



Legislation Details (With Text)

File #: 13476 **Version:** 1 **Name:** Removal of Recyclable Items
Type: Ordinance **Status:** Passed
File created: 1/27/2009 **In control:** PUBLIC SAFETY REVIEW COMMITTEE
On agenda: 4/21/2009 **Final action:** 4/21/2009
Enactment date: 5/8/2009 **Enactment #:** ORD-09-00072

Title: Creating Sections 10.18(9)(f) and 10.18(13)(d) of the Madison General Ordinances to provide a violation and forfeiture range for the removal of recyclable items from private property; and amending Sec. 1.08(3)(a) to create a bail deposit for these violations.

Sponsors: Paul E. Skidmore

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/21/2009	1	COMMON COUNCIL	Adopt	Pass
4/14/2009	1	PUBLIC SAFETY REVIEW COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
3/23/2009	1		Return to Lead with the Recommendation for Approval	
3/23/2009	1	BOARD OF ESTIMATES (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
2/18/2009	1	BOARD OF PUBLIC WORKS	Return to Lead with the Recommendation for Approval	Pass
2/16/2009	1	BOARD OF ESTIMATES (ended 4/2017)	Refer	Pass
2/10/2009	1	PUBLIC SAFETY REVIEW COMMITTEE	Re-refer	
2/3/2009	1	PUBLIC SAFETY REVIEW COMMITTEE	Refer	
2/3/2009	1	PUBLIC SAFETY REVIEW COMMITTEE	Refer	
2/3/2009	1	COMMON COUNCIL	Referred	
1/27/2009	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

Minimal increase in General Fund revenues.

Title

Creating Sections 10.18(9)(f) and 10.18(13)(d) of the Madison General Ordinances to provide a violation and forfeiture range for the removal of recyclable items from private property; and amending Sec. 1.08(3)(a) to create a bail deposit for these violations.

Body

DRAFTER'S ANALYSIS: This ordinance is being created to provide for a violation for any person who removes recyclable items, such as metal and scraps of wire, from a private premise, recyclable containers, dumpsters, or, which are located on private property without the consent of the owner, occupant, or lessee of the property.

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

1. Subdivision (f) of Subsection (9) entitled "Limitations on Collection of Solid Waste" of Section 10.18 entitled "Collection of Refuse and Recycling of Waste" of the Madison General Ordinances is created to read as follows:

"(f) No person shall remove any recyclable items from a private premise, recyclable container or dumpster without the consent of the occupant, owner or lessee of the premise."

2. Subsection (13) entitled "Penalty" of Section 10.18 entitled "Collection of Refuse and Recycling of Waste" of the Madison General Ordinances is amended to read as follows:

"(13) Penalty.

- (a) Any person who violates subsections (7), (9)(a - e) and 10 of Section 10.18 shall be subject to a forfeiture of not less than fifty dollars (\$50) nor more than two hundred dollars (\$200) for each offense within twelve months and not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for the third and any subsequent violation within any twelve-month period. Each day of violation shall constitute a separate offense. Any person violating Sec. 10.18(7), in addition to any forfeiture, shall be liable for the expense of the removal, testing or separation of any matter deposited contrary to the provisions of this subsection.
- (b) Any person who violates Section 10.18(8) shall be subject to a forfeiture of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1000) for each offense within a twelve-month period and not less than one thousand dollars (\$1000) nor more than five thousand dollars (\$5000) for any subsequent offense within a twelve-month period.
- (c) Any solid waste containing yard waste in violation of this Section shall be cause for the City's garbage collector to refuse to pick up such solid waste.
- (d) Any person who violates Section 10.18(9)(f) shall be subject to a forfeiture of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) for each offense.

3. 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 the following:

"Collection of solid waste.	10.18(9)(<u>a - e</u>)	\$200, 1st/2nd
<u>Removal of recyclables from private property.</u>	<u>10.18(9)(f)</u>	<u>\$200</u> "

EDITOR'S NOTE: New bail deposits must be approved by the Municipal Judge prior to adoption. This deposit has been so approved.