Containers for carbonated or malt beverages that are primarily made of a combination of steel and aluminum.

SEC. 8-4-5 PREPARATION AND CARE OF SINGLE-STREAM RECYCLABLE WASTE.

To the greatest extent practicable, the recyclable materials shall be clean and kept free of contaminants such as food or product residues, oil or grease, or other nonrecyclable materials, including, but not limited to, household hazardous waste, medical waste or agricultural chemicals. Occupants or owners of single-family residences, including condominiums, and 2 to 4 unit residences shall prepare recyclable materials as follows:

- (a) Aluminum, bimetal and steel containers shall be clean, rinsed and free of product residue.
- (b) Rigid plastic containers shall be rinsed and free of product residue. Caps shall be removed and discarded.
- (c) Foam polystyrene packaging shall be clean, rinsed and free of product residue.
- (d) Glass containers shall be clean, rinsed and free of product residue.
- (e) Corrugated paper or other container board shall be free of debris.

SEC. 8-4-6 APPROVED RECYCLING CONTAINERS.

- (a) **RECYCLING CONTAINER STANDARD.** An approved recycling container shall be provided by the City in which to store all single-stream recycling materials. Approved containers shall be provided by the City to all single family, including condominiums, and up to four family unit residences.
- (b) **RECYCLING CONTAINER FEE.**
 - (1) An annual recycling container fee shall be established by the Director of Public Works and approved by the Common Council.
 - (2) All fees shall be collected in a manner determined by the Comptroller and approved by the Common Council. Section 3-1-13 shall apply to any unpaid fees.

SEC. 8-4-7 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 ~~s. 0)(5)~~ through (15) Section 8-4-4:
- (1) Provide adequate, separate containers for the recyclable materials.
- (2) Notify tenants in writing at the time of renting or leasing the dwelling and at least semi-annually 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 the materials in order to meet the processing requirements, collection methods or sites, locations and hours of operation, and a contact person or company, including a name, address and telephone number.

- (b) The requirements specified in (1) do not apply to the owners or designated agents of multiple-family dwellings if the post-consumer 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. 0)(5) through (15)~~ Section 8-4-4 from solid waste in as pure a form as is technically feasible.

SEC. 8-4-8 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 ~~s. 0)(5) through (15)~~ Section 8-4-4:
- (1) Provide adequate, ~~separate~~ containers for the recyclable materials.
 - (2) Notify in writing, at least semi-annually, 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 and hours of operation, and a contact person or company, including a name, address and telephone number.
- (b) The requirements specified in (a) do not apply to the owners or designated agents of nonresidential facilities and properties if the post-consumer 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 ~~s. 0)(5) through (15)~~ Section 8-4-4 from solid waste in as pure a form as is technically feasible.

SEC. 8-4-9 UNLAWFUL REMOVAL OF RECYCLABLES.

It shall be unlawful for any person, corporation or other form of business entity unless under contract with or licensed by the City of Menasha, to collect or remove any recyclable material that has been deposited or placed at the curb or in a container adjacent to a home or nonresidential building for the purpose of collection of recycling. Recyclable materials, upon placement at the curb, shall become the property of the City of Menasha.

SEC. 8-4-10 PROHIBITIONS ON DISPOSAL OF RECYCLABLE MATERIALS SEPARATED FOR RECYCLING.

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 s. (j)(5) through (15) which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

SEC. 8-4-11 AUTHORIZED DISPOSAL SITES FOR RECYCLABLES.

Hours of disposal at authorized sites shall be Saturdays from 8:00 a.m. to 1:00 p.m., except legal holidays; and the hours of 7:00 a.m. to 5:00 p.m. on weekdays, except legal holidays, or other hours as designated by the Board of Public Works based on the needs of the City. Disposal on unauthorized days or disposal at unauthorized hours shall be a violation of this Ordinance.

SEC. 8-4-12 ENFORCEMENT.

- (a) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the City of Menasha may inspect recyclable materials separated for recycling, post-consumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and nonresidential 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 City of Menasha who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.
- (b) Any person who violates a provision of this ordinance may be issued a citation by the Director of Public Works or his/her designee or the Menasha Police Department 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 the paragraph.
- (c) Penalties for violating this ordinance may be assessed as follows:
 - (1) Any person who violates Section 8-4-9 may be required to forfeit \$50 for a first violation, \$200 for a second violation, and not more than \$2,000 for a third or subsequent violation.
 - (2) Any person who violates a provision of this ordinance, except Section 8-4-9 may be required to forfeit not less than \$10 nor more than \$1,000 for each violation.