

CHAPTER 11

PUBLIC HEALTH AND WELFARE

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11.01 BOARD OF HEALTH.

- (1) DUTIES. The Village Board shall perform the duties of the Board of Health. The Board of Health shall assume the general administration of health and sanitation laws and regulations in the Village and attend to the administration and enforcement of the health laws of the State and the rules and regulations prescribed by the State Department of Health and the ordinances of the Village.

The Board of Health under the supervision of the District State of Health Officer shall:

- (a) Maintain continuous sanitary supervision over its territory.
 - (b) Promote the spread of information as to the causes, nature and prevention of prevalent diseases and the preservation and improvement of health.
 - (c) Enforce the health laws, rules, and regulations of the State Department of Health and Social Services, the State and the Village including the laws relating to contagious diseases contained in Ch. 143, Wis. Stats.
 - (d) Take steps necessary to secure prompt and full reports by physicians of communicable diseases and prompt and full registration of births and deaths.
 - (e) Keep and deliver to its successor a record of all its official acts.
 - (f) Make annual reports to the State Department of Health and Social Services and such other report as it may request.
- (2) POWERS. The Board shall take such measures and make such rules and regulations as shall be necessary and effectual for the preservation and promotion of the public health in the Village. All orders and regulations of the Board shall be published in the official newspaper, and after publication shall have the force and effect of ordinances, including penalty for violation.
- (1) MATERIALS AND SUPPLIES. The Board may procure at the expense of the Village all record books, quarantine cards and other material it may need, except such as furnished by the State Department of Health and Social Services.

11.02 RULES AND REGULATIONS. The Board of Health may make reasonable and general rules for the enforcement of the provisions of this chapter and for the prevention

of the creation of health nuisances and the protection of the public health and welfare, and may where appropriate require the issuance of license and permits. All such requirements shall have the same effect as ordinances and any person violating any of such regulations and any lawful order of the Board shall be subject to a penalty as provided in §25.04 of this Code.

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11.03 HEALTH NUISANCES, ABATEMENT OF. The Board of Health may abate health nuisances in accordance with §146.14, Wis. Stats., which is adopted by reference and made a part of this chapter as if fully set forth herein.

11.04 COMMUNICABLE DISEASE. (Am. MSC '86) Ch. 143, Wis. Stats., and Ch. HSS 145, Wis. Adm. Code are adopted by reference and made a part of this chapter and the Board of Health shall enforce the provisions thereof.

11.05 REGULATION OF NUISANCE TYPE BUSINESSES.

- (1) PERMIT REQUIRED. No person shall conduct within the Village any business which has a tendency to create a public nuisance, except upon permit issued by the Board of Health and subject to such conditions as it may impose.
- (2) DEFINITION. A business which has a tendency to create a public nuisance is one which, unless properly regulated, may create conditions creating a public nuisance as defined in §10.02 of this Municipal Code.
- (3) STATUTORY AUTHORITY. This section is enacted pursuant

11.06 MILK AND MILK PRODUCTS. No person shall sell, offer or expose for sale within the Village any milk or milk products other than Grade A pasteurized milk or milk products as defined in Ch. AG 80, Wis. Adm. Code, or any milk or milk product which is adulterated or misbranded.

11.07 COMPULSORY CONNECTION TO SEWER AND WATER.

- (1) NOTICE TO CONNECT. Whenever sewer and water becomes available to any public, commercial, mercantile or business building or building used for human habitation, the Utilities Superintendent shall notify in writing the owner, agent or occupant thereof, to connect thereto all facilities required by the superintendent. If such person to whom notice has been given shall fail to comply for more than 10 days after notice, the Superintendent shall cause the necessary connections to be made and the expense thereof shall be assessed as a special tax against the property pursuant to §144.06, Wis. Stats.
- (2) DEFERRED PAYMENT. The owner, his agent or the occupant, may, within 30 days after completion of the work, file a written option with the Village Treasurer electing to pay the amount of the assessment in 5 equal installments with interest on the unpaid balance, as per §144.06 Wis. Stats.

(3) PRIVIES AND CESSPOOLS PROHIBITED. After connection of any building to a sewer main hereunder, no privy, cesspool or waterless toilet shall be used in connection with such building.

12/2/85

11.08 GARBAGE COLLECTION AND SOURCE SEPARATION. (REP. & RECR. #200)

- (1) **VILLAGE CONTRACT FOR GARBAGE/RECYCLABLES PICKUP.** The Village Board shall contract for the weekly removal of garbage, refuse and recyclables in accordance with the Village refuse and recyclable collection contract and accordance with Schedule 9 from the Waukesha County Service Agreement titled, "Designated Delivery Agent Rules and Regulations," beginning January 1, 1992. The collection, removal and disposal of solid waste and recyclables shall be from the curb (within 5') of the serviced road edge) in front of each unit and be in full compliance with the rules and regulations governing such collection as indicated in the contract and in accordance with the rules and regulations as set forth by the Village Board, the Waukesha County Solid Waste Management Board and further in accordance with the Wisconsin Statutes. There is hereby established a fee for the removal of garbage, refuse and recyclables. The fee shall be per the unit charge made to the Village by the firm providing the removal to the Village by contract and shall be paid monthly by the Village. The cost for garbage, refuse and recyclables collection shall be a part of the annual Village budget.

- (2) **REFUSE SOURCE SEPARATION REQUIRED.** Commencing on January 1, 1992, all material suitable for garbage and refuse collection shall be placed by residents at the curb of their homes by 6am of the day designated by the Village for collection, but no earlier than 24 hours prior to the scheduled pickup. Containers must be removed from the curbside the same day in which the containers are emptied. Residents of each single family and 2 family dwelling unit shall be required and each place of business, industry, church, public or private organization is encouraged to separate all refuse generated in the following manner:
 - (a) All recyclable material shall be separate from other garbage and refuse and placed in the recycling bin provided by the Village and placed curbside for collection in the same manner and at the same time as regular garbage collection occurs in the Village. Each unit authorized by the contract will be provided a recycling bin from the Village. The designated recycling containers must remain the property of the Village. Containers which are lost, damaged, or removed from the property must be replaced at the expense of the property owner at a cost of \$5. The Village will bill the property owner for the cost of replacement containers. Failure to pay the bill will result in the cost being placed on the property tax roll. All recyclables will be transported to the Waukesha County Material Recycling Facility. Recycling materials shall consist of the following:

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1. Glass Containers. Brown, green, and clear glass with covers and rings removed shall be rinsed and placed in the bin. Removal of labels is not required.
 2. Cans. All aluminum, steel and tin cans shall be rinsed and placed in the bin. Removal of labels is not required.
 3. Plastic Bottles. HDPE and PET (1 and 2). All plastics shall be rinsed, and the covers and rings removed and placed in bin. Removal of labels is not required.
 4. Newspapers. Newspapers must be bagged or tied.
 5. Glass, Cans, and Plastic Bottles. Glass, cans and bottles may be commingled in the bin. The separately bagged or tied newspapers are placed on top of the bin.
 6. Yard Waste. Yard waste (grass clippings, leaves, weeds, garden debris) shall be placed in paper bags. Brush will be collected if it is bundled, if the brush does not exceed 2" in diameter and of the bundles do not exceed 4' in length or 80lbs in weight. Yard waste collection will be excluded from collection as of January 1, 1993.
 7. Appliances and Furniture. Appliances and furniture may be placed for collection along with the other garbage and recyclables on regular collection days. Items collected are furniture; televisions; stereos; white goods; such as water heaters, water softeners, dishwashers, clothes dryers and clothes washers; and other large items generate from residential homes will also be collected.
 8. Miscellaneous. Carpet and carpet padding shall be cut in 4' lengths and in bundles of less than 80lbs. Pipes must be less than 6" in diameter, 4' in length and weigh less than 80lbs. Board lumber must be bundles less than 80lbs. and cut in 4' lengths.
- (b) All non-recyclable materials shall be grouped together and placed in one or more plastic garbage bags or covered garbage containers no larger than 33 gals. in size nor weighing more than 80 lbs. for garbage collection purposes. Cardboard containers are not acceptable. Non-recyclable materials would be all other garbage and refuse not to qualifying as recyclable material.
- (c) Items which will not be collected are as follows:
1. Auto parts; tires; automotive batteries; waste oil; landscape timbers; piers; earth; rocks; concrete; Freon appliances; such as air conditioners, freezers, refrigerators and dehumidifiers; and

building materials from contracted jobs or materials from new construction.

2. Hazardous, toxic or infectious materials, including any items recognized as special waste by Ch. NR 181, Wis. Adm. Code.

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- (3) **COLLECTION BY UNAUTHORIZED PERSON.** From the time of placement at the curb by anyone of the categories described herein for collection by the Village in accordance with the terms hereof, items shall be and become the property of the Village or its authorized agent. It shall be a violation of this section for any person unauthorized by the Village to collect or pickup or cause to be collected or picked up any such items during the 24 hour period commencing at 6pm in any day preceding a day designated for collection. Any and each such collection in violation hereof shall constitute a separate and distinct offense punishable by a forfeiture of not less than \$10 nor more than \$500 plus cost of prosecution. Failure to pay any forfeiture imposed herein shall subject the violator to imprisonment or suspension of driving privileges.
- (4) **PENALTY FOR NONCOMPLIANCE.** Refusal to separate recyclables in compliance with the terms of this section shall be cause for the Village's refuse collector to refuse to pick up such garbage or refuse. The property owner shall properly dispose of any garbage or refuse not collected by the Village's refuse collector due to failure to separate recyclables. All such garbage or refuse shall be disposed of by the property owner within 48 hours of the designated time for refuse collection. Failure to properly dispose of such garbage or refuse shall subject the property owner to daily forfeitures of not less than \$10 no more than \$500, plus costs of prosecution. Each day that such garbage or refuse is not properly disposed of shall constitute a separate punishable offense. Failure to pay any forfeiture imposed hereunder shall subject the violator to imprisonment or suspension of driving privileges.

4/13/92

11.09 SLAUGHTERHOUSES AND RENDERING PLANTS.

- (1) **PROHIBITED.** No person shall erect, maintain or use any slaughtering house or any building used for slaughtering, processing or rendering of animals, or maintain or use for such purpose any building or buildings heretofore erected within the Village. Every separate act of slaughtering and rendering within the Village shall be a separate and distinct offense.
- (2) **WHEN SLAUGHTERING PERMITTED.** Any person may slaughter rabbits, poultry or other similar animals solely for his personal consumption, except not when regulated otherwise by a chicken keeping permit pursuant to Section 12.11.

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11.10 PENALTY. Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in §25.04 of this Municipal Code.

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