

Title II – Chapter 8

Utility – Refuse

§ 8.01 Refuse Utility

8.01 **Refuse Utility**

- (1) **Findings and Declarations of Policy.** The Village of Poynette finds that the management of Refuse within the Village of Poynette is a matter that affects the safety and welfare of the Village, its citizens and businesses and others in the surrounding area. In order to protect the safety and welfare of the public, the Village of Poynette is exercising its authority to establish a Refuse Utility for management purposes. The Village is acting under the authority of Wis. Stats. § 66.0621.
- (2) **Establishment.** There is hereby established a Refuse Utility in the Village of Poynette. The operation of the Refuse Utility shall be managed by the Utility Commission.
- (3) **Authority.** The Village, acting through the Refuse Utility, may acquire, construct, lease, own, operate, maintain, extend, expand, replace, clean, repair, conduct, manage and finance such facilities, operations and activities, as are deemed by the Village to be proper and reasonably necessary for a system of Refuse management. These facilities may include such facilities as will support a Refuse management system.
- (4) **Interpretation.** In their interpretation and application, the provisions of this Ordinance shall be interpreted liberally to secure the ends sought hereby and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.
- (5) **Severability of Ordinance Provisions.** If any section, provisions or portion of this Ordinance is adjudged unconstitutional or invalid by a court, the remainder of this Ordinance shall not be affected thereby.
- (6) **Definitions.** The following terms, whenever they occur in this Ordinance, are defined as follows:
 - (a) **Charge.** Charge means the fee imposed under this chapter for the rendering of Refuse Utility services by the Village Property.
 - (b) A property shall be considered to be a Parcel located within the Village of Poynette.
- (7) **Basis of Charge.** By this ordinance, the Village Board is establishing the rate of charge for Refuse services for each parcel within the Village of Poynette. The actual charges to be imposed pursuant to this Ordinance and any future changes in those rates, shall be

made by resolution. A schedule of current rates, following approval by the Village Board shall be maintained and on file in the office of the Village Clerk. All charges established pursuant to this chapter shall be fair and reasonable.

- (8) Budget-Excess Revenues. The Village shall separately account for the Refuse Utility finances. The Village Treasurer shall prepare an annual budget, which is to include all operation and maintenance costs, costs of borrowing and other costs related to the operation of the utility. The budget is subject to approval by the Village Board upon recommendation of the Utility Commission. Any excess of revenues over expenditures in a year will be deposited in a Refuse maintenance fund, which will be used to defer the costs of capital improvements or to retire debt.
- (9) Billing.
 - (a) Bills. Refuse utility charges shall be billed to the owner of each parcel. The parcel owner shall be responsible for payment of the Refuse Utility charge.
 - (b) Late Payment. Failure to pay the charges when due will be subject to a late payment charge of three (3) percent that will be added to bills not paid within 30 days of issuance.
 - (c) Unpaid Charges. In addition to any other method of collection allowed by law, unpaid charges may be assessed as a lien against the property pursuant to sec. 66.0821, Wis. Stats.