

COMMON COUNCIL MEETING

CITY OF WISCONSIN DELLS

April 21, 2026

Mayor Wojnicz called the meeting to order at 6:30PM. Notice of the meeting was provided to the *Dells Events*, WNNO Radio, and posted in accordance with State Statutes.

1. Present: First District Ald. Brian Holzem & Ald. Troy Ryan, Second District Ald. Mike Freel; Third District Ald. Ben Anderson & Ald. Dan Anchor; Mayor Ed Wojnicz (VIA ZOOM)

Absent: Ald. Terry Marshall

Others: Clerk/Treasurer Lisa McClyman, Director of Public Works Chris Tollaksen, Police Chief Nicholas Brinker, Fire Chief Ryan Ennis, City Attorney Joseph Hasler, City Administrator Karen Terry, Adam Makowski and Attorney Tracy Waldinger.
2. Pledge of Allegiance was said.
3. Motion by Ald. Holzem seconded by Ald. Anchor to approve the following consent agenda items: a. April 6, 2026 Common Council meeting minutes; b. Schedule of Bills Payable. Motion carried unanimously.
4. There were no public appearances.
5. Administration of the Oath of Office for Ian Carroll was issued and signed.
6. Mayor Wojnicz requested Chairman Holzem to read the 2026 Poppy Proclamation.
7. Mayor Wojnicz requested Chairman Holzem to read the 2026 St. Vincent de Paul Proclamation.
8. Motion by Ald. Anderson seconded by Ald. Ryan to approve an application for a Special Event Permit by Ed Saari, for The Corvette Adventures Parade and Parking for the licensing period of June 6, 2026. Motion carried unanimously.
9. Motion by Ald. Anchor seconded by Ald. Holzem to approve a change of change of Agent application for an alcohol and tobacco license submitted by Kwik Trip #1113, located at 420 State Hwy 13 for the licensing period of April 22, 2026 through June 30, 2026. Motion carried unanimously.
10. Motion by Ald. Ryan seconded by Ald. Anchor to approve a renewal application for a Fireworks Sales Application submitted by Brian Holzem for Native Sun and 38 Broadway, for the licensing period of May 1, 2026 through April 30, 2027. Ald Holzem abstained and the motion carried 4-0.
11. Motion by Ald. Freel seconded by Ald. Anderson to approve the renewal applications for the Backyard Chickens Permits below, except for Lucjan Tyminski due to the failed inspection. The licensing period for the permits below is May 1, 2026 to April 30, 2027.
 1. Brian Landers – 333 Glenwood Lane
 2. Miranda McCall- 1401 Valley Drive
 3. Lucjan Tyminski – 1631 Dee Ann Court
 4. William Patton – 426 Vine Street
 5. Ione Camille Wright- Collura
 6. Jadyn Schlicht – 1950 State Road 23

All licenses above are contingent on inspections and payment of debt owed to the City. Motion

carried unanimously.

12. Motion by Ald. Anderson seconded by Ald. Holzem to approve a renewal application for Riding Stable/Horses for Hire submitted by Dells Adventure Development Inc., DBA Beaver Springs Horseback Riding, located at 600 Trout Road for the licensing period of May 1, 2026 through April 30, 2027. Motion carried unanimously.
13. Motion by Ald. Freel seconded by Ald. Holzem to approve renewal applications for Seasonal Workforce Housing Facility Licenses, for the licensing period of May 1, 2026 to April 30, 2026, submitted by the following:
 1. Helland Properties Group LLC – 2150 Wisconsin Dells Parkway
 2. Pizza Lab LLC – 523 Cedar Street
 3. Ambers Inn & Suites – 1113 Broadway
 4. Black Hawk Motel & Suites – 725 Vine Street
 5. Dells Resorts Inc – 2020 Wisconsin Dells Parkway
 6. Dells Resorts Inc – 175 Sweet Briar Dr.
 7. A&J Entertainment, LLC – 510 Vine Street
 8. Woodside Dells Hotel & Suites – 1114 Broadway
 9. Smart Staff LLC – 612 Vine Street
 10. Smart Staff LLC – 519 Bowman
 11. GTAM – 2501 River Road
 12. Logging Camp Inc – 425 Vine Street
 13. Rockfish LLC – 230 Washington Ave
 14. Rockfish LLC – 630 Oak Street
 15. Mt Olympus Enterprises – 2131 Wisconsin Dells Parkway
 16. Synergis, LLS – 511 Vine Street
 17. Martinez Investment LLC – 927 Capital
 18. Martinez Investment LLS – 931 Capital
 19. Sophia Li – 410 Wisconsin AveContingent on inspections and payment of debt owed to the City. Motion carried unanimously.
14. Motion by Ald. Anderson seconded by Ald. Holzem to approve an Overnight Lodging License application and Room Tax Permit submitted by Kurt Anton, DBA Anton Properties, LLC located at 2411 River Road # 2436 for the licensing period of May 1, 2026 through April 30, 2027. Contingent on State Lodging license and Fire Inspection. Motion carried unanimously.
15. Motion by Ald. Holzem seconded by Ald. Anderson to approve an Overnight Lodging License application and Room Tax Permit submitted by Christine & Michael Geldon, DBA CV Stays, LLC located at 2411 River Road # 2236 for the licensing period of May 1, 2026 through April 30, 2027. Contingent on Fire Inspection. Motion carried unanimously.
16. Motion by Ald. Holzem seconded by Ald. Anchor to approve the renewal applications for Overnight Lodging Licenses for the licensing period of May 1, 2026 through April 30, 2027, submitted by the following properties:
 1. Misbehaven, LLC – 122 Broadway
 2. Cuneyt Oghan – 1010 Michigan Ave
 3. 300 Cunat, LLC – 1125/1127 Oak Street
 4. 1301 River Road, LLC – 1301 River Road
 5. Log Gables – Delton Investments, LLC – 1515 Deer Run Ridge – STR (6 months)
 6. Katelyn Shea – 2411 River Road #2217-2219
 7. Next Gen Property and Management – 312 Washington Ave
 8. Bootown Holdings 1, LLC – 531 Washington Ave
 9. 613 Collective, LLC – 613 Broadway

10. Dells Victorian, LLC – 629 Broadway
11. Yellow Door Investments, LLC – 708/710 Church Street
12. LeGros Chateau – 709 Elm Street
13. Mitchell & Marcum Properties, LLC - 731 ½ Superior Street
14. Dells Domain – 828 Elm Street
15. Armadale Cottages, LLC – 825 Washington Ave
16. Dells Domain 2.0 – 827 Cedar Street
17. 924 Capital St., LLC – 924 Capital Street
18. Joseph Gilson (Paulson) – 1025 Elm Street
19. The Getaway Bay, LLC – 1111 River Road #202
20. On Da Wata Ltd. Co – 1111 River Road #203
21. EAH Investments – 1111 River Road #204
22. Stefanie Hemker – 1129 River Road #303
23. Wanderlust, LLC – 1129 River Road #304
24. Michael Carpenter – 1129 River Road # 308
25. The Getaway Bay, LLC – 1137 River Road #403
26. At 404 – 1137 River Road # 404
27. A&J Entertainment, LLC – 1137 River Road #405
28. EAH Investments – 1215 Oak Street
29. EAH Investments – 1222 River Road
30. MLA Holdings, LLC – 2411 River Road #2109
31. MLA Holdings, LLC – 2411 River Road #2125/2127
32. M&S Properties of MN, LLC – 2411 River Road # 2110
33. Joseph Kandravi – 2411 River Road # 2145/2147
34. J&R Powerhouse Management LLC – 2411 River Road #2151
35. Lifestyle Investments LLC – 2411 River Road #2205
36. Jeffrey W. Molter – 2411 River Road #2224/2226
37. Wisconsin Dell's Condo LLC – 2411 River Road #2249/2251
38. CV Unit 2314, LLC – 2411 River Road # 2314
39. RM Hospitality – 2411 River Road # 2319
40. David & Roseann Marseille – 2411 River Road #2323
41. Minerva Investment Group LLC – 2411 River Road #2341/2343
42. Treadstone Property Group, LLC – 2411 River Road #2344/2346
43. Nadine Kroenke & Barbara – 2411 River Road # 2402
44. Rhynold & Sandra Shave – 2411 River Road #2408
45. Cheesy Properties, LLC – 2411 River Road #2418
46. M&S Properties of MN, LLC – 2411 River Road #2429
47. Rhynold & Sandra Shave – 2411 River Road #2433
48. Eva & Maciej Labowicz – 2411 River Road #2444/2446
49. OSB Management WI, LLC – 2411 River Road #2517/2519
50. Z&S properties of Milwaukee, LLC – 2411 River Road #2520/2522
51. Minerva Investment Group, LLC – 2411 River Road #2632/2634
52. John Stroebel – 2411 River Road #2645/2647
53. Sen Properties, LLC – 2504 River Road #7107
54. Dave & Kathy Birkle – 2504 River Road #7111
55. Ryan & Tabitha Mellenberger – 2504 River Road #7114
56. Sen Properties, LLC – 2504 River Road # 7129
57. Z&S Properties of Milwaukee, LLC – 2504 River Road #7212
58. Daniel Richard Davis – 2504 River Road #7213
59. Epic Vacation Rentals WI, LLC – 2504 River Road #7215
60. Shininger Estates, LLC – 2504 River Road # 7232
61. A&J Entertainment, LLC – 429 Washington Ave
62. A&J Entertainment, LLC – 463 Trout Road

- 63. Seymer, LLC – 502 Washington Ave
- 64. Lajali, LLC – 729 ½ Oak Street
- 65. Lajali, LLC – 731 ½ Oak Street
- 66. Church Street Retreat – 815 Church Street
- 67. A&J Entertainment, LLC – 825 Race Street

Contingent on inspections and payment of debt owed to the City. Motion carried unanimously.

- 17. Motion by Ald. Holzem seconded by Ald. Freel to approve an original application for a Fireworks Sales Application submitted by Garrett Kirwin for On Point, Dells Discount Outlet, and Dells Deals for the licensing period of May 1, 2026 through April 30, 2027. Contingent on debt owed to the City, copy of state statues give on what can be sold, and police follow-up. Motion carried unanimously.

- 18. Motion by Ald. Holzem seconded by Ald. Ryan to approve a renewal application for Livestock/Poultry Application submitted by Andrew Waterman, DBA Timber Falls Adventure Park located at 1000 Stand Rock Road for the licensing period of July 1, 2026 through June 30, 2027. Contingent on debt owed to the City. Motion carried unanimously.

- 19. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5814**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Plan Commission from their April 13, 2026 meeting;

IT APPROVES the Site Plan Review Application submitted by Motor Inc LLC (Seth Purves) for a new addition at 910 Business Park Rd., Columbia County Tax Parcel 11291-1497.20, zoned I-1 Industrial, with the following contingency:

- 1. The entire parking area around the building is to be paved once the new addition is completed.

Ald. Anderson seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.

- 20. Ald. Anchor introduced and moved for adoption **RESOLUTION NO. 5815**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Plan Commission from their April 13, 2026 meeting;

IT APPROVES the CSM submitted by Daytonka LLC (operating as the White Rose Inn) to Divide Columbia County Tax Parcel 11291-583.02 into two parcels, with the following contingency:

- 1. The utility work must be completed and the 2 parcels must each have their own meters for all utilities.

Ald. Holzem seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.

- 21. Ald. Freel introduced and moved for adoption **RESOLUTION NO. 5816**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Finance Committee from their April 21, 2026 meeting;

IT APPROVES revision #6 State/Municipal Financial agreement for a state-let highway project.

Ald. Ryan seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.

- 22. Ald. Ben introduced and moved for adoption **RESOLUTION NO. 5817**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Finance Committee from their April 21, 2026 meeting;

IT APPROVES the update to the Municipal Bond Schedule to include the \$10.00 court cost increase passed in 2025 Assembly Bill 443 signed on March 20, 2026 by Governor Evers.

Ald. Anchor seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.

23. Ald. Holzem introduced and moved for adoption **RESOLUTION NO. 5818**. BE IT HEREBY RESOLVED by the City of Wisconsin Dells, Columbia, Sauk, Adams and Juneau Counties, Wisconsin, based upon the recommendation of the Finance Committee from their April 21, 2026 meeting;

IT APPROVES the purchase of shade structure and furniture for the Elm Street Plaza to be paid by the DEM surplus fund.

Ald. Anchor seconded the motion. Upon roll call vote the motion carried 5-0. Resolution adopted.

24. Ald. Freel introduced and moved for adoption the Second reading of the following ordinance:

CITY OF WISCONSIN DELLS
ORDINANCE NO. _____
(Public Nuisances)

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE.

This ordinance allows the Wisconsin Dells Police Department to appoint a designee to act on their behalf for enforcement of chapter 17.04 and the Wisconsin Dells Public Works Director to appoint a designee to act on their behalf for enforcement of chapter 17.07.

SECTION II: PROVISION AMENDED:

Wisconsin Dells Codes Sec. 17.04(1), 17.04(5)(a), 17.04(5)(f), 17.04(5)(k), 17.05(2), 17.05(2)(b) and 17.07(2)(b) are amended.

SECTION III: PROVISION AS AMENDED:

17.04 VEHICLES -- NUISANCES -- REPAIR WORK

- (1) Purpose. The purpose of this ordinance is to prevent blight, to secure healthy and humane living conditions, to protect the integrity of investments in real property, to prevent the decline of real estate values, to improve aesthetics and to protect the public health, safety and welfare. In order to secure this goal, activities contrary to this ordinance are deemed to constitute a matter of public concern which must be regulated or prescribed through the exercise of the City's police powers.

(5) Nuisance Vehicles--Removal.

- (a) Authority to Tow. Subject to the procedures hereinafter set forth, nuisance vehicles may be towed and stored by the Police Department , or other persons

designated by the Chief of Police, at the cost and expense of the owner thereof. Unclaimed towed vehicles may be disposed of by towers through means and procedure authorized by law.

(f) Extensions of Time. The Police Department, or designee for good cause, upon the nuisance vehicle owner's request, may grant a reasonable extension of any time limit imposed herein to enable a nuisance vehicle owner to voluntarily comply with this ordinance.

(k) Appeal. Appeal shall be as hereinafter provided, the City electing not to be governed by Wisconsin Statutes, Chapter 68. An aggrieved party desiring to appeal from a hearing determination under subsection (j), may file a written Notice of Appeal which must be received by the City Clerk/Treasurer prior to the expiration of the time for compliance with this Ordinance provided for in the Notice of Intent to Tow. The Notice of Appeal shall state the error alleged in the initial decision and shall provide the address and phone number of the appellant. The appeal shall be heard by the Common Council of the City of Wisconsin Dells. The review shall be upon the record and a written determination affirming or denying the initial decision maker shall be made. No vehicles shall be towed until the appeal process is completed, and then only where the decision of the initial decision maker finding a violation of the Ordinance is upheld, and only after the appellant has been notified of the appeal decision and given at least twenty-four (24) hours to comply with the Ordinance. Further appeal would be by Writ of Certiorari to the Circuit Court.

17.05 ABATEMENT OF PUBLIC NUISANCES

(2) Summary Abatement.

(a) Notice to Owner. If the inspecting officer shall determine that a public nuisance exists within the City and that there is great and immediate danger to the public health, safety, peace, morals or decency, the Mayor may direct the Chief of Police or their designee to serve notice on the person causing, permitting or maintaining such nuisance or upon the owner or occupant of the premises where such nuisance is caused, permitted or maintained and to post a copy of said notice on the premises. Such notice shall direct the person causing, permitting or maintaining such nuisance or the owner or occupant of the premises to abate or remove such nuisance within 24 hours and shall state that unless such nuisance is so abated, the City will cause the same to be abated and will charge the cost thereof to the owner, occupant or person causing, permitting or maintaining the nuisance, as the case may be.

(b) Abatement by City. If the nuisance is not abated within the time provided or if the owner, occupant or person causing the nuisance cannot be found, the Chief of Police or their designee shall cause the abatement or removal of such public nuisance.

17.07 GRAFFITI

(2) Graffiti Abatement. Graffiti shall be removed by the property owner or by the City at the property owner's expense. The Director of Public Works, other persons designated by the

Director, may order graffiti removed within a time certain. If a property owner fails to remove graffiti within the time specified in the order, the Director of Public Works may cause the graffiti to be removed. The Director of Public Works shall keep an accurate account of the expenses thereof and report the same to the City Clerk/Treasurer, who shall annually prepare a statement of the expense so incurred on each lot or parcel of land. The amount charged to each lot or parcel of land shall be entered in the tax roll as a special tax against said lot or parcel of land, and shall be collected in all respects like other taxes upon real estate.

SECTION IV: VALIDITY

Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 17.

Motion was seconded by Ald. Holzem. Upon roll call vote the motion carried 5-0. Ordinance adopted and in full force after publication.

25. Ald. Anderson introduced and moved for adoption the First reading of the following ordinance:

**CITY OF WISCONSIN DELLS
COMMON COUNCIL
ORDINANCE - _____
Recycling 2026**

The Common Council, City of Wisconsin Dells, Adams, Columbia Juneau and Sauk Counties, does hereby ordain as follows:

SECTION I: PURPOSE.

The Wisconsin Department of Natural Resources has promulgated a revised model recycling ordinance for adoption by municipalities. The City adopted the original model ordinance. This ordinance adopts the new model which includes revisions and to improve collection standards for multifamily and non-residential properties and enhanced reporting and education requirements. It includes city specific provisions which reflect the City's requirements.

SECTION II: PROVISIONS REPEALED AND RECREATED.

Code Sections 12.02 and 12.05 are repealed and recreated.

SECTION III: PROVISION AS REPEALED AND RECREATED.

12.02 DEFINITIONS

- (1) “Bi-metal container” means a container for carbonated or malt beverages that is made primarily of a combination of steel and aluminum.
- (2) “Container board” means corrugated paperboard used in the manufacture of shipping containers and related products.
- (3) “Foam polystyrene packaging” means packaging made primarily from foam polystyrene that satisfies one of the following criteria:
 - A. Is designed for serving food or beverages.
 - B. Consists of loose particles intended to fill space and cushion the packaged article in a shipping container.
 - C. Consists of rigid materials shaped to hold and cushion the packaged article in a shipping container.
- (4) “Glass Container” means a glass bottle, jar or other packaging container used to contain a product that is the subject of a retail sale and does not include ceramic cups, dishes, oven ware, plate glass, safety and window glass, heat-resistant glass such as pyrex, lead based glass such as crystal, or TV tubes.
- (5) “HDPE” means high density polyethylene, labeled by the resin code # 2.
- (6) “LDPE” means low density polyethylene, labeled by the resin code # 4.
- (7) “Magazines” means magazines and other materials printed on similar paper.
- (8) “Major appliance” means a residential or commercial air conditioner, clothes dryer, clothes washer, dishwasher, freezer, microwave oven, oven, refrigerator, furnace, boiler, dehumidifier, water heater or stove.
- (9) “Multiple-family dwelling” means a structure containing 5 or more residential units, including units that are occupied seasonally.
- (10) “Newspaper” means a newspaper and other materials printed on newsprint.
- (11) “Non-residential facilities and properties” means commercial, retail, industrial, institutional and government 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. This term does not include multiple family dwellings.
- (12) “Office paper” means a variety of high-grade printing and writing papers. This term does not include industrial process waste, newspaper or packaging.
- (13) “Other resins or multiple resins” mean plastic resins labeled by the resin code # 7.
- (14) “Person” includes any individual, corporation, limited liability company, partnership,

association, local government unit, as defined in s. 66.0131(1)(a), Wis. Stats., state agency or authority or federal agency.

- (15) “PETE” or “PET” means polyethylene terephthalate, labeled by the resin code # 1.
- (16) “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.
- (17) “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 s. 289.01(17)., Wis. Stats.
- (18) “PP” means polypropylene, labeled by the resin code # 5.
- (19) “PS” means polystyrene, labeled by the resin code # 6.
- (20) “PVC” means polyvinyl chloride, labeled by the resin code # 3.
- (21) “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.
- (22) “Solid waste” has the meaning specified in s. 289.01(33), Wis. Stats.
- (23) “Solid waste facility” has the meaning specified in s. 289.01(35), Wis. Stats.
- (24) “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.
- (25) “Waste tire” means a tire that is no longer suitable for its original purpose because of wear, damage or defect.
- (26) “Yard waste” means leaves, grass clippings, yard and garden debris and brush, including clean woody vegetative material no greater than 6 inches in diameter. This term does not include stumps, roots or shrubs with intact root balls.

12.05 RECYCLING

- (1) Purpose/Authority. The purpose of this ordinance is to promote recycling, composting, and resource recovery through the administration of an effective recycling program, as provided in s. 287.11, Wis. Stats., and ch. NR 544, Wis. Adm. Code. This ordinance is adopted as authorized under s. 287.09(3)(b), Wis. Stats. This ordinance is the model recycling ordinance promulgated in 2025/2026 by the Wisconsin Department of Natural Resources.
- (2) 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.

- (3) 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 ch. NR 544, Wis. Adm. Code, and where the ordinance provision is unclear, the provision shall be interpreted in light of the Wisconsin Statutes and the ch. 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.
- (4) Applicability. The requirements of this ordinance apply to all persons within the the City of Wisconsin Dells, Adams, Columbia, Juneau, and Sauk Counties, Wisconsin.
- (5) Administration. The provisions of this ordinance shall be administered by the the City of Wisconsin Dells Director of Public Works.
- (6) This subsection left blank.
- (7) 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

- (8) Separation Requirements Exempted. The separation requirements of s. (7) 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 s. (7) from solid waste in as pure a form as is technically feasible.
 - B. Solid waste which is burned as a supplement fuel at a facility if less than 30 % of the heat input to the facility is derived from the solid waste burned as supplement fuel.
 - C. A recyclable material specified in s. (7)(E) through (O) for which a variance has been granted by the Department of Natural Resources under s. 287.11(2m), Wis. Stats., or s. NR 544.14, Wis. Adm. Code.
- (9) Care of Separated Recyclable Materials. To the greatest extent practicable, the recyclable materials separated in accordance with s. (7) 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.
- (10) Management of Lead Acid Batteries, Major Appliances, Waste Oil, Yard Waste, and Waste Tires. 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, yard waste, and waste tires as follows:
- A. Lead acid batteries shall be returned or exchanged at the retail outlet where the replacement battery is purchased.
 - B. Major appliances shall be exchanged at the retail outlet where the replacement appliance is purchased.
 - C. Waste oil shall be taken to a licensed recycling facility for disposal.
 - D. Yard waste shall be composted.
 - E. Waste tires shall be disposed of at private retail outlets, any other points of purchase, or other legal disposal locations including, but not limited to, private recycling firms, all for the purpose of recycling the tires under law.
- (11) Preparation and Collection of Recyclable Materials. Except as otherwise directed by the City of Wisconsin Dells, 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 s. (7)(E) through (O):
- A. The following will be collected curbside in the contractor provided recycling carts:
 - 1. Aluminum containers
 - 2. By metal containers

3. Corrugated paper or other container board
 4. Glass containers
 5. Magazines
 6. Newspaper
 7. Office paper
 8. Steel containers
 9. Rigid plastic containers
- B. All items should be empty. All metal and plastic items should be left in their original shape. Plastic lids can be placed back on items. Cardboard should be flattened.
- C. Foam polystyrene packaging will be placed in the container designated for landfill disposal.

(12) 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 s. (7)(E) through (O):
1. Provide adequate, separate containers for the recycling program established in compliance with the ordinance. 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 which materials are collected, how to prepare the materials in order to meet the processing requirements, collection methods or sites, and locations of drop-off collection sites to recycle materials not collected on-site.
- B. The requirements specified in 1) do not apply to the owners or designated agents of multiple-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 s. (7)(E) through (O) from solid waste in as pure a form as is technically feasible.

- C. Owners of rental property will be responsible for violations of this Chapter which occur on their rental property.

(13) 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 s. (7)(E) through (O):
 - 1. Provide adequate, separate containers for the recycling program established under this section. 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 which materials are collected, how to prepare materials in order to meet the processing requirements, collection methods or sites, and locations of drop-off collection sites to recycle materials not collected on-site.
- B. The requirements specified in 1) do not apply to the owners or designated agents of non-residential facilities and properties if the postconsumer 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 s. (7)(E) through (O) from solid waste in as pure a form as is technically feasible.
- C. Owners of rental property will be responsible for violations of this Chapter which occur on their rental property.

(14) 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 s. (7)(E) through (O) that have been separated for recycling, except waste tires may be burned with energy recovery in a solid waste treatment facility.

(15) Unlawful to Remove Recyclables. It will be unlawful for any person to collect or remove recyclables that have been placed by any person at a designated collection site for collection. This Chapter will not apply to a City employee acting within the scope of his/her employment, or to a person under contract with the City of Wisconsin Dells.

(16) Recycling Enforcement.

- A. For the purpose of ascertaining compliance with the provisions of this ordinance, any authorized officer, employee or representative of the City of Wisconsin Dells 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 Town of Delton 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 by the City of Wisconsin Dells 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 recycling ordinance may be assessed as follows:

1. Any person who violates s. (14) may be required to forfeit \$50 for a first violation, \$200 for a second violation, and not more than \$2000.00 for a third or subsequent violation.
2. Any person who violates a provision of this ordinance, except s. (14), may be required to forfeit not less than \$10 or more than \$1000.00 for each violation.

SECTION IV: VALIDITY.

Should any section, clause or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED.

All ordinances in conflict with any provisions of this Ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE.

This Ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE.

This ordinance becomes a part of Wisconsin Dells Code, Chapter 12.

Motion was seconded by Ald. Ryan. Upon roll call vote the motion carried 5-0. Ordinance adopted and in full force after publication.

26. There was no Business for Referral.

27. Motion by Ald. Holzem seconded by Ald. Anchor to adjourn. Motion carried unanimously and the meeting adjourned at 6:51 pm.



Lisa McClyman
City Clerk/Treasurer
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