



AN ORDINANCE: By Public Services
Re: Amending Code Secs. 10-3(3) & 12-24(f)
relating to regulation of composting.

ORDINANCE NO. 1393
Introduced: January 20, 2010
Committee/Commission Action:
RECOMMENDED FOR PASSAGE

AN ORDINANCE

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

Section 1. Section 10-3(3) of the Code of Ordinances of the City of Neenah is amended by adding the highlighted language to read as follows:

(3) Breeding places for vermin, etc. Accumulations of decayed animal or vegetable matter, trash, rubbish, rotting lumber, bedding, packing material, scrap metal or any material in which flies, mosquitoes, disease-carrying insects, rats or other vermin may breed. Notwithstanding the foregoing, composting sites in compliance with the provisions of Sec. 12-24(f) are exempt from the provisions of this Chapter.

Section 2. Section 12-24(f) of the Code of Ordinances of the City of Neenah is amended by adding the highlighted language to read as follows:

(f) *Composting.* Backyard composting of yard wastes must be operated to prevent a nuisance condition, unsightly mess or an environmental or health hazard. General guidelines published by the Wisconsin Department of Natural Resources shall be followed. No dairy products, meat, fish, fat, oils, bones or animal wastes shall be composted. Composting is defined as above ground microbial process, other than active garden areas, that converts yard or approved household waste to organic soil amendment or mulch by decomposition of material through an aerobic process and as allowed in the City is subject to the following requirements:

(1) Location. Compost sites must be setback three (3) feet from any rear or side property line and shall not be located in the required front setback area, or closer than twenty (20) feet from any habitable building other than the dwelling occupied by the owner.

(2) Number and Size. No lot may contain more than (2) composting sites. The total composting area per lot may not exceed 60 square feet in area or exceed 4 feet in height.

(3) Composting containment. All composting sites must be contained within at least a 3-sided structure, which may be constructed of wood, masonry, wire mesh or commercially fabricated compost bins.

Section 3. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 4. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Moved by: Ald. Stevenson/Zaretzke
Adopted: January 20, 2010
Approved: January 20, 2010
Published: January 25, 2010

Approved:



George Scherck, Mayor

Attest:



Patricia A. Sturn, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:
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