

Chapter 5

RECYCLING

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5.01 TITLE.

This Ordinance shall be known as the Recycling Ordinance for the Village of Paddock Lake.

5.02 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 §159.11, Wis. Stats., and Chapter NR 544, Wisconsin Administrative Code.

5.03 STATUTORY AUTHORITY.

This ordinance is adopted as authorized under §159.09(3)(b), Wis. Stats., and NR 544.06 of the Wisconsin Administrative Code.

5.04 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.

5.05 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, Wisconsin Administrative 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 adoption of this ordinance, or in effect on the date of the most recent text amendment to this ordinance.

5.06 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.

5.07 APPLICABILITY.

The requirements of this ordinance apply to all persons within the corporate limits of the Village of Paddock Lake south of 60th Street (CTH "K"). It is the intention of the Village Board that there be no municipal garbage or recycling collection north of 60th Street (CTH "K").

5.08 ADMINISTRATION.

The provision of this ordinance shall be administered by the Recycling Commission of the Village of Paddock Lake.

5.09 EFFECTIVE DATE.

The provisions of this ordinance shall take effect on January 1, 1994.

5.10 DEFINITIONS.

For purposes of this ordinance:

(a) "Bi-metal 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) "Contractor Yard Waste" means brush, wood, and all materials contained in the definition of "yard waste" contained in subsection (aa) herein, which is generated by the labor, work or efforts of a person, firm or corporation on behalf of or at the instance and request of an owner or occupant of real estate, regardless of whether such person, firm or corporation performing such services is compensated for such efforts.

(d) "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 articles in a shipping container.
- (3) Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.

(e) "HDPE" means high density polyethylene, labeled by the SPI code #2.

(f) "LDPE" means low density polyethylene, labeled by the SPI code #4.

(g) "Magazines" means magazines and other materials printed on similar paper.

(h) "Major appliance" means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, stove, furnace, boiler, dehumidifier or water heater.

(i) "Multiple-family dwelling" means a property containing 5 or more residential units, including those which are occupied seasonally.

(j) "Newspaper" means a newspaper and other materials printed on newsprint.

(k) "Non-residential facilities and properties" means commercial, retail, industrial, institutional and governmental facilities and properties. This term does not include multiple family dwellings.

(l) "Office paper" means high grade printing and writing papers from offices in non-residential 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.

(m) "Other resins or multiple resins" means plastic resins labeled by the SPI code #7.

(n) "Person" includes any individual, corporation, partnership, association, local governmental unit, as defined in §66.299(1)(a), Wis. Stats., state agency or authority or federal agency.

(o) "PETE" means polyethylene terephthalate, labeled by the SPI code #1.

(p) "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.

(q) "Postconsumer waste" means solid waste other than solid waste generated in the production of goods, hazardous waste, as defined in §144.61(5), Wis. Stats., waste from construction and demolition of structures, scrap automobiles, or high-volume industrial waste, as defined in §144.44(7)(a)1., Wis. Stats.

(r) "PP" means polypropylene, labeled by the SPI code #5.

(s) "PS" means polystyrene, labeled by the SPI code #6.

(t) "PVC" means polyvinyl chloride, labeled by the SPI code #3.

(u) "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.

(v) "Recycling Plan" means a comprehensive binding program of recycling by an owner or occupant of real estate including, but not limited to, contracting with a licensed waste hauler to fulfill such program requirements.

(w) "Solid waste" has the meaning specified in §144.01(15), Wis. Stats.

(x) "Solid waste facility" has the meaning specified in §144.43(5), Wis. Stats.

(y) "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.

(z) "Waste tire" means a tire that is no longer suitable for its original purpose because of wear, damage or defect.

(aa) "Yard waste" means leaves, grass clippings, yard and garden debris and brush, including clean wood vegetative material no greater than 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

5.11 SEPARATION OF RECYCLABLE MATERIALS.

Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties shall separate the following materials from postconsumer waste:

(a) Lead acid batteries,

(b) Major appliances,

- (c) Waste oil,
- (d) Yard waste,
- (e) Aluminum containers,
- (f) Bi-metal containers,
- (g) Corrugated paper or other container board,
- (h) Foam polystyrene packaging,
- (i) Glass containers,
- (j) Magazines,
- (k) Newspaper,
- (l) Office paper,
- (m) Rigid plastic containers made of PETE, HDPE, PVC, LDPE, PP, PS, and other resins or multiple resins,
- (n) Steel containers,
- (o) Waste tires.

5.12 SEPARATION REQUIREMENTS EXEMPTED.

The separation requirements of §5.11 do not apply to the following:

(a) Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties that send their postconsumer waste to a processing facility licensed by the Wisconsin Department of Natural Resources that recovers the materials specified in §5.11 from solid waste in as pure a form as is technically feasible.

(b) Solid waste which is burned as a supplemental fuel at a facility if less than 30% of the heat input to the facility is derived from the solid waste burned as supplemental fuel.

(c) A recyclable material specified in §5.11(e) through (o) for which a variance has been granted by the Department of Natural Resources under §159.11(2m), Wis. Stats., or §NR 544.14, Wisconsin Administrative Code.

5.13 CARE OF SEPARATED RECYCLABLE MATERIALS.

To the greatest extent practicable, the recyclable materials separated in accordance with §5.11 shall be clean and

kept free of contaminants such as food or product residue, oil or grease, or other non-recyclable materials, including but not limited to household hazardous waste, medical waste, and agricultural chemical containers. Recyclable materials shall be stored in a manner which protects them from wind, rain and other inclement weather conditions.

5.14 MANAGEMENT OF LEAD ACID BATTERIES, MAJOR APPLIANCES, WASTE OIL AND YARD WASTE.

Occupants of single family and 2 to 4 unit residences, multiple-family dwellings and non-residential facilities and properties shall manage lead acid batteries, major appliances, waste oil, and yard waste as follows:

(a) Lead acid batteries shall be deposited by the person responsible therefor pursuant to procedures established by the Recycling Commission.

(b) Major appliances shall be placed at the curb for collection pursuant to procedures designated by the Recycling Commission; further, there shall be an additional fee charged for the disposal of major appliances containing freon or similar substances.

(c) Waste oil shall be deposited by the person responsible therefore at the Village waste oil collection location, as designated by the Recycling Commission, or at another DNR approved site, all in accordance with regulations designated by the Recycling Commission or the DNR, as may be applicable. No person shall deposit any material other than waste oil at the Village waste oil collection location and shall only place waste oil in the containers at the location and at the time specified by the Recycling Commission. No person shall damage or deface any portion of the Village waste oil collection location.

(d) Yard waste shall be placed at appropriate collection points as are designated from time to time by the Recycling Commission, composted on site or placed at the curb for collection at specified times of the year as designated by the Recycling Commission. This provision shall not be applicable to contractor yard waste, which shall be placed at appropriate collection points as are designated in the permit issued pursuant to §5.185 of these ordinances.

(e) Antifreeze shall be deposited by the person responsible therefore at the Village antifreeze collection location, as designated by the Recycling Commission, or at another DNR approved site, all in accordance with regulations designated by the Recycling Commission or the DNR, as may be applicable. No person shall deposit any material other than antifreeze at the Village antifreeze collection location and

shall only place antifreeze in the containers at the location and at the time specified by the Recycling Commission. No person shall damage or deface any portion of the Village antifreeze collection location.

5.15 PREPARATION AND COLLECTION OF RECYCLABLE MATERIALS.

Except as otherwise directed by the Recycling Commission, occupants of single family and 2 to 4 unit residences shall do the following for the preparation and collection of the separated materials specified in §5.11(e) through (o):

(a) Aluminum containers shall be placed in such containers as are designated and provided by the Recycling Commission.

(b) Bi-metal containers shall be rinsed free of produce residue and placed in such containers as are designated by the Recycling Commission.

(c) Corrugated paper or other container board shall be free of debris, flattened, stacked and tied, and placed at such location as are designated by the Recycling Commission.

(d) Foam polystyrene packaging shall be placed in such containers as are designated and provided by the Recycling Commission.

(e) Glass containers shall be rinsed free of product residue and placed in such containers as are designated by the Recycling Commission.

(f) Magazines shall be stacked, tied and placed at such locations as are designated by the Recycling Commission.

(g) Newspaper shall be stacked, tied and placed at such locations as are designated by the Recycling Commission.

(h) Office paper shall be stacked, tied and placed at such locations as are designated by the Recycling Commission.

(i) Rigid plastic containers shall be prepared and collected as follows:

(1) Plastic containers made of PETE, including _____, shall be rinsed free of product residue and placed in such containers as are designated by the Recycling Commission.

(2) Plastic containers made of HDPE, including _____, shall be rinsed free of product residue and placed in such containers as are designated by the Recycling Commission.

(3) Plastic containers made of PVC, including milk jugs and detergent bottles, shall be rinsed free of product residue and placed in such containers as are designated by the Recycling Commission.

(4) Plastic containers made of LDPE, including , shall be rinsed free of product residue and placed in such containers as are designated by the Recycling Commission.

(5) Plastic containers made of PP, including , shall be rinsed free of product residue and placed in such containers as are designated by the Recycling Commission.

(6) Plastic containers made of PS, including , shall be rinsed free of product residue and placed in such containers as are designated by the Recycling Commission.

(7) Plastic containers made of other resins or multiple resins, including , shall be rinsed free of product residue and placed in such containers as are designated by the Recycling Commission.

(j) Steel containers shall be rinsed free of product residue and placed in such containers as are designated by the Recycling Commission.

(k) Waste tires shall be collected at such times and in such manner as designated by the Recycling Commission. All waste tires shall be removed from the wheel rim prior to collection.

5.16 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 §5.11(e) through (o):

(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 (a) do not apply to the owners or designated agents of multi-family dwellings if the postconsumer 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 §5.11(e) through (o) from solid waste in as pure a form as is technically feasible.

5.17 RESPONSIBILITIES OF OWNERS OR DESIGNATED AGENTS OF NON-RESIDENTIAL FACILITIES AND PROPERTIES.

(a) Owners or designated agents of non-residential facilities and properties shall do all of the following to recycle the materials specified in §5.11(e) through (o):

(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 non-residential 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 §5.11(e) through (o) from solid waste in as pure a form as is technically feasible. For

purposes of compliance with §12.03(1)(c)(4) of these ordinances, written verification of the existence of a bona fide contract for the recovery of recyclable materials pursuant to this subparagraph shall be presumptive evidence of the existence of a Recycling Plan, as defined in §5.10(u).

5.18 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 §5.11(e) through (o) which have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

5.185 CONTRACTOR PERMIT FOR CONTRACTOR YARD WASTE.

No person, firm or corporation shall perform labor or services relating to the removal of any brush, branches, trees (or parts thereof), stumps or other matter known as contractor yard waste or yard waste, as defined herein, until first having applied for and securing an annual permit to do so at locations within the Village. The cost for such annual permit shall be One Hundred (\$100.00) Dollars.

(a) Permit Application. Applications for permit shall be completed and submitted at least forty-eight (48) hours prior to the anticipated commencement of the activities described in the permit application and shall give, at a minimum, the applicant's name, residence, usual business, and the name of the owner and/or occupant of the premises for which the permit is sought. The permit deposit required in subparagraph (c) below shall accompany the application. No permit shall be issued except upon the approval of the designated representative of the Recycling Committee of the Village Board, which shall be responsible for the creation of the content of the permit application.

(b) Regulations.

(1) The permit, once obtained, shall be on site at any location at which the permittee is working in the Village.

(2) The term for the permit shall be from January 1 to December 31 of each year.

(3) Upon completion of the activities at any location within the Village at which the permittee is working, the permittee shall cause all trimmings, cuttings, trees, debris or other matter described as contractor yard waste or yard waste

to be removed from the premises and disposed of in a lawful manner in order to be eligible for return of the deposit described in subparagraph (c) below.

(c) Deposit. As a condition precedent to the granting of a permit, the applicant shall deposit with the Village Clerk/Treasurer the sum of Two Hundred (\$200.00) Dollars, which amount shall be returned to the permittee upon completion of the conditions specified in this ordinance and as may be specified in the permit and upon notification by the permittee of the permittee's intention to surrender the permit and no longer perform work in the Village. If the permittee fails to properly clean any premises or fails to remove all contractor yard waste or yard waste which has been generated by the activities of the applicant, the Village, its employees or representatives, are authorized to enter upon the subject premises and remove or cause to be removed and dispose of such contractor yard waste or yard waste which may have been created by the activities of the applicant or others and the applicant and the owner shall be jointly and severally obligated to reimburse the Village for all costs in restoring the premises to the original condition. In the event that it becomes necessary for the Village to cause the removal of contractor yard waste or yard waste, in addition to the forfeiture of the deposit required hereunder, the owner shall have such costs imposed as a special assessment against the subject parcel if the cost therefore remained unpaid after thirty (30) days of being invoiced for the same.

(d) Designated Representative. The standing committee on recycling may designate one (1) or more employees, agents or representatives to act on its behalf in implementing the specific terms of this ordinance.

(e) Effective Date. This ordinance shall become effective upon October 1, 2008.

5.186 PLACEMENT OF CURBSIDE GARBAGE/RECYCLING.

No person, owner, designated agent of multiple-family dwellings or tenant shall place garbage, refuse or recyclables at or adjacent to the street right-of-way earlier than 5:00 p.m. on the day prior to the day designated for collection at that location, excepting only such special pickups as may be specifically designated by the Recycling Commission and containers must be removed no later than 8:00 p.m. the day of collection.

5.19 ENFORCEMENT.

(a) For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer,

employee or representative of the Recycling Commission may inspect recyclable materials separated for recycling, postconsumer waste intended for disposal, recycling collection sites and facilities, collection vehicles, collection areas of multiple-family dwellings and non-residential 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 Recycling Commission 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 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 this paragraph.

(c) Penalties for violating this ordinance may be assessed as follows:

(1) Any person who violates §5.18 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 §5.14(c) or (e) or §5.185 may be required to forfeit a minimum of Five Hundred (\$500.00) Dollars and not more than Five Thousand (\$5,000.00) Dollars, plus the costs and expense incurred by the Village for restitution, repair or cleanup of any subsequent environmental contamination.

(3) Any person who violates the provision of this ordinance, except 5.18 or 5.14(c) or (e), may be required to forfeit not less than Ten (\$10.00) Dollars and not more than One Thousand (\$1,000.00) Dollars, for each violation.

5.20 BILLING PRACTICES FOR COLLECTION OF CURBSIDE GARBAGE/RECYCLING.

Each owner of property benefitted by the curbside collection of garbage/recycling by contractors under contract with the Village shall be billed quarterly for such service at rates established annually by the Village Board. Invoicing from such services may be combined with municipal utility bills. All invoices shall be payable within 20 days of billing and any delinquent bills may be added to the tax roll in the manner of an

unpaid special assessment pursuant to Section 4.07(B) of these ordinances.

5.21 ILLEGAL DUMPING.

(a) Purpose. The purposes of this ordinance are:

(1) To prohibit the disposal of solid waste at any location other than at designated and authorized facilities or sites and to prevent the unauthorized use of dumpsters, yard waste recycling bins and refuse totes.

(2) To provide enforcement of this ordinance which shall be intended to be an effective deterrent to illegal dumping of solid waste, hazardous waste and yard waste.

(b) Definitions. In addition to these definitions, all definitions contained in §5.10 of these ordinances are hereby incorporated herein by reference:

(1) "Approved solid waste site" means a solid waste site permitted or registered by the State of Wisconsin DNR.

(2) "Contractor" means a person who, either for or without compensation, chooses to transport or attempt to transport any items defined in subsections (5), (6), (13), (14), (16), and/or (17) hereafter for another person, as defined in subsection (10) hereafter, within the corporate limits of the Village.

(3) "Commercial Vehicle" is a vehicle that is operated by a person for commercial purpose or that is owned by a business or commercial enterprise.

(4) "Dispose" or "Dispose and dump" means to abandon, discharge, deposit, inject, dump, spill, leak or place any substance into or on any land or water or so that such substance or any content thereof may enter the environment. The placement of biodegradable materials shall be in Village approved locations and by persons authorized to dispose biodegradable materials in those locations.

(5) "Garbage" means all degradable and non-degradable refuse and solid waste without economic value that is generated through the course of normal living by residents and organizations in

the community.

(6) "Hazardous waste" means any solid, liquid or gaseous waste defined as hazardous by any federal or State of Wisconsin law, rule, ordinance or regulation. Hazardous waste includes, but is not limited to, materials considered to be excessively toxic, poisonous, corrosive, radioactive, biologically infectious, explosive and flammable or any combination.

(7) "Household waste" is discarded materials generated in the normal course of daily activities not otherwise defined herein.

(8) "Illegal dumping" is the dumping or unloading or causing to be dumped any waste matter in or upon any public property, or upon any private property without the consent of the owners. With the exception of yard waste generated by Village residents and placed in Village approved locations.

(9) "Litter and littering" is the willful and/or negligent throwing, placing, sweeping, dropping, shoveling or scattering of waste material left in a place other than a place or container for proper disposal whether on public or private property within the Village.

(10) "Person" means any individual, group, corporation, firm, partnership, joint venture, association, social club, estate, trust or similar such entity.

(11) "Public roadway" is the entire width between property lines of a road, street, way, thoroughfare, bridge, public beach, public park, right of ways with and under the control of the Village of Paddock Lake, County of Kenosha or State of Wisconsin.

(12) "Public property" is any property open to the public for any reason including the conduct of business.

(13) "Recyclable materials" is as defined in §5.10 of these ordinances.

(14) "Solid waste" means any garbage, waste matter, wood, plastic, metal, vegetation/debris, trash, paper, ashes, rubbish, cardboard, concrete, asphalt, electronic waste, and other discarded

materials, including, but not limited to, solid liquids, semisolid or contained gaseous material resulting from commercial and residential activity which are no longer deemed usable.

(15) "Spilling loads" means willfully and knowingly operating, owning or causing to be operated on any public roadway, road, street or public right of way a motor vehicle, trailer or cart loaded with gravel, rock, slag, bricks, leaves, brush or similar objects in such a manner or in such a condition that the content of the vehicle spills out and causes it to be deposited on such public roadways.

(16) "Waste matter" is a discarded, used or leftover substance including, but not limited to, construction material, automotive parts, packaging, carcass of a dead animal, furniture, recyclable material or any object likely to injure a person or create a hazard.

(17) "Yard waste" is as defined in §5.10 of these ordinances.

(b) Prohibited Activities. The following activities are prohibited:

(1) Placing, depositing or dumping, or causing to be placed, deposited or dumped, any rocks, dirt, construction material, rubbish, trash, automotive parts, in or on any portion of a road right of way or public property without the consent of the Village of Paddock Lake.

(2) Placing, depositing or dumping, or causing to be placed, deposited or dumped any rocks, construction material, gravel, rubbish, trash, dirt, automotive parts, brush, leaves, stumps, yard waste in or on any Village property. The exceptions to this subsection are as follows:

(a) Yard waste generated from Village residential property is permitted to be deposited in Village approved yard waste collection sites by Village residents.

(b) Yard waste generated from Village residential property is permitted to be placed at roadways by Village residents during scheduled yard waste collection seasons.

(3) The disposal or the allowance of solid waste

at a location that is not an approved solid waste site.

(4) No person may place any solid waste, yard waste or recyclables in a dumpster, garbage can, waste tote, or other solid waste container belonging to another person without the permission of the owner or person legally entitled to use of the dumpster, garbage or other waste container.

(5) Each Village resident is strictly liable for ensuring that solid waste, recyclables, yard waste generated is properly disposed of. If solid waste, recyclables or yard waste generated by Village resident or person is illegally disposed of, the person generating solid waste shall be subject to liability as defined in this ordinance.

(6) No person shall discard any materials other than yard waste recyclables in any Village authorized yard waste disposal facilities.

(d) Penalties. Any person violating any provision of this section shall, upon conviction, be subject to a forfeiture of not more than Five Hundred (\$500.00) Dollars for the first offense and Five Thousand (\$5,000.00) Dollars for each subsequent offense.