

**CITY OF MADISON, WISCONSIN**

AN ORDINANCE \_\_\_\_\_

**amending Sections 1.08(3)(a) and (4) and 7.36(7)** of the Madison General Ordinances to change references of "garbage cans" to "garbage containers".

Drafted by: Jessica M. Long  
Assistant City Attorney

Date: December 7, 2004

Fiscal Note: No expenditure required.

SPONSORS: Alds. MacCubbin and Verveer

PRESENTED December 14, 2004  
REFERRED Solid Waste Advisory Comm.

REREFERRED \_\_\_\_\_

REPORTED BACK \_\_\_\_\_

ADOPTED \_\_\_\_\_ POF \_\_\_\_\_

RULES SUSPENDED \_\_\_\_\_

PUBLIC HEARING \_\_\_\_\_

\* \* \* \*

MAYOR SIGNED \_\_\_\_\_

PUBLISHED \_\_\_\_\_

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APPROVAL OF FISCAL NOTE IS NEEDED BY THE COMPTROLLER'S OFFICE Approved By  _____ Comptroller's Office
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ORDINANCE NUMBER \_\_\_\_\_

ID NUMBER \_\_\_\_\_

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (a) of Subsection (3) entitled "Schedule of Deposits" of Section 1.08 entitled "Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits" of the Madison General Ordinances is amended by amending therein the following:

<u>"Offense</u>	<u>Ord. No.</u>	<u>Deposit</u>
Storing garbage <del>cans</del> <u>containers</u> or vessels other than at rear of building.	7.36(7)(b)	\$20, 1st \$30, 2nd
<del>Trash cans</del> <u>Garbage containers</u> on terrace more than 12 hours before day of collection.	10.18(1)	\$20, 1st \$30, 2nd
<del>Trash cans</del> <u>Garbage containers</u> on terrace more than 24 hours after day of collection.	10.18(6)	\$20"

**Approved as to form:**

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**Michael P. May, City Attorney**

2. Subsection (4) entitled "Issuance of Citations" of Section 1.08 entitled "Issuance of Citations for Violations of Certain Ordinances and Providing a Schedule of Cash Deposits" of the Madison General Ordinances is amended by amending therein the following:

<u>"Enforcement Official</u>	<u>Ordinance Chapter or Section and Title</u>
Superintendent of Parks or her/his designee	Section 8.185, Watercraft and/or Other Boating Equipment Storage on City Property Regulated; Section 8.26, Temporary Structure Prohibited without Permit; Section 8.36, Play Golf on City Lands Restricted to Golf Courses; Section 8.42, Feeding Birds on Public Property Prohibited; Section 9.13, restrictions on vending; Section 10.056, Street Use Permit; Sections 10.18(1) and (6), <del>trash cans</del> <u>garbage containers</u> on terrace when prohibited."

3. Subsection (7) of Section 7.36 entitled "Collection and Disposition of Garbage" of the Madison General Ordinances is amended to read as follows:

- "(7) (a) Vessels for Holding Garbage to be Provided - Manner of Depositing Garbage in Same. It shall be the duty of all householders, tenants, hotel keepers, boarding house keepers, restaurants and all retail dealers dealing in or storing food-stuffs, excepting those dealers which handle only raw meat, commonly known as meat markets, to provide or cause to be provided and at all times to keep or cause to be kept, portable vessels or ~~cans~~ containers for holding garbage, said vessels or ~~cans~~ containers to be watertight, provided with handles and covers which shall not be removed except when necessary. Garbage ~~cans~~ containers for residences must not be less than five (5) gallons nor more than fifteen (15) gallons in size. Garbage ~~cans~~ containers of restaurants, hotels, boarding houses and retail stores as above defined shall not be more than thirty-five (35) gallons in size. If more capacity is needed additional ~~cans~~ containers or vessels must be provided as ordered by the Sanitation Supervisor. All ~~cans~~ containers or vessels shall be constructed of or lined with metal and shall be kept in a clean and sanitary manner at all times.
- (b) Placing of Garbage ~~Cans~~ Containers. Garbage ~~cans~~ containers or vessels shall be kept in the rear of the house or buildings or in such other place as shall be designated by the Sanitation Supervisor which is easily accessible to the collector, not above the ground floor, but shall not be placed on the sidewalk, street, alley or other public place or in any manner so as to create a nuisance. When leaky or in any way defective such ~~cans~~ containers or vessels shall be replaced with new ~~cans~~ containers or vessels as ordered by the Sanitation Supervisor. The Sanitation Supervisor is hereby authorized to permit or order the installation of approved types of garbage ~~can~~ container receivers either below or above the surface of the ground or the construction of such shields or enclosures for ~~cans~~ containers or vessels as will abate a garbage nuisance.
- (c) Preparation of Garbage. All garbage from residences shall be drained and wrapped in paper before being placed in garbage containers or vessels. Garbage dealers, as above provided, shall deposit garbage in garbage ~~cans~~ containers, after draining, without wrapping. It shall be unlawful for any person to place in the garbage ~~cans~~ containers any ashes, earth, glass, crockery, tin cans, excess paper, paper boxes or other refuse than garbage. ~~Cans~~ Containers containing any of the above shall not be emptied by the collector. Persons not conforming to these rules shall not be entitled to garbage collection service."