

## Ordinance 0020-25 – Littering, Illegal Dumping, and Incentivized Reporting

An ordinance to repeal, delete, and recreate Chapter 66, Article XIV of the Municipal Code of the City of Racine, Wisconsin.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Chapter 66, Article XIV of the Municipal Code of the City of Racine is repealed, deleted, and recreated as follows:

### ARTICLE XIV. – LITTERING AND ILLEGAL DUMPING

#### Sec. 66-370. – Definitions.

In this section:

*Illegal dumping* means the depositing or discharging of solid waste in an amount equal to or greater than a 20-gallon container on or along a highway, in any waters of the city, on any ice of any waters of the city, or on any other public or private property.

*Solid waste* is as defined under section 42-26.

*Littering* means the depositing or discharging of solid waste in an amount less than a 20-gallon container on or along a highway, in any waters of the city, on any ice of any waters of the city, or on any other public or private property.

Cross reference – Definitions (solid wastes), § 42-26.

State law reference – Wis. Stat. § 287.81, littering.

#### Sec. 66-371. – Littering prohibited.

No person shall engage in, cause, or otherwise contribute to an incident of littering within the city.

#### Sec. 66-372. – Illegal dumping prohibited.

No person shall engage in, cause, or otherwise contribute to an incident of illegal dumping within the city.

#### Sec. 66-373. Exception.

This article does not apply to a person who deposits or discharges solid waste in any amount that is in conformance with the requirements under chapter 42 and chapter 78.

Cross references – Environment, ch. 42; Solid Waste, ch. 78.

Sec. 66-373. – Penalty.

(a) Littering.

- (1) *Bond amount.* Any person charged with a littering violation may pay a deposit of \$500 plus costs in lieu of a court appearance.
- (2) *Forfeiture.* Any person convicted of a littering violation shall forfeit not more than \$1,000.

(b) Illegal dumping.

- (1) *Bond amount.* Any person charged with an illegal dumping violation may pay a deposit of \$2,500 plus costs in lieu of a court appearance.
- (2) *Forfeiture.* Any person convicted of an illegal dumping violation shall forfeit \$5,000 for the first offense and \$7,500 for the second or subsequent offense.

Sec. 66-374. – Reporting illegal dumping.

Any person with information about an incident of illegal dumping within the city may provide his or her identification and file a report with the police department. If possible, the report shall contain the following information:

- (a) The name and description of each suspect.
- (b) The date, time, and approximate location of the illegal dumping.
- (c) A description of the illegal dumping.
- (d) A description of any vehicle involved in the illegal dumping.

Sec. 66-375. – Incentive program.

The director of city development or designee may issue a monetary reward in an amount up to \$1,000 that is payable to the person who provides his or her identification and files a report with the police department under section 66-374 that contributes to an enforcement action for the illegal dumping violation. The payment of a reward shall not be contingent on the outcome of any litigation related to the illegal dumping incident.

Part 2: Chapter 66, Article I, Section 66-3(b) of the Municipal Code of the City of Racine is amended to repeal and delete the following three rows in the embedded table:

66-371	Littering	125.00
66-372	Commercial waste	325.00
66-373	Failure to remove accident debris	400.00

**Part 3:** This ordinance shall take effect upon passage by a majority vote of the members-elect of the City of Racine Common Council and publication or posting as required by law.

**Fiscal Note:** The discretionary payment of reward money up to \$1,000 in exchange for information that contributes to an enforcement action for an illegal dumping violation. Pursuant to Wisconsin Statutes section 62.09(8)(c), the mayor shall have the veto power as to all acts of the common council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, or upon failing to approve or disapprove within five days, which fact shall be certified thereon by the clerk. If the mayor disapproves the mayor's objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective notwithstanding the objections of the mayor.