ORDINANCE

SUBJECT: CHAPTER 15 – SOLID WASTE MANAGEMENT CODE

COMMITTEE: PUBLIC WORKS AND INFRASTRUCTURE

FIRST CONSIDERATION: October 15, 2026

FINAL CONSIDERATION: November 9, 2026

ORDINANCE # 235 – 11/26 **PUBLICATION DATE**

The County Board of Supervisors of La Crosse County does ordain as follows:

AN ORDINANCE TO AMEND CHAPTER 15 OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN REGARDING SOLID WASTE MANAGEMENT CODE

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ANALYSIS

1) Items contained within the definition section were modified to meet WDNR Code and changes in site conditions.
2) Master Landfill Use Plan – with the recently approved expansion, significant site grading and modifications will need to be made to facilitate future growth. Until this work is completed, we are pausing modifications to the plan since each revision costs around 25K and most revisions will just be speculative until we are further along with the expansion.
3) Instead of having a special annual meeting, our SWPB agreed to incorporate the annual meeting information into the second quarter policy board meeting. They will still receive all the annual meeting data and presentations, but this will also allow them the opportunity to have a better understanding of our budget and proposed changes prior to submittal along with the ability to vote on items if needed.
4) Permit overview:
    a. Transfer – just placing a fixed value to a permit transfer
    b. Owners info – this information is not needed for our system and SWPB supported removal
    c. Permit Term – standardize dates and timeframe – additionally the following year permits need to be placed within that budget year. Allowing a 13 month permit is very difficult from a financial standpoint
    d. Special Permits – increasing our 3 day permit to align with the work week (5 day) and align with our new price structure
    e. As a general overview permits have not seen a price increase since the program started 30 years ago despite increased utilization and administrative work associated with them. As part of the budget process our annual permit will be going from $300 to $600.
5) Fee's – alignment with current practices (Payment both at landfill and Treasurer's office)
6) Delinquency – government payments do not need the special provision provided within chapter 15 due to revisions in payment processes.

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INFORMATION:

County Board Rules: Governing Body s. 2.02(8) states, in part: Ordinances are drafted by the Corporation Counsel. After the ordinance has been reviewed by a standing committee, each Supervisor will be given a copy of the ordinance showing the deleted language (grayed) and the new language (underlined) and an analysis of the intent of the ordinance. After introduction to the County Board, the ordinance shall be referred to the next monthly meeting unless waived by a 2/3 vote of the Supervisors present and a public hearing may be held if requested by a Supervisor. An amendment may be introduced and debated at either the original or the referred meeting. Copies of the ordinances of the County of La Crosse in their entirety are available with Corporation Counsel, County Clerk, or www.lacrossecounty.org

ORDINANCE # 235 – 11/26

AN ORDINANCE TO AMEND CHAPTER 15 "SOLID WASTE MANAGEMENT CODE" OF THE GENERAL CODE OF LA CROSSE COUNTY, WISCONSIN

The County Board of supervisors of the County of La Crosse does hereby ordain as follows:

Section 1.

15.01 DECLARATION OF POLICY. It is hereby declared to be the purpose of this Code to regulate the storage, collection, transport, processing, recovery, and disposal of solid waste in order to protect the present and future public safety, health, welfare, economic stability and the environment of the people of La Crosse County. In order to control current and future economic and environmental liability, La Crosse County will provide integrated environmentally sound, fiscally responsible, and community recognized resource conservation and disposal activities. Nothing in this Code shall be interpreted to restrict the County from activities of recycling or household hazardous waste. This Code is enacted pursuant to ss. 59.52 and 59.70(2) and (3), Wis. Stats., and any amendments thereto.

15.02 DEFINITIONS. For the purpose of this Code, the following words and phrases shall have the meaning given herein unless their use in the text of the Code clearly demonstrates a different meaning.

(1) Acceptable Waste. All solid waste, garbage, trash, rubbish and refuse that is normally disposed of by, or collected from residential, commercial, and institutional establishments, and those certain types of industrial, construction or demolition waste described in, and complying with the requirements of Appendix I of the Service Agreement between La Crosse County and Northern States Power Company dated March 18, 1986, except that Acceptable Waste shall not include: Unacceptable Waste (as defined hereinafter) and shall also not include:

(a) Any waste defined as hazardous in 40 C.F.R. Section 261.3 (1983), or in any successor regulations, or by the U.S. Environmental Protection Agency, or classified as toxic substance or toxic waste or prohibited for incineration by any local, state or federal agency having jurisdiction over the facility;

(b) Radioactive waste or materials or hazardous waste regulated under 52 U.S.C. Section 6921-6925 and regulations adopted thereunder, or any other federal, state or local law;

(c) "Hazardous substances" defined in 42 U.S.C. 6901 et seq. and any regulations promulgated thereunder;

(d) Masonry, brick, concrete, stone, or any other industrial, construction or demolition waste not approved as Acceptable Waste, except as the Company may elect to accept the same in accordance with the Service Agreement between La Crosse County and Northern States Power Company;

(e) All wastes requiring special handling to comply with the applicable local, state or federal law, including but not limited to, (A) pathological, infectious, or explosive material, (B) oil sludges, (C) cesspool or human waste, (D) animal remains or waste;

(f) Any item of waste exceeding 4 feet in any 1 dimension or exceeding 100 pounds in weight;

(g) Any type of waste either smoldering or on fire or at its kindling point or in the process of initiating combustion; or

(h) Any item of waste that might damage the project, or in the combustion of which can be likely to impose a threat to health or safety in violation of any judicial decision, or order, or action of any federal, state or local government, or any agency thereof, or any other regulatory authority or applicable law or regulation.

(2) Animal Remains. Remains from dead animals, except wild game and fish caught for non-commercial human consumption or small household pets such as parakeets, goldfish, hamsters, an individual dog or cat, but not including livestock.

(3) Animal Waste. Residues remaining from the commercial processing of animals or excrement from commercial animal operations, such as kennels, feedlots, veterinarian clinics and farms.

(4) Ash. Solid residue remaining after ignition of combustible materials.

(5) Biohazardous Waste. Pathological wastes and other biological materials that by state law are regulated differently than solid waste due to their increased biological threat to human health and which have not been treated to minimize their risk to human infection.

(6) Biological Waste. See definition of Biohazardous Waste.

(7) Bulky Waste. Items whose large size precludes or complicates their handling in residential, mixed solid waste compaction collection, processing, or disposal methods, including any item of waste exceeding 4 feet in any one dimension or exceeding 100 pounds in weight.

(8) Collection. The act of removing solid waste from the central storage point at the source of generation.

(9) Commercial Waste. Solid waste generated from stores, offices, and other similar activities.

(10) Committee. The La Crosse County Public Works and Infrastructure Committee.

(11) Company. Northern States Power Company, d/b/a Xcel Energy Corporation. (referred to as Northern States Power Company in this Code)

(12) Contract Community. La Crosse County, Wisconsin, a political subdivision of the State of Wisconsin.

(13) Contract Service Area. Defined as the geographical area of the entities described below. This may change from time-to-time.

(a) La Crosse County, Wisconsin, (all) which includes: Town of Bangor; Town of Barre, Town of Burns; Village of French Island; Town of Farmington; Town of Greenfield; Town of Hamilton; Town of Holland; Town of Medary; Town of Onalaska; Town of Shelby; Town of Washington; Village of Bangor; Village of Holmen; Village of Rockland; Village of West Salem; City of La Crosse, and City of Onalaska.

(b) Buffalo County, Wisconsin, (all) which includes: Town of Alma; Town of Buffalo; Town of Canton; Town of Cross; Town of Dover; Town of Gilmanton; Town of Lincoln;

Town of Maxville; Town of Milton; Town of Modena; Town of Mondovi; Town of Montana; Town of Naples; Town of Nelson; Town of Wamandec; Village of Cochrane; Village of Nelson; City of Alma; City of Fountain City; City of Mondovi.

(c) Trempealeau County, Wisconsin, (partial) which includes: Town of Arcadia; Town of Burnside; Town of Ettrick; Village of Eleva; Village of Strum; City of Arcadia (excludes wood waste from Ashley Furniture and all solid waste generated by St. Joseph's Hospital); City of Independence; City of Whitehall; and Perrot Work Unit (DNR).

(d) Southern Trempealeau County Solid Waste Commission, which includes: Town of Canton; Town of Dodge, Town of Gale, Town of Trempealeau; Village of Trempealeau; City of Galesville; and Jackson County – Melrose (& North Bend).

(e) Wabasha County, Minnesota, (partial) which includes: Elgin City, Elgin Township; Glasgow Township; Greenfield Township; Highland Township; Kellogg City; Lake Township; City of Lake City; Millville City; Minneiska Township; Oakwood Township; Pepin Township; Plainview City; Plainview Township; Wabasha City; Watopa Township; and West Albany Township.

(f) Houston County, Minnesota, (all) which includes: Black Hammer Township; Brownsville City; Brownsville Township; Caledonia Township; Crooked Creek Township; Eitzen City; Hokah City; Hokah Township; Houston City; Houston Township; Jefferson Township; La Crescent City; La Crescent Township; Mayville Township; Money Creek Township; Mound Prairie Township; Sheldon Township; Spring Grove City; Spring Grove Township; Union Township; Wilmington Township; Winnebago Township; and Yucatan Township.

(14) Demolition Area. The area designated by La Crosse County for the disposal of demolition wastes.

(15) Demolition Waste. Waste material and rubble from construction, remodeling, repair and demolition operations on pavements, buildings and other structures.

(16) Director. The duly qualified and appointed person in charge of the Solid Waste Department which is responsible for the administrative management of this Code.

(17) Facility. That portion of the La Crosse County – Northern States Power Company resource recovery project constituting the Resource Recovery Facility for the weighing and processing of solid waste into refuse derived fuel.

(18) Facility Site. The portion of the Northern States Power Company French Island Plant site on the south end of French Island in the City of La Crosse, La Crosse County, Wisconsin on which the Facility is located.

(19) Hazardous Waste. Waste defined as hazardous by local, state or federal law from time-to-time.

(20) Hospital Waste. The portion of solid waste from a hospital that exhibits infectious waste characteristics and are regulated by state law separately from other solid waste.

(21) Human Waste. Residues from waste water treatment plants or domestic sewage tanks.

(22) Industrial Waste. Solid waste generated from the production of goods and materials.

(23) Infectious Waste. The portion of waste from a hospital, laboratory, or clinic which at the time of disposal contains human pathogens in significantly greater concentration than residential solid waste.

(24) Institutional Waste. Solid waste generated from institutions such as schools, hospitals, research institutions and government buildings.

(25) La Crosse County Landfill Complex Facilities. The solid waste and recycling facilities and operations controlled by La Crosse County which are presently located at 3200 Berlin Drive, La Crosse, Wisconsin. These facilities and operations may change from time-to-time. The facilities include: sanitary landfill; pallet, crate and clean wood processing; asphalt shingle processing; aggregate processing; the demolition area; the yard waste site; tire recycling; asbestos disposal; bioremediation of petroleum impacted soils; citizen's disposal area; closed construction and demolition landfill; and closed ash monofill.

(26) La Crosse Disposal System. The La Crosse County Landfill Complex, the Facility, and any other solid waste recycling facility, Household Hazardous Materials Facility, or any other program made available by La Crosse County to the Contract Service Area. These facilities and programs may change from time-to-time.

(27) Major Appliance. A residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater, water cooler or stove.

(28) Medical Waste. Containers, packages and materials that contain infectious waste or that are from a treatment area and are mixed with infectious waste.

(29) Master Landfill Use Plan. A plan approved by the La Crosse County Board that addresses the ecological restoration of the landfill property and addresses both present use and future uses after landfill closure, which includes green space, recreational uses and other similar uses of the County landfill property.

(30) Non-Processable Waste. Waste which cannot be processed by the Facility due to its physical characteristics or potential harmful effects, including but not limited to: steel banding; baling wire; solvents; tree trunks; or logs greater than 6 inches in diameter or 4 feet in length or other overweight or bulky waste; gasoline; kerosene; propane tanks in any size; aerosol cans in quantity; pressurized tanks; tires; fencing materials; pesticides and insecticides in quantity; plastics in quantity; motor vehicles or major parts thereof; trailers; agricultural equipment; marine vessels or similar items; farm or other large machinery; liquid wastes; nonburnable construction mixed or separated material; and waste, except for paper products, from the following establishments: service stations, auto paint shops, chemical plants, plastic processing plants and textile plants.

(31) Pathological Waste. See infectious waste.

(32) Permittee. Any entity issued a permit by the Solid Waste Department pursuant to this Code.

(33) Person. Any individual, corporation, limited liability company, partnership, association, local governmental unit, state agency or authority or federal agency.

(34) Processing. Any method, system, or other treatment designed to beneficially change the physical form or chemical content of solid waste.

(35) Putrescible Waste. Any solid waste capable of being rotten, or which may reach a foul state of decay or decomposition. Kitchen wastes, restaurant wastes, offal, and any

wastes containing garbage are examples of putrescible wastes. Not included in this definition are agricultural wastes, lawn care wastes, manures and sewage sludge.

(36) Putrescible Waste Trailer. Any trailer with physical interior space capacity greater than 100 cubic yards which is used to transport any putrescible wastes. Any trailer containing solid waste which is off loaded at a sanitary landfill is presumed to be a putrescible waste trailer unless proven otherwise.

(37) Recovered Resources. Materials which still have useful physical or chemical properties after serving a specific purpose and can, therefore, be reused or recycled for the same or other purposes.

(38) Recovery. The process of obtaining material or energy resources from solid waste.

(39) Recycling. The transfer, transporting, processing, marketing and conversion of solid wastes into usable materials or products and includes the stockpiling and disposal of nonusable portions of solid wastes, but does not include the collection of solid wastes.

(40) Refuse Derived Fuel (RDF). Material which is produced by the processing of Processable Waste at the Facility which is intended to be burned as a source of energy.

(41) Residential Waste. Discarded materials originating from residences but excluding demolition waste or any other waste specifically regulated separately from residential waste. Also called domestic or household refuse.

(42) Responsible Unit. A municipality, county, another unit of government, including a federally recognized Indian tribe or band in this state, or solid waste management system under s. 59.70(2), Wis. Stats., that is designated under s. 287.09, Wis. Stats., or any amendments thereto.

(43) Roll-Off Container. A steel box with wheels used to collect waste at a site that can be rolled onto a truck using a winch and then taken to another location for discharge.

(44) Sanitary Landfill. The land area where mixed solid wastes are disposed of under state and/or federal regulatory authority.

(45) Sharps. Waste items from institutions, industry, commercial and residential establishments that can induce subdermal inoculation of infectious agents, including needles, scalpel blades, pipettes and other items derived from human or animal patient care, blood banks, laboratories, mortuaries, research facilities, teaching facilities, and other like facilities.

(46) Solid Waste. Any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded or salvageable materials, including solid, liquid, semisolid, or contained gaseous materials resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Chapter 283, Wis. Stats., or source material, as defined in s. 254.31(10), Wis. Stats., special nuclear material, as defined in s. 254.31(11), Wis. Stats., or by-product material, as defined in s. 254.31(3), Wis. Stats., or any amendments to these sections.

(47) Solid Waste Management Plan. A plan approved by the La Crosse County Board which addresses present and future solid waste management programs within the La Crosse County Solid Waste Disposal System.

(48) Tipping Fee. A charge based on tonnage delivered to unload waste material at the facility, the sanitary landfill, the yard waste site, the demolition disposal area, or any other solid waste disposal site.

(49) Transport. The movement of solid waste subsequent to collection.

(50) Transfer Station. A site at which solid waste is concentrated after collection and before processing or disposal.

(51) Unacceptable Waste. Waste which poses a threat to health or safety or which may cause damage to or materially adversely affect the operation of the facility, including but not limited to, explosive, hospital, pathological and biological waste, hazardous waste, chemicals, or animal remains, street sweepings, ash from commercial or industrial sources, mining waste sludges, asbestos in identifiable quantities, demolition debris, waste with excess moisture, and hazardous refuse of any kind, such as cleaning fluids, crank case oils, cutting oils, paints, acids, caustics, poisons, drugs or other materials that may be agreed upon from time to time by La Crosse County and Northern States Power Company. If any governmental agency or unit having appropriate jurisdiction shall determine that certain chemicals or other substances which are not as of the effective date of this section considered harmful or of toxic nature or dangerous, are harmful, toxic or dangerous, such chemical or other substances shall be unacceptable waste.

(52) User Fee. Also referred to as service fees, includes any fee charged by the Solid Waste Management Department for solid waste management.

(53) Yard Waste. Leaves, grass clippings, yard and garden debris and brush, including clean, woody, vegetative material no greater than a diameter determined by the Solid Waste Department from time to time, not including stumps, roots or shrubs with intact root balls.

(54) Yard Waste Site. The area designated by La Crosse County for receipt of some yard waste, limited to leaves, grass clippings, and other vegetative matter approved by the Committee.

15.03 ADMINISTRATION. The Solid Waste Department shall be responsible for the administrative management of this Code and the rules and regulations authorized in s. 15.04.

15.04 POWERS AND DUTIES OF THE SOLID WASTE DIRECTOR.

(1) Solid Waste Management Plan. The Director, in cooperation with any other person(s) as approved by the Committee and with the advice of the Committee, shall review the solid waste management practices affecting La Crosse County and its Disposal System and shall prepare a Solid Waste Management Plan. The Plan shall show relevant management activities and recommended management strategies for the future, taking into consideration population growth, solid waste generation, land development regulations, affect on economic development, affect on local economy, and overall system management including organizational, financing, and regulatory capabilities. The Plan shall consider the qualitative and quantitative changes in the solid waste expected to be generated within the area affected from residential, commercial, industrial, and agricultural sources, and shall be submitted to the State for review and approval. The Plan developed should consider regional approaches, and be environmentally acceptable and economically efficient. The Plan shall be approved by the La Crosse County Board and updated every five years.

(2) Master Landfill Use Plan. The Director shall prepare a Master Landfill Use Plan for approval by the Committee. The Director shall consult with third parties with relevant experience and expertise in the preparation of the Plan. The Plan shall be initially approved by the

La Crosse County Board and updated in 2035 when substantial competition of the 2023 vertical and horizontal expansion has been completed or within 15 years of projected site closure.

(3) Solid Waste Management System. The Director shall provide or encourage other entities to provide for a solid waste management system consistent with the Solid Waste Management Plan, consisting of storage, collection, transport, processing, separation, recovery, recycling, diversion and disposal through public ownership, or through one or more private entities for a part or all of such solid waste system, or the_Director may, through the permits provided in s. 15.05, authorize any person to manage the solid waste which the person generated within the management system pursuant to the terms of this Code.

(4) Rules and Regulations. The Director may adopt, revise, revoke and enforce rules and regulations governing the administration of this Code.

(5) Permits. The Director is hereby authorized to issue permits for all elements of solid waste management referred to in s. 15.05. There shall be restrictions on transferability of such permits. Permits shall be for a term of 1 year or less and shall be subject to the fees set forth in s. 5.09. All permits so issued shall be conditioned upon observance of the laws of Wisconsin, and all applicable county ordinances and regulations.

(6) Other duties. The Director shall perform all other duties to manage and direct the Solid Waste Management System within La Crosse County, which shall include, but not be limited to, the following duties:

(a) Oversee and supervise the Solid Waste Department.

(b) Prepare the annual budget for the Department and a 5-year capital plan.

(c) Organize and provide an annual stakeholder's report for both the Solid Waste System and Xcel Energy. Reports and verbal presentations by Solid Waste and Xcel shall be provided during 2nd quarter Solid Waste Policy Board Meeting.

(d) Review and update contracts.

(e) Perform public relations and visioning regarding the La Crosse County Solid Waste Disposal System.

(f) Address financial requirements for landfill site closure and post-closure occurrences.

15.05 PERMITS FOR MANAGEMENT OF SOLID WASTE.

(1) Permit for Solid Waste Collection and Transportation.

(a) No person, firm, entity or corporation shall engage in the collection and transportation of solid waste for deposit in the La Crosse Disposal System, or in the business of collection and transportation of La Crosse County generated solid waste or the handling of any other solid waste, regardless of where generated, where such waste is unloaded or reloaded in La Crosse County, without first securing a permit for every vehicle and putrescible waste trailer utilized in this activity within La Crosse County, except no permit shall be required for a person, firm, entity or corporation who transports solid waste to a La Crosse County publicly owned drop off site such as a site for yard waste, shingles and asphalt/concrete.

(b) The Director shall prepare application forms for all such permits for vehicles and putrescible waste trailers transporting, collecting or receiving waste in La Crosse County, requiring the following information:

1. The name and address of the owner or owner's representative;

2. The business street address of the owner or owner's representative;

3. An inventory of all vehicles and putrescible waste trailers to be used in such collection and transportation, including the solid waste capacity in cubic yards and tonnage, and the make, model, year, and license plate number. Solid waste cubic yard and tonnage capacity for roll-off trucks shall be the legal limit of containers designed for the roll-off truck.

4. All other information required by the Director to fulfill the intent of this Code.

(c) The following conditions shall apply regarding all vehicles and putrescible waste trailers issued a permit pursuant to this section:

1. All solid waste collected or transported in La Crosse County shall be entirely enclosed or, when not practical, secured, and shall comply with all other rules and regulations issued by the La Crosse County Solid Waste Department.

2. Any person, firm, entity or corporation issued a permit under this section hereby consents to the inspection of solid waste vehicles, putrescible waste trailers, storage containers, processing facilities, solid waste/recycling transfer station(s) by La Crosse County personnel in accordance with La Crosse County policy for purposes of verifying compliance with applicable County ordinances. Failure to consent to inspection of any vehicle, putrescible waste trailer, storage container, processing facility or solid waste/recycling transfer station issued a permit under this section shall be grounds for revocation of the permit.

3. Permitees in good standing may transfer a permit between vehicles. The fee for transferred permits shall be fixed rate of $50 per transfer.

4. Permit holders must comply with all applicable laws and regulations, including rules and policies adopted by the Committee or the Solid Waste Director.

5. All acceptable waste shall be deposited at the Facility. All other non-recycled solid waste shall be deposited only in a licensed landfill, approved demolition area or other site in compliance with local, state and federal solid waste regulations. If the delivering of unacceptable waste to the Facility results in additional expense to the County, the County may charge the permit holder or generator of waste for such expense, based upon an average or actual expense to the County for handling such unacceptable waste, at the County's discretion.

(d) Any hauler with a Wisconsin DNR license shall report to the Director the weight in tons of La Crosse County generated solid waste; recyclable materials by commodity, or aggregated into comingled containers; mixed paper; single stream (comingled containers combined with mixed paper), yard waste and other waste as required by the Director collected within La Crosse County. Such annual report shall cover the calendar year and be submitted within 45 days of the end of each calendar year to the Director.

(1a) Permit for Solid Waste/Recycling Transfer Stations.

(a) No person, firm, entity or corporation shall maintain any building, premises or structure in any unincorporated area in La Crosse County as a solid waste/recycling transfer station without securing a permit for the facility. A solid waste/recycling transfer station is defined as a facility that receives and consolidates solid waste or recyclable materials that are loaded upon trailers, barges or other vehicles for transport to another disposal facility.

(b) The Director shall prepare the application forms for all permits for solid waste/recycling transfer stations in La Crosse County, requiring the following information:

1. The name and address of the owner or owner's representative;

2. The business street address of the owner or owner's representative;

3. The specific address for the solid waste/recycling transfer facility; and

4. A copy of the application for any licenses required by the Wisconsin Department of Natural Resources or other applicable state agencies.

(c) The applicant shall pay an annual permit fee, which shall pay for administrative costs of inspection and other costs related to monitoring compliance with the conditions of the permit.

(d) The following conditions shall apply regarding any transfer station issued a permit required under this section:

1. The station shall not abut a property zoned or planned for residential use.

2. The site shall be maintained free from litter or any other undesirable materials, shall be cleaned from loose debris on a daily basis and shall be secured from unauthorized entry and removal of materials when attendants are not present.

3. The premises and all structures thereon shall only be used for the purposes as set forth in the permit granted under this section and the business of the transfer station shall be carried on in a sanitary manner, shall contain no fire hazards, and shall be arranged to allow inspection at any time by proper health, fire, building, or law enforcement authorities.

4. For a period of 36 months, the permit holder shall be required to keep records of all tonnage of each load brought to the station, including the source of the waste load by county of origin, and records of all tonnage of each load removed from the station, specifying tonnage and site where said waste is finally disposed. To the extent the permit holder salvages material from the waste, detailed records will be maintained that allow La Crosse County to verify the amount of salvaged material. The permit holder shall keep records of waste types in accordance with the waste categories used by La Crosse County. All records shall be available for inspection by La Crosse County or any other municipality with jurisdiction over said station. The station shall submit summaries of verifiable tonnage records in a format and on a schedule and deadline determined by the Solid Waste Department.

5. Any person, firm, entity or corporation issued a permit under this section hereby consents to the inspection of the solid waste/recycling transfer station by La Crosse County personnel for purposes of verifying compliance with applicable rules and

regulations of the La Crosse County Solid Waste Department and applicable County ordinances. Failure to consent to inspection of any station issued a permit under this section shall be grounds for revocation of the permit. La Crosse County has the right to perform random waste screenings of loads delivered to or loaded from the transfer station. The permit holder will assist in the load inspection in a timely fashion by providing a safe place for the inspection and by spreading the waste in a manner requested by La Crosse County representatives. The permit holder shall not be entitled to compensation from the County for costs related to the inspections.

(2) Permits procedure.

(a) Issuance. If the application for any permit shows that the applicant might not perform the activity in conformity with this Code and all applicable rules and regulations, the permit(s) shall not be issued. If, in the opinion of the Director, modifications can be made which will bring the application within the intent and purpose of this Code, the Director shall notify the applicant or applicants in writing, setting forth the adjustments and/or additions to be made and the time in which such changes shall be completed.

(b) Denial. If the applicant fails to make the changes pursuant to the notice given under (a) within the time limit specified therein, or, if the application does not clearly show that the applicant will perform activities in accordance with the permit conditions, applicable law, or without health hazard or adverse effects on the environment, the application shall be denied and the applicant notified, in writing, of the reasons for the denial. Nothing in this section shall prevent any applicant from reapplying after the rejection of his application, provided the requirements of this Code are met.

(c) Display. All vehicles and putrescible waste trailers operating under any permit required by this Code shall display the Director approved permit number or numbers on the driver's side of the vehicle cab and putrescible waste trailer in a location acceptable to the Director. Such numbers are to be clearly legible, easily seen and not less than 2 inches high. In addition, all permitted vehicles must display the current permit sticker issued by the County on the driver's side window. Permitted putrescible waste trailers must display the current permit sticker issued by the County adjacent to the approved permit number(s).

(d) Term. Annual, 12 calendar month permits will be valid from the date of purchase through the permit year. Pre-purchased permits will be effective January 1st and, all permits shall expire December 31st, except for permits issued under s. 15.05(3).

(e) Revocation. Permits may be revoked for violation of any of the provisions of this Code. Revoked permit(s) may be reinstated by the Director at such time as the Director is satisfied that violations are corrected or as provided under s. 15.10(2)(b).

(3) Special Permit Provisions.

(a) There shall be a 5 consecutive day permit available for payment of 1/6 the annual permit fee. This permit shall only be valid for use of the La Crosse County Disposal System. In this section, 5 consecutive days means 5 consecutive days when the Landfill Complex Disposal System Facilities are open for business.

(b) The Solid Waste Director may issue 1-time disposal authorizations without a permit fee for trial loads or where unique circumstances apply.

(c) The Solid Waste Director may issue a single trip permit for utilizing the landfill. Single trip permits are issued on a temporary basis at the entry and must be returned when exiting the facility.

15.06 PERMIT RENEWAL.

(1) Any permit holder desiring to renew an existing permit and avoid a permit lapse shall complete and submit to the Director an application thereof not more than 45 nor less than 5 calendar days before the expiration date of said permit and shall tender with each application form such permit fees as are required. The Director shall have up to 5 calendar days to approve new permit applications.

(2) At the discretion of the Solid Waste Director each application for a new or lapsed permit shall be accompanied by a certified check or money order for the permit fee, which fee shall be set by the La Crosse County Board of Supervisors and adjusted from time to time.

15.07 SOLID WASTE FLOW CONTROL.

(1) Facility Description. The Facility designated is declared to be the La Crosse County Resource Recovery Facility located adjacent to the Northern States Power Company, French Island Generating Plant located at the south end of French Island in the City of La Crosse, La Crosse County, Wisconsin.

(2) Geographic Area Affected. The geographic area subject to this flow control, and for which a required use order may be issued pursuant to s. 144.794(11), Wis. Stats., (now numbered s. 287.13(11), Wis. Stats.) shall constitute all areas located within La Crosse County, Wisconsin.

(3) Type and Quantities of Solid Waste. The types and quantities of solid waste, which shall be subject to this flow control ordinance and for which a required use order may be applicable, shall include all residential, commercial and industrial acceptable waste generated in La Crosse County, Wisconsin.

(4) Persons Subject to Ordinance. The persons who are subject to this flow control ordinance and who may be required to use the Resource Recovery Facility under a required use order are the following:

a. Any local unit of government, occupant of a single family or multi-family residence, retail business, commercial business or industry or any other legally recognized entity located in or collecting solid waste within the area of La Crosse County.

(5) Tipping Fees/Rates and Charges. The tipping fee to be charged to the required users of the Facility shall be payable to La Crosse County and set by the La Crosse County Board of Supervisors from time to time. The rates are available at the La Crosse County Solid Waste Department and can be found at the Solid Waste Department website.

(6) Effective Period. The effective period for enforcement of this municipal waste flow control ordinance shall be from January 25, 1998, through June 30, 2030. The effective date of this solid waste flow control ordinance is January 25, 1988.

(7) Authorization. The County Board Chair and County Clerk issued a required use order on October 19, 1987 pursuant to the Chapter 144 of the Wisconsin Statutes, now Chapter 287 of the Wisconsin Statutes. The required use order implements this section by directing the delivery of the types of solid waste described in this section to the La Crosse County Resource Recovery Facility.

(8) Exceptions to Required Use. At such time that deliveries, including non-La Crosse County generated deliveries, to the Facility exceed the delivery commitments as provided in the County's service agreement with the Company, or any amendments thereto, and the Director has evidence to substantiate that such delivery commitments will continue to be

exceeded annually by at least 2%, La Crosse County, by written agreement with any permittee approved by the Committee, may allow the permittee to deliver a described amount of La Crosse County generated non-residential acceptable waste to a site other than the Facility as long as the calendar year-to-date waste delivery schedule for deliveries to the Facility does not drop below 98% of January's commitment or 100% of the year-to-date waste delivery schedule through the remainder of said calendar year. Any such permission shall only be in accordance with policies and standards adopted by the La Crosse County Solid Waste Department.

15.08 POWERS OF COMMITTEE.

(1) Powers and Duties. The Committee shall have the following powers and duties:

(a) Shall advise the Director in the preparation of the solid waste management plan, including the selection of solid waste management sites.

(b) May review permit application forms and direct revisions which shall be consistent with the terms of this Code.

(c) Employ public and private firms or individuals to assist and advise the Committee and Director.

(d) Approve property sites and the building of facilities, including the use of equipment and buildings related to the implementation of this Code, by contract between the County Board and any other party.

(e) Charge user fees for participation in the solid waste management system. User fees may cover capital costs, operation costs, maintenance costs, depreciation costs, administration costs, equipment costs, site purchase and site development costs, applicable buildings and scales, long term care environmental fees, mandated fees, insurance costs, solid waste program development costs, public information costs, planning costs, and reserves for solid waste management activities. A solid waste disposal site tipping fee is 1 user fee which may or may not satisfy all costs incurred for an individual solid waste disposal site. La Crosse County may assess other user fees, including but not limited to, permit fees, fixed price fees, variable price fees, and special assessments.

(f) Exclude unpermitted public and unpermitted private entities from bringing solid waste to the solid waste disposal sites for disposal, unless such waste is to be beneficially used or recycled.

(g) Allow exceptions for use of solid waste disposal sites by issuing special use allowances upon application to the Committee, provided a sufficient security or surety requirement is fulfilled.

(h) Contract with private collectors, transporters or municipalities, with approval of the County Board, to receive and dispose of waste.

(i) Contract with private waste collectors/transporters, entities, or municipalities to lease solid waste containers or other equipment or to provide discounts regarding the fee charged, upon approval of the County Board.

(j) Any other management oversight function deemed appropriate by the Committee.

15.09 FEES.

(1) Establishment and payment. The La Crosse County Board of Supervisors shall establish such fees as are necessary to meet all costs of operating, maintaining, promoting and perpetuating the solid waste management system facilities and programs, except where the Board has delegated such authority in special situations. All such fees, including subsequent revisions, shall be paid by the permittee or its designee to the La Crosse County Treasurer within the calendar month after the calendar month when the charges were originally incurred. To avoid delinquency charges the fees must be received and recorded by receipt in the La Crosse County Treasurer's office or by the Solid Waste Department by 4:30 p.m. the last working day the County Treasurer's office or Landfill Office_is open for business of the calendar month in which the fees are due. In the event the permittee or its designee requests fees to be billed to another person, that person must agree and provide information requested by the Director for the purpose of billing. Any unpaid fees, including delinquency charges, incurred by any person designated for billing will be the responsibility of the person who delivered the solid waste, unless the County has a written contract in force with the person designated for billing; however, in any case where the person who delivered the waste is not the person billed, the permit(s) of the person who delivered the waste shall not be revoked for the other person's delinquency in paying fees until the permittee receives written notification from the Director of the other party's delinquency, and the revocation shall occur if not paid within 60 days of receipt of notice.

(2) Delinquency.

(a) All unpaid fees shall become delinquent upon the expiration of the time specified in (1) and (5) and shall bear interest at the rate of 1.5% per calendar month until paid.

(b) All permits issued under this chapter shall be revoked for permit holders having an unpaid bill for longer than 2 calendar months after the charges were originally incurred, unless an extension of time to pay is granted by the Director and except where the billed party is not the permittee as provided in (1). After a permit is revoked, bills shall be paid to current status before such permits shall be reinstated.

Section 2. This Ordinance shall take effect the day after passage and publication as required by law.

LA CROSSE COUNTY

By: _____
Tina Tryggestad, County Board Chair

By: _____
Ginny Dankmeyer, County Clerk

PASSED: November 9, 2026
PUBLISHED:

STATE OF WISCONSIN
COUNTY OF LA CROSSE
I, Ginny Dankmeyer, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original ordinance required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 9th day of November 2026.

_____
Ginny Dankmeyer, La Crosse County Clerk