

No. 826, A.]

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**CHAPTER 570**

AN ACT to create 59.07 (31), 60.72 (1a) and 67.04 (1) (w) of the statutes, relating to the disposal of waste materials in counties having a population of 500,000 or more.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 59.07 (31) of the statutes is created to read:

59.07 (31) DISPOSAL OF WASTE OR REFUSE MATERIALS. In any county having a population of 500,000 or more, to engage in the function and business related to the destruction or disposal of waste by providing and operating dumpage facilities; to acquire lands by purchase, donation or right of eminent domain within such county and use such lands as dumpage sites for depositing, salvaging, processing, burning or otherwise disposing of such waste except by enclosed incineration, and to acquire land by purchase or donation outside such county for said purposes where state and local regulations permit; to maintain, control and operate dumpage sites; to sell all salvageable waste materials and by-products; to levy taxes to provide funds to acquire dumping sites for depositing, salvaging, processing, burning or otherwise disposing of such waste except by enclosed incineration; to levy a tax to create a working capital fund to maintain and operate dumpage facilities; to charge or assess, reasonable fees to persons making use of such sites for the disposal of waste; to make charges approximately commensurate with the cost of services rendered to any municipality using the county waste disposal facilities; to contract with the several towns, villages and cities in such county for the collection and hauling of waste accumulating within such municipal units; to contract with private collectors and transporters to receive and dispose of waste at dumpage sites; to adopt and enforce ordinances, rules and regulations deemed and declared necessary for the orderly conduct of providing such dumpage facilities and services and to provide penalties for the violation thereof. The charges for waste disposal services shall be determined by the county board and shall include a reasonable charge for depreciation. In the determination of such charges, the county board shall give full consideration to any fees directly collected for such service. Waste disposal charges shall be apportioned pursuant to s. 70.63 to the respective municipalities receiving such service. The depreciation charges shall create a reserve for future capital outlays for acquisition of dumping sites. Before acquiring in such county any site to be used for dumping, a public hearing shall be held following notice of such hearing by publication at least once each week for 3 successive weeks in the official newspaper of the county or, if there be none, a newspaper of general circulation in the county. The term "waste" as used in this subsection means and includes without restriction because of enumeration, garbage, ashes, municipal, domestic, industrial and commercial rubbish, waste or refuse material. The powers conferred by this subsection are declared to be necessary to the preservation of the public health, welfare and convenience of the county.

SECTION 2. 60.72 (1a) of the statutes is created to read:

60.72 (1a) In counties having a population of 500,000 or more, when the county or any municipality therein has provided and is operating facilities in any town for dumping or otherwise disposing of waste as defined in s. 59.07 (31), the provisions of this section shall not apply to such county or municipality and its operations.

SECTION 3. 67.04 (1) (w) of the statutes is created to read:

67.04 (1) (w) In counties having a population of 500,000 or more, to acquire lands and improve the same by providing facilities for the disposal of waste as defined in s. 59.07 (31).

Approved July 14, 1953.