

## CHAPTER 13

### MUNICIPAL UTILITIES

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13.01 WATER UTILITY RULES AND REGULATIONS. The rules and regulations for operation of the Boscobel Water Utility shall be those adopted by the Utility Commission and the City Council and approved by and on file with the Public Service Commission.

13.02 FLUORIDATION OF WATER SUPPLY. (1) INTRODUCTION OF FLUORINE. The Utility Commission shall introduce into the City water system, fluorine according to the directions of the Sate Board of Health.

(2) COSTS. The cost of such introduction shall be paid out of the Utility Funds.

(3) PERIODIC REPORTS. The Utility Commission shall make periodic reports to the City Council as to the status, cost and progress of such service and shall seek the cooperation and educational and scientific institutions to conduct surveys and research as to the beneficial effect of this program upon the citizens of Boscobel.

13.03 COLLECTION OF DELINQUENT CHARGES.

(1) Notice. Prior to October 15 of each year, the Board of Public Works shall furnish the Treasurer with a list of all lots or parcels of real estate to which utility services has been supplied by Boscobel Municipal Utilities prior to October 1, the payment for which is owing and in arrears. On October 15, the Treasurer shall give notice in writing to the owner or occupant of such lots and parcels, which notice shall state the amount of such arrearage, including any penalty assessed pursuant to the rules of the Utility, and that unless the same is paid by November 1 thereafter, a penalty of 10% of the amount of such arrearage will be added t hereto. The notice shall further state that unless such arrears, including the 10% penalty, shall be paid by November 15 thereafter, the same will be levied as a tax against the lot or parcel of real estate to which the utility service was supplied and for which payment is delinquent.

(2) Manner of Giving Notice. The Notice may be served by delivery to either the owner or the occupant personally, or by letter to the owner or occupant at the post office address of the lot or parcel of real estate.

(3) When Payment Is Not Made. If the delinquent charges are not paid within the time provided by the Notice on November 16 the Treasurer shall certify and file with the Clerk a list of all lots or parcels of real estate for which delinquent charges are outstanding, giving the legal description of them, and stating the amount of the arrears together with the 10% penalty. Each delinquent amount, including the 10% penalty, shall thereupon become a lien upon the lot or parcel of real estate to which the utility service was supplied, and the Clerk shall insert the same in the tax bill as a tax against the lot or parcel of real estate.

(4) Collection. All proceedings in relation to the collection of general taxes shall apply to the delinquent amount, including the 10% penalty, if it is not paid within the time

required by law for payment of taxes on real estate.

(5) **Special Rule for Mobile Homes.** If there is an arrearage and delinquency in payment as described above for utility services supplied and metered by the Utility directly to a mobile home unit in a licensed mobile home park, the notice provided for herein shall be given to the owner of the mobile home unit and the delinquent amount shall become a lien on the mobile home unit rather than a lien on the lot or parcel of real estate on which the mobile home unit is located. A lien on a mobile home unit shall be enforced by using the procedures of Section 779.48(2), Stats.

(6) **Alternate Collection Measures.** Arrearages may also be collected using the procedure under Section 66.60(16), Stats.

(7) **Authority.** This section is adopted under the authority of Section 66.069(1)(b), Stats.

13.04 **CROSS CONNECTION CONTROL.** (Cr. #96) (1) **DEFINITION.** A cross connection shall be defined as any physical connection or arrangement between 2 otherwise separate systems, one of which contains potable water from the City water system, and the other, either water from a private source, or water of unknown or questionable safety, or steam, gases or chemicals whereby there may be back flow, or back flow siphonage or any other flow from one system to the other, the direction of the flow depending on the pressure differential between the 2 systems.

(2) **PROHIBITED.** No person shall establish or maintain any cross connection as defined herein.

(3) **APPROVAL OF INTERCONNECTION.** No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the City may enter the supply or distribution system of the City, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the City Municipal Utilities and by the Wisconsin Department of Natural Resources in accordance with ss NR111.25(3), Wis. Adm. Code.

(4) **INSPECTIONS.** Inspections shall be made of all properties served by the public water system where cross connections with the public water system are deemed possible. The frequency of inspection and reinspections based on potential health hazards involved shall be as established by the City Municipal Utilities and as approved by the Wisconsin Department of Natural Resources.

(5) **RIGHT TO ENTER.** The representative of the City Municipal Utilities shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the City for cross connections. If entry is refused, such representative shall obtain a special inspection warrant under s. 66.122, Wis. Stats. On request, the owner, lessee or occupant of the property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.

(6) **DISCONTINUANCE PERMITTED.** The City Municipal Utilities shall disconnect water service to any property wherein any connection in violation of this section exists, and shall take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Ch. 68, Wis. Stats., except as provided in sub. (7). Water service to such property shall not be restored until any cross connection as defined herein has been eliminated in compliance with the provisions of this section.

(7) **DISCONTINUANCE OF SERVICE.** If a cross connection, or an emergency or danger to the public health, safety or welfare exists and requires immediate action, and a written finding to that effect is filed with the City Clerk and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Ch. 68, Wis. Stats., within 10 days of such emergency discontinuance.

13.05 **STATE PLUMBING CODE ADOPTED.** The State Plumbing Code of Wisconsin, Ch. H62, Wis. Adm. Code, is hereby adopted by reference as if set forth fully herein.

#### **SEWAGE AND WASTEWATER DISPOSAL** (Rep. & recr. #99)

13.10 **PURPOSE.** The purpose of this subchapter is to promote the public health, safety, prosperity, aesthetics and general welfare of the citizens of the City and is designed to provide the legislative enactments required under Wisconsin Fund Regulations and applicable State regulations for the acceptance of construction grants to improve the quality of effluent discharges from wastewater treatment works. It is further intended to provide the administration and enforcement and to provide penalties for violations.

13.11 **ABROGATION AND GREATER RESTRICTIONS.** It is not intended by this subchapter to repeal, abrogate, annul, impair or interfere with any existing easements, covenants, deed restrictions, agreements, rules, regulations, ordinances or permits previously adopted or issued pursuant to law. However, wherever this subchapter imposes greater restrictions, the provisions of this subchapter shall govern.

13.12 **INTERPRETATION.** In their interpretation and application, the provisions of this subchapter shall be held to be minimum requirements and shall be liberally construed in favor of the City and shall not be deemed a limitation or repeal of any other power granted by the statutes of the State of Wisconsin.

13.13 DEFINITIONS. (1) APPROVING AUTHORITY. The Director of Public Works and his duly authorized representatives, the Sewer Committee, the Superintendent of the Wastewater Treatment Plant and the City Council.

(2) BOD (denoting Biochemical Oxygen Demand). The quantity of oxygen utilized in the biochemical oxidation of organic matter in 5 days at 20 degrees C., expressed as milligrams per liter. Quantitative determination of BOD shall be made in accordance with procedures set forth in Standard Methods

(3) BILLABLE BIOCHEMICAL OXYGEN DEMAND (BOD). A user's loading in pounds of BOD calculated using the billable flow and concentration of BOD in the waste as determined by the Sewer Committee. Minimum waste strength of BOD shall be the domestic waste concentration of 200 milligrams per liter for the purpose of billing for user charge.

(4) BILLABLE FLOW. A monitored sewage flow or a user's recorded quarterly water usage as metered by the appropriate water utility, plus metered water from wells and other sources and less any sewer-exempt metered data, times the City approved percentage factor for wastewater entering the sewer system out of the metered water. Residential users or unmetered wells and users with no history of billable flow have their billable flow estimated by averaging the billable flow of other residential users of the same class.

(5) BILLABLE SUSPENDED SOLIDS (SS). A user's loading in pounds of SS calculated using the billable flow and concentration of SS in the waste as determined by the Sewer Commission. Minimum waste strength of SS shall be the domestic waste concentration of 200 milligrams per liter for the purpose of billing for user charges.

(6) BUILDING DRAIN - SANITARY. That part of the lowest horizontal piping of a drainage system which receives sanitary or industrial sewerage only and is located inside the walls of a building and conveys the sewage to the building sewer, which begins 3' outside the building wall.

(7) BUILDING DRAIN - STORM. That part of the lowest horizontal piping of a drainage system which receives storm water or other clearwater discharge, but receives no wastewater from sewage or other drainage pipes, and is located inside the walls of a building and conveys the sewage to the building sewer, which begins 3' outside the building walls.

(8) BUILDING SEWER - SANITARY. The extension from the building drain to the public sewer or other place of disposal and conveys only sanitary or industrial sewage. This is also known as a house connection.

(9) CLASS OF USERS. The division of wastewater treatment customers by waste characteristics and process discharge similarities or function, such as residential commercial, institutional or industrial.

- (10) CITY. The City of Boscobel.
- (11) COLLECTION SEWER. A sewer whose primary purpose is to collect wastewaters from individual point source discharges.
- (12) COMBINED SEWAGE. A combination of both wastewater and storm or surface water.
- (13) COMBINED SEWER. A sewer intended to receive both wastewater and storm or surface water.
- (14) COMPATIBLE POLLUTANT. BOD, suspended solids (SS), pH and fecal coliform bacteria, plus additional pollutants identified in the WPDES permit, if the publicly-owned treatment works was designed to treat such pollutants and, in fact, does remove them to a substantial degree.
- (15) DEPOSITED. Placing funds in control of the City and, if such deposit is in the form of a bank check, deposit shall not be deemed collected within this definition until the applicable rules of the bank's collection procedures are fulfilled.
- (16) DEPRECIATION. An annual operating cost reflecting capital consumption and obsolescence (reduction of future service potential) of real and personal properties.
- (17) DISSOLVED SOLIDS. Concentration of matter in the sewage consisting of colloidal particulate matter one micron in diameter or less, and both organic and inorganic molecules and ions present in solution.
- (18) EASEMENT. An acquired legal right, less than fee simple, for the specific use of land owned by others.
- (19) FECAL COLIFORM. Any number of organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator or pathogens.
- (20) FLOATABLE OIL. Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in a pretreatment facility approved by the City.
- (21) FORCE MAIN. A pipe in which wastewater is carried under pressure.
- (22) FUNCTIONAL BETTERMENT. A process improvement in the increased size facilities or a process improvement in existing facilities that is directly anticipated to preclude physical betterments or is an indirect improvement to the process as a result of renewal on a cost-effective basis.
- (23) FUNCTIONAL OBSOLESCENCE. The process deficiency of a functional element of a plant beyond the capacity of a preventive maintenance program to such extent that a new process device or piece of equipment would be more cost effective.

(24) **GARBAGE.** Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the commercial handling, storage and sale of produce.

(25) **GROUND GARBAGE.** The residue from the preparation cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than 1/2" in any dimension.

(26) **INCOMPATIBLE POLLUTANT.** Any non-treatable waste product including nonbiodegradable dissolved solids.

(27) **INFILTRATION.** The water unintentionally entering the public sewer system, including sanitary building drains and sewers, from the ground through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls. Infiltration does not include, and is distinguished from, inflow.

(28) **INFILTRATION/INFLOW.** The total quantity of water from both infiltration and inflow without distinguishing the source.

(29) **INFLOW.** The water discharge into a sanitary sewer system, including building drains and sewers, from such sources as, but not limited to: roof leaders; cellar, yard and area drains; foundation drains; unpolluted cooling water discharges; drains from springs and swampy areas; manhole covers; cross connections from storm sewers and/or combined sewers; catch basins, storm waters; surface runoff; street wash waters, or drainage. Inflow does not include, and is distinguishable from, infiltration.

(30) **INTERCEPTOR SEWER.** A sewer whose primary purpose is to transport wastewater from collection sewers to treatment facility.

(31) **NATURAL OUTLET.** Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or ground water.

(32) **NORMAL DOMESTIC STRENGTH SEWAGE.** Wastewater or sewage having an average daily suspended solids (SS) concentration of not more than 200 milligrams per liter and an average daily BOD of not more than 200 milligrams per liter.

(33) **OPERATION AND MAINTENANCE COSTS.** Includes all costs, direct and indirect, not including debt service, but inclusive of expenditures attributable to administration replacement of equipment, and treatment and collection of wastewaters, necessary to insure adequate wastewater collection and treatment on a continuing basis which conforms to applicable regulations and assures optimal long-term facility management.

(34) **PERSON.** Any individual, firm, company, association, society, corporation or group

discharging any wastewater to the wastewater treatment facility.

(35) **PERSONAL PROPERTY.** All equipment owned by the City and used in the transport and treatment of sewage. Such equipment must be mechanical, electronic, or electrical or have movable parts.

(36) **pH.** The term used to express the intensity of the acid or base condition of a solution, calculated by taking the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions in grams per liter of solution.

(37) **PHYSICAL BETTERMENT.** The expansion of a physical facility to increase capacity of the treatment works.

(38) **PHYSICAL OBSOLESCENCE.** The material deficiency of a functional element of a treatment plan to a point that impair as normal or preventive maintenance is not cost-benefit effective.

(39) **PRETREATMENT.** The treatment of industrial sewage from privately-owned industrial sources by the generator of that source prior to introduction of the waste effluent into a publicly-owned treatment works.

(40) **PRIVATE SEWER.** A sewer which is not owned by the City.

(41) **PUBLIC SEWER.** A sewer which is owned and controlled by the City and is separate from and does not include sewers owned by other governmental units.

(42) **PUMPING STATION.** A station positioned in the public sewer system at which wastewater is pumped to a higher level.

(43) **REAL PROPERTY.** All fixed physical facilities owned by the City and used in the transport and treatment of sewage which do not have movable parts, such as buildings, tanks, sewers, structures and the like.

(44) **RENEWAL COSTS.** The expenditures from reserve funds or other funds to overcome physical and/or functional consumption of plant capacity or function or obsolescence of same, in order that the equivalent in function of plant is present at the end of the anticipated useful life.

(45) **REPLACEMENT COSTS.** The expenditures for obtaining and installing equipment, accessories or appurtenances necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

(46) **REPLACEMENT RESERVE.** An account for the segregation of resources to meet capital consumption of personal or real property.



(47) **RETAINED AMOUNT.** The amount of money held in trust and deposit for the expansion of the facilities, together with the interest earned thereon, for the proration of the industrial cost recovery system fund.

(48) **SANITARY SEWER.** A sewer which carries only sanitary or sanitary and industrial wastewaters from residences, commercial buildings, industrial plants and institutions and to which storm, surface and ground water are not intentionally admitted.

(49) **SEWAGE.** The combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, including polluted cooking water and unintentionally admitted infiltration/inflow.

(a) **Sanitary Sewage.** The combination of liquid and water-carried wastes discharged from toilet and other sanitary plumbing facilities.

(b) **Industrial Sewage.** A combination of liquid and water-carried wastes discharged from any industrial establishment and resulting from any trade or process carried on in that establishment and shall include the wastes from pretreatment facilities and polluted cooling water.

(c) **Combined Sewage.** Wastes, including sanitary sewage, industrial sewage, storm water, infiltration and inflow carried to the wastewater treatment facilities by a combined sewer.

(50) **SHALL** is mandatory; **MAY** is permissible.

(51) **SLUG.** Any discharge of water or wastewater in concentration of any given constituent or in any quantity of flow which exceeds for any period of duration longer than 15 minutes more than 5 times the allowable concentration or flows during a normal working day (i.e., 1, 2 or 3 shift operation) and shall adversely affect the collection system and/or performance of the wastewater treatment works.

(52) **STANDARD METHODS.** The examination and analytical procedures set forth in the most recent edition of **Standard Methods for the Examination of Water, Sewage and Industrial Wastes** published jointly by the American Public Health Association, and the American Water Works Association and the Federation of Sewage and Industrial Wastes Association.

(53) **STORM SEWER.** A sewer that carries only storm waters, surface run-off, street wash and drainage and to which sanitary and/or industrial wastes are not intentionally admitted.

(54) **SUSPENDED SOLIDS (SS).** Suspended matter that either floats on the surface of, or is in suspension in water, wastewater or other liquids and is removable by laboratory filtration as prescribed in the **Standard Methods**

(55) TOTAL SOLIDS. The sum of suspended and dissolved solids.

(56) TOXIC AMOUNT. Concentration of any pollutant or combination of pollutants which upon exposure to or assimilation into any organism will cause adverse effects, such as cancer, genetic mutations and physiological manifestations, as defined in standard issued pursuant to ss 307(a) of Public Law 92-500, as amended.

(57) UNPOLLUTED WATER. Water of a quality equal to or better than the effluent criteria in effect, or water that is of sufficient quality that it would not be in violation of federal or state water quality standards if such water were discharged into navigable waters of the state. Unpolluted water would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

(58) USEFUL LIFE. The anticipated term in years of physical and/or functional productivity of elements and/or the whole of the wastewater treatment system which can be reevaluated as a result of preventive maintenance, renewal which offsets physical and/or functional obsolescence, renewal of capital elements due to consumption, and physical and/or functional betterments, direct or indirect.

(59) USER CHARGE SYSTEM. The system of charges levied on users for the cost of operation and maintenance, including replacement reserve requirements on new and old wastewater collection and treatment facilities.

(60) VOLATILE ORGANIC MATTER. The material in the sewage solids transformed to gases or vapors when heated at 500 degrees C. for 15 minutes.

(61) WASTEWATER TREATMENT WORKS. The structures, equipment and processes required to collect, transport and treat domestic and industrial wastes and to dispose of the effluent and accumulated residual solids.

(62) WATERCOURSE. A natural or artificial channel for the passage of water, either continuously or intermittently.

(63) WATER WORKS. All facilities for water supply, treatment, storage reservoirs, water lines and services and booster stations for obtaining, treating and distributing potable water.

13.14 USE OF THE PUBLIC SEWERS. (1) SANITARY SEWERS. No person shall cause to be discharged any storm water, surface drainage, subsurface drainage, ground water, roof runoff, cooling water or unpolluted water into any sanitary sewer.

(2) STORM SEWERS. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Approving Authority. Industrial cooling water or unpolluted process waters may be

discharged, on approval of the Approving Authority, to a storm sewer or natural outlet. Such approval is subject to review by the Department of Natural Resources, Division of Environmental Protection of the State of Wisconsin.

(3) PROHIBITIONS AND LIMITATIONS. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer, except as herein provided.

(a) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquids, solids or gases.

(b) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters of the Wastewater Treatment Plant.

(c) Any waters or wastes having a pH lower than 6.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the Wastewater Treatment Plant.

(d) Any waters or wastes having a pH in excess of 9.0.

(e) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.

(f) No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Approving Authority that such wastes can harm either the sewers, sewage treatment plant or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, property or constitute a nuisance. In forming their opinion as to the acceptability of these wastes, the Approving Authority will give consideration to such factors as the quantities or subject wastes in relation to flows and velocities in sewers, materials of construction of the sewers, nature of the wastewater treatment process, capacity of the wastewater treatment plant, and other pertinent factors.

1. The substances prohibited are:

- a. Any liquid or vapor having a temperature higher than 150 degrees F.
- b. Any water or waste containing fats, wax, grease or oils, whether

emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees.

c. Any commercial garbage that has not been properly shredded. The installation and operation of any commercial grinder equipped with a motor of one horsepower or greater shall be subject to the review and approval of the Approving Authority.

d. Any waters or wastes containing iron, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such a degree that any such material discharged in the composite sewage to the sewer exceeds limits established by the Approving Authority for such materials.

e. Any waters or wastes discharged to the sewer containing over 0.1 mg/l hexavalent chromium per 24-hour composite.

f. Any waters or wastes containing phenols or other taste or odor producing substances in such concentrations exceeding limits which may be established by the Approving Authority as necessary after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.

g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Approving Authority in compliance with state or federal regulations.

h. Materials which exert or cause:

I. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the Wastewater Treatment Plant. Materials such as milk, whey, blood, molasses, sugar, milk products.

ii. Unusual volume of flow or concentration of wastes constituting slugs as defined herein.

iii. Unusual volume of flow or concentration of wastes constituting slugs as defined herein.

I. Excessive discoloration, such as, but not limited to, dye wastes and vegetable tanning solutions.

j. Waters or wastes containing substances which are not amenable to

treatment or reduction by the wastewater treatment process employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of the Department of Natural Resources, Division of Environmental Protection of the State of Wisconsin.

k. Any amount of the following constituents exceeding that listed below:

	<u>mg/l</u>
Aluminum	800.0
Arsenic	0.25
Barium	2.0
Boron	1.0
Cadmium	2.0
Chlorides	700.0
Chromium total	21.8
Chromium (Hexavalent)	3.6
Copper	17.6
Cyanide	1.2
Fluorides	2.5
Iron, total	56.0
Lead	1.5
Manganese	1.0
Mercury	.0005
Nickel	6.7
Phenols	0.3
Selenium	1.0
Silver	0.1
Total Dissolved Solids	1500.0
Zinc	16.5

l. Ammonia nitrogen in such an amount as would cause the City to be in noncompliance with regulations of the State of Wisconsin, Department of Natural Resources.

13.15 PRETREATMENT. (1) If the Approving Authority determines that wastes are harmful to the structures, processes or operation of the sewage disposal works, he may require:

- (a) Such preliminary treatment or processing facilities as may be required to render wastes acceptable for admission to the public sewers, at the user's expense.
- (b) Control over the quantities and rates of discharge.
- (c) Payment to cover the added cost of handling and treating the wastes not

covered by existing taxes or sewer charges under the provisions of the chapter.

(2) Grease, oil and sand interceptors or retainers shall be installed by the user at its own expense when, in the opinion of the Approving Authority, such are necessary for the proper handling of liquid wastes containing grease, oils or sand in excessive amounts, of any inflammable wastes, and of such other harmful ingredients. Such interceptors shall be of a type and capacity approved by the Approving Authority and shall be located as to be readily and easily accessible for cleaning by the user and for inspection by the Approving Authority.

(3) Where installed, all grease, oil and sand interceptors shall be maintained by the user, at his own expense, and shall be kept in continuous and efficient operation at all times.

(4) In the event the City approves the admission of any materials into its sewers, the City shall direct the user causing admission of any such materials, to, at his own expense, construct, install and operate such preliminary treatment plants and facilities as may be required in order to:

(a) Reduce the BOD to 300 parts per million and the suspended solids to 300 parts per million by weight.

(b) Reduce objectionable characteristics or constituents to within the maximum limits provided for in s. 13.20.

(c) Control the quantities and rates of discharge of such waters or wastes.

(5) No preliminary treatment plant and facility shall be constructed or operated unless all plans, specifications, technical operating data and other information pertinent to its proposed operation and maintenance shall conform to all City, State Department of Natural Resources, and any other local, state or federal agency regulations, and unless written approval of the plans, specifications, technical operating data and sludge disposal has been obtained from State Department of Natural Resources and any other local, State or federal agency having regulatory authority with respect thereto.

(6) All such preliminary treatment facilities are required by this subchapter shall be maintained continuously in satisfactory and effective operating condition by the user or person operating and maintaining the facility served thereby, and at the user's expense.

(7) No provision contained herein shall be construed to prevent or prohibit a separate or special contract or agreement between the City and industrial user whereby industrial waste and material of unusual strength, character or composition may be accepted by the City for treatment, subject to additional payment therefor by the industrial user; provided, however, that such contract or agreement shall have the prior approval of the City and also provided user charges are proportional to costs of providing the service.

(8) The City reserves the right to reject admission to the system of any waste harmful to

the treatment or collection facilities or to the receiving system.

13.16 PRIVATE SEWAGE TREATMENT AND DISPOSAL. (1) Where a public sewer is not available, the building or structure shall be connected to a private sewer, and a disposal or treatment system shall be constructed in compliance with the terms and provisions of all applicable City, county, State and federal laws and regulations.

(2) Within 90 days after a property is served a public sewer, a direct connection shall be made to the public sewer according to the terms and provisions of this subchapter, and all private sewers, disposal systems, septic tanks, cesspools and other appurtenances of such private sewer and disposal system shall be disconnected and abandoned and all openings, tanks or other containers of human wastes, garbage and other wastes shall be permanently filled with granular material.

(3) The City shall not be responsible in any way for the operation and maintenance of a private sewer or disposal system or facility.

(a) The user may connect buildings situated only on the full-described tract set forth in the agreement and in accordance with the applicable laws, ordinances and regulations of the city, local, state and federal governments.

(b) The wastes and material discharged shall meet all present and future standards for content and volume, and the user shall further agree to pay all future connections, user and treatment or service charges which are applicable to all property and users uniformly.

(c) The user, his successors and assigns, shall, in addition to costs noted previously, pay annually an amount equivalent to City taxes computed in the manner following:

1. The equalized assessed value of the user's taxable property, or of any subdivided part or separate tract thereof, as determined by the proper authorities of Grant County, shall be multiplied by that part or portion of the City's rate of tax upon real estate and personal property situated within its corporate area for the year when the tax rate is determined, as is attributable to the installation of its sewer facilities.

2. The amount, when computed by the City, shall be charged to the user, its successors and assigns, and the statement sent to the user shall be paid within 30 days after the date of sending. Any amount remaining unpaid after due date shall draw interest at the rate of 10% per annum until paid.

3. The amount computed for use shall be prorated from the date of contract if the user used the sewer system for only a partial year.

4. If the user, or any successor or assign thereof, shall fail to pay the

amount when due, each and every sewer upon the property, or any subdivided tract thereof, for which payment is not made shall be disconnected by the owner from any other sewer which was connected under the contract and ultimately attaches to the City wastewater treatment plant. The user shall have caused or required its sewer system to be constructed within the property in order that separate tracts may be so disconnected, and hereby gave and granted the City an irrevocable easement for the purpose of going upon the same and disconnecting any such sewer if the producer, its successors or assigns, fails to disconnect promptly when such is required.

5. In addition to the right of disconnection, the City shall have a lien upon the property or subdivided portion thereof in the amount of any unpaid charges due therefrom. Upon the filing of notice, the lien shall be deemed perfected, and the lien may be charged and redeemed or foreclosed and the property sold to satisfy the unpaid charges in accordance with the Wisconsin Statutes.

6. The City shall have the additional right to file a civil suit to recover the amount of the lien, the full cost incurred in disconnection and all its reasonable legal expenses and attorney's fees incurred as a result of the suit.

7. All amounts charged under this subchapter are due and shall continue to be due hereunder, whether or not such sewer is disconnected, and no sewer shall be reconnected until the City is paid in full for all amounts due it. In addition, the City shall be paid a deposit equal to the estimated charge for the next succeeding year. This deposit shall be held by the City in escrow, and will be returned upon satisfactory payment of amounts due the City for a period of 2 years.

(4) The City shall not, without its proper written consent and acceptance, have dedicated to it or own any sewer system installed within the property, and the producer, its successors and assigns, shall maintain the same at its own cost; provided, however, that this provision shall not be construed to prohibit the dedication of part or all of such sewer system to another unit of government.

(5) Upon conveyance by the owner of all or any unsubdivided portion or tract of such property, the successor in title shall succeed to all rights and liabilities hereunder and the owner shall have no future liability to the City in respect to such tract except as shall have accrued as of the date the conveyance is recorded in Grant County Register of Deeds office.

(6) If such property therein described, or any subdivided or separate tract thereof, is annexed to the City by proper ordinance, the agreement as to such property or the subdivided or separate tract thereof which is so annexed shall terminate and be of no further force and effect.

(7) The agreement shall be recorded in the Grant County Register of Deeds office which shall constitute notice to any successor or assign of the owner of its terms and provisions and to which any subsequent conveyance or assignment of the owner shall be subject.



(8) If any part or provision of the agreement shall be found or held by a court of competent jurisdiction to be invalid or unenforceable, the entire agreement shall terminate and all sewers of the owner, its successors or assigns, shall be promptly disconnected from any such system which ultimately connects to the City treatment plant.

(9) The applicant for treatment service under an agreement of this subchapter shall agree to assume user charges, industrial waste charges, and capital surcharge, if applicable, and to obtain from the City the proper building permit allowing the connection and the discharge permit, if applicable, indicating what discharge will be made to the treatment system.

13.18 CONSTRUCTION OF SEWERS AND CONNECTIONS FOR BUILDINGS. (1) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Approving Authority.

(2) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the property owner. The property owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(3) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Approving Authority, to meet all requirements for this section.

(4) The size, slope, alignment, materials of construction and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the City. In the absence of such Code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

(5) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(6) No person shall make connection of roof downspouts, exterior foundation drafts, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which is connected to a public sanitary sewer.

(7) The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the City, or the procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual

of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Approving Authority before installation.

(8) The applicant for the building sewer permit shall notify the Approving Authority when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Approving Authority.

(9) All excavations for the building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

(10) The City Engineer, Superintendent of the Wastewater Treatment Plant and the other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within the easement, all subject to the terms, if any, of the agreement.

(11) The City Engineer, Superintendent of the Wastewater Treatment Plant, Plumbing Inspector or other duly authorized employee of the City bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation and testing in accordance with the provisions of this subchapter and s. 196.171, Wis. Stats. These persons shall have no authority to inquire into any process beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastewater treatment.

(12) While performing the necessary work on private premises, the duly authority City employees shall observe all safety rules applicable to the premises established by the company and the City shall indemnify the company against loss or damage to its property by the City employees and against the liability claims and demands for personal injury or property damage asserted against the company and growing out of gauging and sampling operation, and indemnify the company against loss, or damage to its property by the City employees; except such as may be caused by negligence or failure of the company to maintain safe conditions as required.

(13) The construction of sewers and connections for buildings shall be made as required by the applicable ordinances of the City and by regulations of the Department of Natural Resources. Building drains-sanitary and building sewers-sanitary, together with all connections thereto, shall be constructed watertight to exclude all infiltration and inflow.

(14) After December 26, 1980, a construction permit shall first be applied for and obtained from the Building Inspector before a person can connect to any sewer located on properties within the corporate limits of the City or on properties outside the City where services have been contracted for with the City.

(15) Construction permits shall not be issued unless it has been determined by the Approving Authority that there is capacity in all downstream sewage facilities.

13.19 SEPTIC TANK HAULERS. (1) Nonindustrial users hauling liquid wastes to the treatment plant shall be assessed user charge unit charges for billable flow, billable BOD and billable SS, the volume of which is determined for each by the Approving Authority.

(2) Industrial users hauling liquid wastes to the treatment plant shall be assessed user charges as described in this subchapter.

(3) Liquid wastes hauled to the treatment plant containing concentrations of constituents in excess of the limits set forth in this subchapter shall not be accepted.

13.20 SEWER USER CLASSIFICATIONS. The sewer users are herein classified into the following classifications. Classifications of each user are established by the Approving Authority.

(1) RESIDENTIAL. Residential users shall mean, for the purposes of the user charge system, a user whose premises or building is used primarily as a single or multi-family domicile and whose wastewaters are generated from normal domestic living activities.

(2) TYPICAL USERS. Single-family residences, duplexes, multi-family housing without central cooking.

Pollutant concentrations		
BOD	-	200 mg/l
SS	-	200 mg/l
Minimum usage	-	5,000 gal/qtr.

(3) COMMERCIAL. A user engaged in the purchase or sale of goods, services or any business transactions whose wastewaters generated are more than typical domestic sewage.

(a) Typical Users. Service stations, laundry, car wash, butcher shop, restaurant, motel, hotel, grocery store, feed mills.

Pollutant concentrations		
BOD	-	350 mg/l
SS	-	350 mg/l
Minimum usage	-	5,000 gal/qtr.

(4) INSTITUTIONAL. A user whose wastewaters are generated from institutional activities.

(a) Typical Users. Hospitals, nursing homes, schools.

Pollutant concentrations			
BOD	-		350 mg/l
SS	-		350 mg/l
Minimum usage	-		5,000 gal/qtr.

(5) **INDUSTRIAL.** Any user whose wastewaters are generated from the production of products from materials or material handling.

(a) Typical Users. Factory, slaughter house, milk transfer, cheese factory.

Pollutant concentrations. To be established by Approving Authority.

(6) **SIGNIFICANT INDUSTRIAL USERS.** These are users whose wastewater generations exceed 10% of the design flow (45,400 gallons per day), design BOD or design suspended solids loading for the plant more than 10 times per year, or have a wastewater that has a detrimental effect on the plant operation. The significant industrial users must obtain a discharge permit from the Approving Authority, monitor their discharges for flow, BOD, suspended solids and other parameters established by the Approving Authority.

(a) Significant industrial users shall be assigned allotments for flow, BOD, suspended solids and pollutant loading.

(b) Penalties shall be assessed against significant industrial users who exceed their allotments in an amount not less than 5 times the rates for each parameter.

(c) Penalties shall be assessed for each day the allotments are exceeded, or each week if samples are collected weekly.

(d) If allotments are exceeded more than 5 times per month, the Approving Authority shall determine whether the discharge permit should be revoked.

(e) The Authority reserves the right to inspect monitoring equipment, sampling equipment, holding tanks, etc., so as to assure compliance with the permit. The Authority also reserves the right at anytime to split wastewater samples with the permit holder to compare values of BOD, suspended solids or any other parameter listed in the permit. The City value shall govern in case of any discrepancy. If a significant industrial user wishes to utilize the Authority to test the samples, this may be done at the rate listed.

**13.21 CONDITIONS FOR DISCHARGE INTO TREATMENT SYSTEM.** (1) Public wastewater collection facilities are required to be used for the deposit of human waste, garbage or other liquid wastes that cannot be discharged into a receiving stream or disposed of in any other manner in accordance with federal and State statutes and State administrative regulations and approved by the Department of Natural Resources.

(2) No building or facility shall be connected to any sewer unless the entire property on which the building or facility is situated is located within the corporate limits of the City, except as provided in this subchapter.

(3) No person shall place, deposit or discharge upon public or privately-owned property any wastewater within the corporate limits of the City unless done so within adequately sized holding facilities approved by all applicable federal, state and local agencies.

(4) No person shall deposit or discharge into any wastewater collection facilities any solid, liquid or gaseous waste unless through a connection approved under the terms of this subchapter.

(5) No person shall discharge any sewage, waste or material, industrial waste or any polluted water into a stream or in the air or onto the land except where the person has made and provided for treatment of such wastes which will render the contents of such wastes=discharge in accordance with applicable City, State and federal laws, ordinances and regulations.

(6) In case of natural outlet discharges, at the time construction of the waste treatment works is commenced each owner or operator shall furnish the City an approved Wisconsin pollutant Discharge Elimination System (WPDES) permit setting forth the effluent limits to be achieved by such pretreatment facilities and a schedule for achieving compliance with such limits by the required date. The WPDES permit shall be kept on file with the Approving Authority and updated by such information as periodically required by the City, State and federal agencies.

(7) Any person who owns property within the corporate limits of the City, which property is improved with one or more residences, houses, buildings or structures for or intended for human use, occupancy, employment or any other similar purpose, and which abuts on any street, alley or right-of-way in which there is located a sewer within 100' from the nearest property line, shall within 90 days after such sewer is in service, at his expense, install suitable toilet and waste disposal facilities in the residences, house, buildings or structures and connect the facilities with the sewer in accordance with the terms and provisions of this subchapter. In the event compliance with this section causes economic hardship to the property owner, he may apply to the City for exemption. An application for exemption shall state in detail the circumstances which he claims cause the economic hardship. Exemptions shall only be granted to residential users and shall not apply to commercial and industrial users. Any connection to the sewer under this subchapter shall be made only if the City determines that there is capacity, including BOD and SS capacity, available in all downstream sewer lift stations and sewer lines and in the treatment plant.

(8) Persons described in this subchapter shall not avoid connection to the sewer by reason of the actual distance between the building or structure and the connecting point of the sewer line.

(9) Review and acceptance of the Approving Authority shall be obtained prior to the

discharge into the public sewers of any waters or wastes having:

- (a) A BOD greater than 300 mg/l.
- (b) A suspended solids concentration greater than 300 mg/l.
- (c) A chlorine requirement greater than 25 mg/l.

(10) Within 3 months after December 26, 1980, significant industrial users who discharged industrial wastes to a public sewer shall prepare and file with the Approving Authority a report that shall include pertinent data relating to the quantity and characteristics of the wastes discharged to the wastewater treatment plant. Each person desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and file with the Approving Authority a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.

(11) When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule imposed, a request for extension of time may be presented for consideration of the Approving Authority.

(12) CONTROL MANHOLES. (a) Each person discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of wastes, including domestic sewage.

(b) Control manholes or access facilities shall be located and built in a manner acceptable to the Approving Authority. If measuring devices are to be permanently installed, they shall be of a type acceptable to the Approving Authority.

(c) Control manholes, access facilities and related equipment shall be installed by the person discharging the waste, at his expense, and shall be maintained by him so as to be in a safe condition, accessible and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the Approving Authority prior to the beginning of construction.

(13) The volume of flow used for computing industrial waste surcharges shall be the metered water consumption of the person as shown in the records of meter readings maintained by the Water Department or for recording data.

(14) Devices for measuring the volume of waste discharged may be required by the Approving Authority if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of waste shall be installed, owned and maintained by the person discharging the waste. Following approval and installation, such meters may not be removed without the consent of the Approving Authority.

(15) PERIODIC INSPECTIONS. (a) Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration of such wastes. The determinations shall be made as often as may be deemed necessary by the Approving Authority.

(b) Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the Approving Authority.

(c) Installation, operation and maintenance of the sampling facilities shall be the responsibility of the person discharging the waste and shall be subject to the approval of the Approving Authority. Access to sampling locations shall be granted to the Approving Authority it is duly authorized representative at all times. Every care shall be exercised in the collection of samples to insure their preservation in a state comparable to that at the time the sample was taken.

(16) ANALYSIS OF WASTES. (a) Laboratory procedures used in the examination of industrial wastes shall be those set forth in ~~Standard Methods~~ Alternate methods for certain analysis of industrial wastes may be used subject to mutual agreement between the Approving Authority and the user.

(b) Determination of the character and concentration of the industrial wastes shall be made by the person discharging them, or his agent, as designated and required by the Approving Authority. The City may also make its own analysis on the wastes and these determinations shall be binding as a basis for charges.

(c) If any waters or wastes are discharged, or proposed to be discharged, into the public sewers which contain substances or possess the characteristics which the Approving Authority determines may have delirious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life, health or constitute a public nuisance, the Approving Authority may:

1. Reject the wastes.
2. Require pretreatment to an acceptable condition for discharge to the public sewers.

13.22 DAMAGE OR TAMPERING WITH SEWAGE WORKS. (1) WILLFUL, NEGLIGENT OR MALICIOUS DAMAGE. No unauthorized person may maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is part of the sewage works. Any person violating this provision shall be subject to immediate arrest under a charge of disorderly conduct.

13.23 VIOLATIONS AND PENALTIES. (1) WRITTEN NOTICE OF VIOLATION. Any person found to be violating any provision of this subchapter shall be served with a written notice by

the City stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time specified in such notice, permanently cease all violations.

(2) **CONTINUED VIOLATIONS.** Any person who shall continue any violation beyond the specified time limit shall, upon conviction thereof, forfeit not more than \$500 together with the costs of prosecution and default thereof shall be imprisoned in the County Jail for a period not to exceed 30 days. Each day in which a violation is continued shall be deemed a separate offense.

(3) **LIABILITY TO CITY FOR LOSSES.** Any person violating any provisions of this subchapter shall become liable to the City for any expense, loss of damage occasioned by reason of such violation which the City may suffer as a result thereof.

(4) **DIFFERENCES OF OPINION.** The Director of Public Works shall arbitrate differences between the Approving Authority and sewer users on matters concerning interpretation and execution of the provisions of this subchapter by the Approving Authority.

13.24 **DISCHARGE PERMITS.** (1) The City reserves the right to require a discharge permit from commercial or industrial users of the sewer and, if required, commercial or industrial users shall not discharge to a sewer without having first applied for and obtained a permit from the City. Upon official notification from the City, each commercial or industrial user presently discharging material to the sewer shall apply for and obtain a discharge permit within 90 days from the date of such notification.

(2) Commercial and industrial classification codes set forth in the Standard Industrial Classification Manual, 1972 Edition, as amended and supplemented, are herein adopted as the basis for the issuance of discharge permits for building connections to a sewer.

(3) The application for a discharge permit shall be made on a form provided by the City and shall be fully completed and acknowledged under oath by the property owner, user or a duly authorized and knowledgeable officer, agent or representative thereof. If requested, the applicant shall also submit such scientific or testing data, or other information as may be required by the Sewer Committee. The Approving Authority shall also have the right to personally inspect the premises, equipment and material, and laboratory testing facilities of the applicant.

(4) No fee shall be charged for a discharge application permit.

(5) No discharge shall be issued by the City to any person whose discharge of material to sewers, whether shown upon the application or determined after inspection and testing conducted by the Approving Authority, is not in conformance with federal, state, or city statutes, ordinances, rules or regulations unless a waiver or variance of such standards and requirements is granted by the Sewer Committee in the manner hereinafter set forth. The Sewer Committee shall state in writing the reasons for denial or requirement for waiver-variance and a written communication mailed or personally delivered to the applicant within 5 days after denial.



(6) In the event the type or volume of material from property for which a discharge permit was previously granted shall materially and substantially change, the person granted such permit previously shall make a new application to the City in the same manner and form as originally made.

(7) If the application for a new permit or change in permit is denied by the Sewer Committee, or if the discharge indicated from the permit application or inspection is not in accordance with the requirements of this subchapter and a waiver or variance is required, the user may have the entire City Council review the denial or may request waiver-variance, provided the user shall give written notice of his request within 30 days after receiving the denial. The entire City Council shall review the permit application, the written denial and such other evidence and matters as the applicant and Approving Authority shall present at its next regular meeting following receipt of request for review, and the decision of the entire City Council rendered publicly at such meeting shall be final.

(8) Should any discharge of material to a sewer materially and substantially differ in type and volume than shown in the application and permit, the user shall immediately, upon order of the Approving Authority, cease and desist from such discharge and shall be subject to disconnection, fine and other penalties provided herein.

(9) A grant of waiver or variance by the City Council may set forth conditions, exceptions, time limitations, durations and expirations as the Council deems necessary and proper.

13.25 ESTABLISHMENT OF USER CHARGE SYSTEM. A user charge shall be assessed to all users by the City in accordance with the provisions of this subchapter.

(1) **BUDGET AND APPROPRIATION.** The Sewer Committee shall annually prepare an estimate of the anticipated costs for each category of user charges, as outlined hereafter, for the forthcoming year. These estimates shall be in the form of a rate ordinance and shall be proposed to the Common Council of the City for enactment prior to the enactment of the budget of the ensuing year.

(2) **OPERATION AND MAINTENANCE CHARGES.** (a) Operation and maintenance costs shall be separated in accordance with their applicability to flow, BOD, SS and monitoring sampling/analysis. The percentage breakdown shall be reviewed each year by the Sewer Committee and approved by the City Council.

(b) Operation and maintenance cost for flow, BOD and SS are totaled for each. The unit charges for each are obtained by dividing the total costs by the previous year's total billable flow in 1,000 gallons, billable pounds of BOD and billable pounds of SS. The monitoring unit charge is obtained by dividing the total monitoring sampling/analysis costs for each of the industrial users by the number of samplings/analysis per year for that user class.

(3) **REPLACEMENT CHARGES.** (Am. #105) (a) The replacement charge shall be sufficient to replace any equipment in the sewers or sewage works owned by the City as required, in order to insure the continued peak performance of the equipment and to maintain the capacity for which the sewers and sewage works were designed and constructed. The service life for real and personal property shall be established by the Approving Authority in cooperation with the city auditors, in accordance with experience of the City, and accepted accounting procedures. Each piece of equipment shall be evaluated annually to determine if its useful life has been extended as a result of preventative maintenance programs or repairs.

(b) Yearly replacement costs for each piece of equipment shall be separated in accordance with their applicability to flow, BOD and SS. This breakdown shall be reviewed annually by the Approving Authority and approved by the City Council.

(c) Replacement costs will be segregated into a separate sinking fund to be used for replacement related items.

(d) The yearly replacement costs attributable to flow, BOD and SS shall be divided by the previous year's total billable flow in 1,000 gallons, billable pounds of BOD and billable pounds of SS, respectively, and totaled to obtain unit replacement charges.

(4) **ADMINISTRATION AND SAMPLING CHARGES.** (a) The total administrative and overhead costs associated with billing, collection and record keeping shall be determined by the Sewer Committee and assessed against users.

(b) Industrial users shall be charged an additional amount to cover the cost of wastewater monitoring, proportionate to the number of samples and the unit sampling costs for their user class.

(5) **ADDITIONAL CHARGES.** Additional charges shall be billed, as required, for the following:

(a) Actual costs incurred for user-requested samplings and analysis.

(b) Actual costs incurred for water meter inspection requested by the user or as required because of improper maintenance.

(c) Actual costs incurred for special handling not provided for elsewhere in this subchapter.

(d) Actual costs incurred for handling a user's check returned because of insufficient funds.

(e) Each user which discharges toxic pollutants which cause an increase in the

cost of managing the effluent or the sludge of the treatment works shall pay for such increased costs and toxics monitoring.

(6) **WASTEWATER TREATMENT CHARGES.** (a) All Users. the basic wastewater treatment bill to be paid by all users shall consist of user charges for operation, maintenance and replacement, using the unit charges for billing and collection. The unit charges shall be applied to user's billable flow, BOD and SS, respectively.

(b) Industrial and Commercial Users. In addition to the basic wastewater treatment bill described in this subchapter for the user charge system, wastewater treatment bills for industrial and commercial users shall consist of industrial waste monitoring charges as described in this subchapter.

(c) Sampling and Analysis. The City shall periodically sample and analyze wastes from significant users in each industrial and commercial user classification to determine the BOD and SS strengths of the wastes and these results shall be used as representative of wastes from all users in that classification for billing purposes unless the user's waste is classified by the Approving Authority as having special problems. At the request of the user, samples shall be made and analyzed on the same frequency as samples for the user's classification, and that analysis shall be used as typical of that particular user's waste for billing purposes. Significant industries with wastes classified by the Approving Authority as having special problems shall install at the industry's own cost a structure located on the building service line with flow measurement and sampling devices as required by the Approving Authority to obtain exact information about the waste.

(7) **ADDITIONAL CHARGES.** Additional charges as described in this subchapter shall, if required, be listed on the wastewater treatment bill.

13.26 **SEWER SERVICE CHARGES.** (Cr. #102) There shall be sewer service charges for general metered sewer service and unmetered residential sewer service.

(1) **RESIDENTIAL RATE.** The rate of residential users discharging domestic strength sewage into the sanitary sewer system shall be \$4.40 per 1000 gallons, or fraction thereof, discharged, in addition to the minimum monthly service charge provided for in sub. (4).

(2) **COMMERCIAL & INSTITUTIONAL RATE.** The rate of commercial and institutional users discharging into the sanitary sewer system sewage of a strength not to exceed 250 Mg./liter-BOD or 200 Mg./liter-SS shall be \$4.40 per 1000 gallons, or fraction thereof, discharged, in addition to the minimum monthly service charge provided for in sub. (4).

(3) **INDUSTRIAL RATE.** The rate of industrial users shall be \$4.40 per 1000 gallons of sewage, or fraction thereof, discharged into the sanitary sewer system. There shall be an additional charge of \$0.37 per pound, or fraction thereof, for all sewage which has a BOD composition exceeding 250 Mg./liter, and an additional charge of \$0.45 per pound, or fraction thereof, for all

sewage which has a SS composition exceeding 200 Mg./liter. The foregoing charges shall be in addition to the minimum monthly service charge provided for in sub. (4).

(4) MINIMUM MONTHLY SERVICE CHARGE.

(a) There shall be a minimum monthly service charge for all users of the sanitary sewer system based on the size of the water meter serving the user's property. The rate is as follows:

METER SIZE	RATE
5/8"	\$ 12.00
3/4"	\$ 15.00
1"	\$ 26.00
1-1/4"	\$ 34.00
1-1/2"	\$ 50.00
2"	\$ 80.00
3"	\$ 140.00
4"	\$ 220.00
6"	\$ 315.00

Users of the sanitary sewer system who are not connected to the water system, and who have no metered water service, shall pay \$32.50 per month for sewer service.

(b) The assessment of sewer service charges is based on wastewater contributed by users. The adjusted metered water volume is used as a basis for the rate design. The difference between metered water volume and wastewater treatment plant volume is identified as infiltration/inflow. This extraneous flow cannot be directly attributed to any user.

(5) CREDIT. There shall be a credit granted to the user for water not discharged into the sanitary sewer system. The user may obtain the credit by installing a second water meter or an additional metered service that will monitor the flow of water not discharged into the system. Charges for sewer use are made based on the difference between the 2 meter readings if only a second meter is installed, or on actual water metered for sewer use if an additional metered service is installed. A user may, at his expense, install a second water meter or an additional metered service for purposes of computing the actual discharge of water into the sewer system for purposes of obtaining this credit. Second meters or additional metered services may be obtained by requesting installation approval for the City sewer utility. Any requests for a second meter or metered service must be made in writing.

(6) RATE FOR PRIVATE SEWER OR DISPOSAL SYSTEMS. The rate of disposing of waste from private sewer or private disposal systems (i.e., septic tanks, holding tanks and the like) shall be:

(a) For septic holding tank waste the rate shall be \$25.00 for loads up to 2000

gallons, and \$12.50 for each additional 1000 gallons, or fraction thereof, over 2000 gallons;

(b) For septic sludge waste the rate shall be \$70.00 for loads up to 2000 gallons, and \$35.00 for each additional 1000 gallons, or fraction thereof, over 2000 gallons.

#### 13.27 WASTEWATER TREATMENT BILL.

(1) **BILL PERIOD.** A bill shall be prepared and submitted to each user once a month.

(2) **DELINQUENT BILLS.** Any bill not paid by the due date shall be subject to a later payment penalty of 1.5% per month on the outstanding balance of the bill.

(3) **NONRECEIPT OF BILLS.** Nonreceipt of any bill described in this subchapter shall not release the user from liability for any charges.

13.28 DEBT SERVICE. General tax revenues shall continue to be collected for general obligation bond principal and interest payments and for public benefit funds, and for any other purpose provided by law not related to the operation, maintenance and replacement of the waste treatment works.

#### 13.29 ACCOUNTING.

(1) **MONEY.** All user charge payments shall be placed in the sewer account. Such money shall be used only to cover the costs of operation and maintenance, replacement, toxics, handling and sampling and other costs as outlined.

(2) **EXPENDITURES.** Expenditures shall be made from the user charge monies by the City in accordance with the detailed annual budget and ordinances authorized by the City Council.

(3) **REPLACEMENT RESERVE EXPENDITURES.** Expenditures from the accrued replacement reserve on facilities shall be for making renewals to accommodate wear of physical elements and moveable property that would result in an extended useful life to meet the anticipated useful life of the present plant and not for plant expansion or additions.

(4) **RENEWALS.** Renewals to accommodate wear of physical elements and moveable property shall be capital expenditures that cause the annual estimate for accrued reserves from replacement to be evaluated in terms of extended useful life as a result of preventive maintenance programs or of such renewals. The expenditures to overcome physical and functional obsolescence shall be capitalized against the element of the facility and charged to the fixed assets groups of accounts as an improvement to such element. Future estimates of accrued reserve requirements shall be evaluated and reflected in the replacement reserve requirements.

(5) **AUDIT.** An audit shall be performed annually at the same time the other books of account of the City are audited and in the same manner.

13.30 PENALTY. Any person who shall violate any provision of this chapter or any order, rule or regulation adopted hereunder, shall be subject to a penalty as provided in s. 25.04 of this Code.