

CITY OF SHEBOYGAN
GENERAL ORDINANCE 42-25-26

BY ALDERPERSONS DEKKER AND RUST.

APRIL 13, 2026.

AN ORDINANCE amending Sections 46-1; 46-82; 46-88; 46-89; and 46-91 of the Municipal Code relating to solid waste and recycling in general.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

SECTION 1: AMENDMENT “Sec 46-1 Definitions” of the Sheboygan Municipal Code is hereby amended as follows:

AMENDMENT

“Sec 46-1 Definitions

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

...

HDPE means high density polyethylene, labeled by the **SPI resin** code #2.

...

LDPE means low density polyethylene, labeled by the **SPI resin** code #4.

...

Nonresidential facilities and properties means commercial, retail, industrial, institutional, and governmental facilities and properties. **Non-residential facilities and properties includes any location at which goods or services are provided or manufactured, including locations under construction, demolition, or remodeling, or used for special events such as fairs, festivals, sport venues, conferences, and exhibits.** The term "nonresidential facilities and properties" does not include multifamily dwellings.

...

Office paper means high grade printing and writing papers from offices in nonresidential facilities and properties. Printed white ledger and computer printouts are examples of office paper generally accepted as high grade. The term "office paper" does not include industrial process waste, newspaper, or packaging.

Other resins or multiple resins mean plastic resins labeled by the resin code # 7.

...

PETE or PET means polyethylene terephthalate, labeled by the SPI resin code #1.

...

~~*PP* means polypropylene, labeled by the SPI code #5.~~

~~*PVC* means polyvinyl chloride, labeled by the SPI code #3.~~

Plastic container means ...

Postconsumer waste means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in s. 291.01(7) Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in Wis. Stat. s. 289.01(17).

PP means polypropylene, labeled by the resin code #5.

Prohibited materials ...

PS means polystyrene, labeled by the resin code #6.

PVC means polyvinyl chloride, labeled by the resin code #3.

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 bi-metal containers.

...

Solid waste ...

Solid waste facility has the meaning specified in Wis. Stat. s. 289.01(35).

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.

...”

SECTION 2: REPEAL. “Sec 46-82 Definitions” of the Sheboygan Municipal Code is hereby repealed and that section shall be listed as “reserved.”

REPEAL

“Sec 46-82 Definitions (Reserved)”

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~*Other resins or multiple resins* mean plastic resins, labeled by the SPI code #7.~~

~~*PS* means polystyrene, labeled by the SPI code #6.~~

~~*Postconsumer waste* means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in Wis. Stats. § 291.01(7), and waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in Wis. Stats. § 289.01(17).~~

~~*Recyclable materials* means and 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 bi-metal containers.~~

~~*Solid waste facility* has the meaning specified in Wis. Stats. § 289.01(35).~~

~~*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. The term "solid waste treatment" does not include the treatment of post-use plastics or nonrecycled feedstock at a pyrolysis or gasification facility.”~~

SECTION 3: AMENDMENT “Sec 46-88 Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings” of the Sheboygan Municipal Code is hereby amended as follows:

AMENDMENT

“Sec 46-88 Responsibilities of Owners or Designated Agents of Multiple-Family Dwellings

- (a) Owners or designated agents of multifamily dwellings shall do all of the following to recycle the materials specified in section 46-83(e) through (o):
- (1) Provide adequate, separate containers for the recyclable materials. The number of recycling containers shall equal or be greater than the number of trash containers and at least one of the following shall be met:
 - a. The minimum total volume of recycling container space is equal to 20 gallons per week per dwelling unit.
 - b. The ratio of trash container volume to recycling container volume is at most 2:1.
 - c. An alternative method that does not result in the overflow of a recycling container during the time period between collection of materials and delivery to a recycling facility.
 - (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 ~~of or sites,~~ and locations of drop-off collection sites to recycle materials not collected on-site, ~~and hours of operation, and a contact person or company, including a name, address, and telephone number.~~
- (b) The requirements in subsection (a) of this section do not apply to the owner or designated agent of a multifamily dwelling if the postconsumer waste generated within the dwelling is treated at a processing facility licensed by the Wisconsin Department of Natural Resources that recovers for recycling the materials specified in section 46-87 from solid waste in as pure a form as is technically feasible. ~~material specified in section 46-83(e) through (o) is exempt from separation requirements pursuant to section 46-84.”~~

SECTION 4:AMENDMENT “Sec 46-89 Responsibilities of Owners or Designated Agents of Non-Residential Facilities and Properties” of the Sheboygan Municipal Code is hereby amended as follows:

AMENDMENT

“Sec. 46-89 Responsibilities of Owners or Designated Agents of Non-Residential 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 section 46-83(e) through (o):
 - (1) Provide adequate, separate containers for the recyclable materials. The total volume of recycling containers shall be sufficient to avoid overflow during the time period between collection of materials and delivery to a recycling facility.
 - (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~~ of drop-off collection sites to recycle materials not collected on-site. ~~and hours of operation, and a contact person or company, including a name, address, and telephone number.~~
- (b) The requirements in subsection (a) of this section do not apply to the owner or designated agent of nonresidential facilities and properties if the postconsumer waste generated within the facility or property is treated at a processing facility licensed by the Wisconsin Department of Natural Resources that recovers for recycling the materials specified in section 46-87 from solid waste in as pure a form as is technically feasible. ~~material specified in section 46-83(e) through (o) is exempt from separation requirements pursuant to section 46-84.”~~

SECTION 5: AMENDMENT “Sec 46-91 Enforcement” of the Sheboygan Municipal Code is hereby amended as follows:

AMENDMENT

“Sec. 46-91 Enforcement

- (a) For the purpose of ascertaining compliance with the provisions of this article, any authorized officer, employee, or representative of the city may inspect

recyclable materials separated for recycling, postconsumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multifamily dwellings and nonresidential facilities and properties, and any records relating to recycling activities, which shall be kept confidential to the extent permitted by law to protect proprietary information. In the event that a person refuses access to any authorized officer, employee, or representative of the city who requests access for the purpose of inspection, and who presents appropriate credentials, the authorized officer, employee, or representative may make an inference of noncompliance. **No person may refuse access to any authorized officer, employee, or authorized representative of the city who requests access for purposes of inspection, and who presents appropriate credentials. No person may obstruct, hamper, or interfere with such an inspection.**

...”

SECTION 6: REPEALER CLAUSE All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 7: EFFECTIVE DATE This Ordinance shall be in effect from and after its passage and publication according to law.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

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Presiding Officer

Attest

Ryan Sorenson, Mayor, City of Sheboygan

Meredith DeBruin, City Clerk, City of Sheboygan