

## Article A: Rules and Regulations

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### Sec. 9-2-1 Definitions.

- (a) **Definitions Established.** The following definitions shall be applicable in this Chapter; "shall" means mandatory and "may" means discretionary:
- (1) **Approving Authority.** The Village Board of the Village of Wausaukee, or their duly authorized deputy, agent or representative.
  - (2) **Biochemical Oxygen Demand (BOD<sub>5</sub>).** The quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees centigrade (20°), expressed in milligrams per liter. Quantitative determination of BOD<sub>5</sub> shall be made in accordance with procedures set forth in "Standard Methods".
  - (3) **Building Drain.** That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.
  - (4) **Building Sewer.** The extension from the building drain to the public sewer or other place of disposal, also called a "house extension". The portion of the building sewer located within the public right-of-way or easement shall be considered an integral part of the public sewer with ownership by the Village of Wausaukee. The property owner shall have the responsibility for maintaining the building sewer, including, but not limited to, cleaning or clearing the building sewer by rodding or flushing.
  - (5) **Chlorine Requirement.** The amount of chlorine, in milligrams per liter, which must be added to wastewater to produce a specified residual chlorine content in accordance with procedures set forth in "Standard Methods".
  - (6) **Combined Sewer.** Any sewer intended to serve as a sanitary sewer and a storm sewer.
  - (7) **Commercial User.** Any user whose premises are used primarily for the conduct of a profit-oriented enterprise in the fields of construction, wholesale or retail trade, finance, insurance, real estate or services, and who discharges primarily normal domestic wastewater. This definition shall also include multi-family residences having three (3) or more units served by a single water meter.
  - (8) **Compatible Pollutant.** Biochemical oxygen demand, suspended solids, pH, or fecal coliform bacteria, plus additional pollutants identified in the WPDES Permit for the publicly owned treatment works receiving the pollutants if such works was designed to treat such additional pollutants, and in part does remove such pollutants to a substantial degree.
  - (9) **Composite Sample (24 Hours).** The combination of individual samples taken at intervals of not more than one (1) hour.

- (10) **Easement.** An acquired legal right for the specific use of land owned by others.
- (11) **Fixed Charge.** The charges for the cost of debt retirement associated with the construction, erection, modification, or rehabilitation of the wastewater treatment facility and collection system. This charge shall be above the treatment, operation and maintenance and replacement charges.
- (12) **Floatable Oil.** Oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.
- (13) **Flow Proportional Sample.** A sample taken that is proportional to the volume of flow during the sampling period.
- (14) **Garbage.** The residue from the preparation, cooking and dispensing of food, and from the handling, storage, and sale of food products and produce.
- (15) **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 one-half (1/2) inch in any dimension.
- (16) **Incompatible Pollutant.** Any pollutant, which is not a compatible pollutant that will adversely affect or disrupt the quality of wastewater treatment if discharged to a wastewater treatment facility.
- (17) **Industrial User.** Any user whose premises are used primarily for the conduct of a profit-oriented enterprise in the fields of manufacturing, transportation, communications, utilities, mining, agriculture, forestry or fishing.
- (18) **Industrial Waste.** Any trade or process waste as distinct from segregated domestic wastes or wastes from sanitary conveniences.
- (19) **Intercepting Sewer.** A sewer whose primary purpose is to convey wastewater from a collection system or systems to a wastewater treatment facility. Size of the sewer is not a factor.
- (20) **Major Contributing Industry.** An industrial or commercial facility that is a user of publicly owned treatment works and:
  - a. Has a waste discharge flow of fifty thousand (50,000) gallons or more per average workday;
  - b. Has a waste discharge flow greater than five percent (5%) of the flow carried by the municipal system receiving the waste;
  - c. Has in its waste a toxic pollutant in toxic amounts as defined in NR 215, Wis. Adm. Code; or
  - d. Has a waste, which the Approving Authority determines has, or in the case of a new source, will have a significant impact, either singly or in combination with other wastes on the publicly owned treatment works or on the quality of effluent from such works.

- (21) **Natural Outlet.** Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface water or groundwater.
- (22) **Normal Domestic Wastewater.** Sanitary wastewater resulting from the range of normal domestic activities, in which BOD<sub>5</sub> or SS concentrations do not exceed normal concentrations of:
  - a. A five (5) day, 20EC, BOD<sub>5</sub> concentration of not more than 270 mg/l.
  - b. A suspended solids concentration of not more than 250 mg/l.
- (23) **Operation and Maintenance (O & M) Costs.** All costs associated with the operation and maintenance of the wastewater treatment facility and wastewater collection system, as well as the costs associated with periodic equipment replacement necessary for maintaining the capacity and performance of the wastewater treatment and collection systems.
- (24) **Parts per Million.** A weight-to-weight ratio; the parts per million value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.
- (25) **Person.** Any and all persons including any individual, firm, company, municipal, or private corporation, association, society, institution, enterprise, governmental agency, or other entity.
- (26) **pH.** The logarithm (base 10) of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10<sup>-7</sup>.
- (27) **Phosphorus (P).** The total phosphorus in wastewater, which may be present in any of three (3) principal forms: orthophosphates, polyphosphates, and organic phosphates. Quantitative determination of total phosphorus shall be made in accordance with procedures set forth in "Standard Methods".
- (28) **Pretreatment.** An arrangement of devices and structures for the preliminary treatment or processing of wastewater required to render such wastes acceptable for admission to the public sewers.
- (29) **Public Authority.** Any user whose premises are used for the conduct of the legislative, judicial, administrative, or regulatory activities of federal, state, local, or international units of government; government-owned educational facilities; government-owned health facilities; or government-owned recreational facilities. This does not include government-owned or operated business establishments.
- (30) **Replacement Costs.** Expenditures for obtaining and installing equipment, accessories, and appurtenances, which are necessary during the service life of the treatment facility and collection system to maintain their design capacity and performance for which the systems were designed and constructed. Operation and maintenance costs include replacement costs.
- (31) **Residential User.** Any user whose premises are used primarily as a domicile for one (1) or more persons and discharges only domestic wastes, but not including dwellings classified as "commercial user".

- (32) **Sanitary Sewer.** A sewer that carries sanitary and industrial water-carried wastes from residents, commercial buildings, industrial plants, and institutions, together with minor quantities of ground, storm, and surface water that are not admitted intentionally.
- (33) **Segregated Domestic Wastes.** Wastes from non-residential sources resulting from normal domestic activities. These activities are distinguished from industrial, trade, and/or process discharge wastes.
- (34) **Sewage.** The spent water of a community. The preferred term is "wastewater."
- (35) **Sewer.** A pipe or conduit that carries wastewater or drainage water.
- (36) **Sewer User Charge.** A charge levied on users of the wastewater treatment facility for capital-related expenses, as well as operation and maintenance costs of said facilities.
- (37) **Shall** is mandatory, **May** is permissible.
- (38) **Slug.** Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the system and/or performance of the wastewater treatment works.
- (39) **Standard Methods.** The examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Wastewater and Industrial Wastes" published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.
- (40) **Storm Drain.** A drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source. Sometimes also termed "storm sewer".
- (41) **Storm Water Runoff.** That portion of the rainfall that is drained into the sewers.
- (42) **Suspended Solids (SS).** Solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and that are removable by laboratory filtering as prescribed in "Standard Methods" and are referred to as nonfilterable residue.
- (43) **Unmetered User.** A user who is not connected to the municipal water system thereby does not have his private water supply metered.
- (44) **Unpolluted Water.** Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.
- (45) **User Charge System.** That system which generates operation and maintenance (O & M) and replacement revenues equitably for providing each user class with services.
- (46) **User Classes.** Categories of users having similar flows and water characteristics: levels of biochemical oxygen demand, suspended solids, phosphorus, ammonia nitrogen, etc. For the purposes of this Chapter, there shall be four (4) user classes: residential, commercial, industrial, and public authority.

- (47) **Village.** The Village of Wausaukee, Marinette County, Wisconsin.
- (48) **Volume Charge.** A sewer user charge based upon the volume of normal strength wastewater to be transported.
- (49) **Wastewater.** The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.
- (50) **Wastewater Treatment Facilities.** The treatment works defined herein, exclusive of interceptor sewers and wastewater collection systems. All wastewater treatment is provided by the Village of Wausaukee wastewater treatment facility and all references to wastewater treatment facilities refer to those facilities owned and operated by the Village of Wausaukee.
- (51) **Wastewater Treatment Works.** An arrangement of devices and structures for the storage, treatment, recycling, and reclamation of wastewater, liquid industrial wastes, and sludge. These systems include interceptor sewers, outfall sewers, wastewater collection systems, individual systems, pumping, power, and other equipment and their appurtenances; any works that are an integral part of the treatment process or are used for ultimate disposal of residues from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal or industrial wastes.
- (52) **Watercourse.** A natural or artificial channel for the passage of water either continuously or intermittently.
- (53) **WPDES Permit.** The Wisconsin Pollutant Discharge Elimination System Permit. General provisions are stated in NR 205, Wis. Adm. Code.

## **Sec. 9-2-2 Use of the Public Sewers.**

- (a) **Sanitary Sewers.** No person(s) shall discharge or cause to be discharged any unpolluted waters as stormwater, ground water, roof runoff, subsurface drainage, or cooling water to any sanitary sewer, except stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the Approving Authority.
- (b) **User Connections.**
  - (1) The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Village of Wausaukee and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Village is hereby required at the owner's expense to install suitable toilet facilities therein, and connect such facilities directly to the proper public sewer in accordance with the provisions of this

- Chapter within three (3) months after the date of official notice from the Village. A representative of the Utility shall be responsible for properly notifying the owner(s).
- (2) If any person fails to comply after the expiration of the time provided by the notice, the Village shall cause connection to be made. The expense thereof shall be assessed as a special charge/tax against the property at an interest rate of eighteen percent (18%) per year from the completion of work.
  - (3) The sewer user charges contained in this user charge system shall take effect as of the day a connection to the sewer is made.
- (c) **Storm Sewers.** Stormwater other than that exempted under Section 9-2-2(a), and all other unpolluted drainage, shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers to a natural outlet approved by the Approving Authority and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged on the approval of the Approving Authority to a storm sewer or natural outlet.
- (d) **Prohibitions and Limitations.** Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
- (1) Any gasoline, benzene, naphtha, fuel oil, other flammable or explosive liquid, solid or gas.
  - (2) 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 waste treatment process, constitute a hazard to humans or animals or create a public nuisance in the receiving waters of the wastewater treatment works.
  - (3) Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works.
  - (4) 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 wastewater facilities 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.
  - (5) The following described substances, materials, waters, or waste shall be limited to discharges to municipal systems to concentrations or quantities which will not harm wither the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Approving Authority may set limitations lower than the limitations established in the regulations below if in their opinion such more severe limitations are necessary to meet the above objectives. In forming an opinion as to the acceptability of the wastes, the Approving Authority will

give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment facility, degree of treatability of the waste in the wastewater treatment facility, and other pertinent factors. The limitations or restrictions on material or characteristics of waste or wastewaters discharged to the sanitary sewer shall not be violated without approval of the Approving Authority are as follows:

- a. Wastewater having a temperature higher than 150°F (65°Cent.).
- b. Wastewater containing more than twenty-five (25) milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or a product of mineral oil origin.
- c. Wastewater from industrial plant(s) containing floatable excess oils, fat or grease.
- d. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- e. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Approving Authority for such materials.
- f. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Approving Authority.
- g. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Approving Authority in compliance with applicable state or federal regulations.
- h. Quantities of flow, concentrations, or both which constitute a slug as defined herein.
- i. Water or wastes containing substances which are not amendable to treatment or reduction by the wastewater treatment processes employed, or are amendable to treatment only to such degree that the wastewater treatment facility effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- j. Any water or waste which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
- k. Materials which exert or cause:
  1. Unusual BOD<sub>5</sub> , chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment facility.

2. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
3. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries, and lime residues) or dissolved solids (such as, but not limited to, sodium sulfate).
4. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

[Note: No wastewater, regardless of character, shall be discharged to the wastewater system in such a manner as to interfere with the designed operation of the collection system or treatment facility, or to cause the treatment works to exceed the limits established by the WPDES Permit].

- (e) **Special Arrangements.** No statement contained in this Chapter shall be construed as prohibiting any special agreement between the Village of Wausaukee and any person whereby an industrial waste of unusual strength or character may be admitted to the wastewater treatment works, either before or after pretreatment works by reason of the admission of such wastes, and no extra costs are incurred by the Village without recompense by the person provided that all rates and provisions set forth in this Chapter are recognized and adhered to.
- (f) **New Connections.** New connections to the wastewater collection system shall not be permitted if there is insufficient capacity in the treatment works to adequately transport and/or treat, as required by the WPDES Permit, the additional wastewater anticipated to be received from such connections.

### **Sec. 9-2-3 Control of Industrial Wastes Directed to Public Sewers.**

- (a) **Submission of Basic Data.**
  - (1) Within three (3) months after the original passage of this Chapter, firms discharging 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 works. Such information shall be provided as per NR 101, Wis. Adm. Code.
  - (2) Similarly, each person desiring to make a new connection to the 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.
- (b) **Extension of Time.** When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule required by Sec. 9-2-3(a), a request for extension of time may be presented for consideration to the Approving Authority.



(c) **Industrial Discharges.**

- (1) If any waters or wastes are discharged, or proposed to be discharged to the public sewers, which waters contain substances or possess the characteristics enumerated in Sec. 9-2-2 and which in the judgment of the Approving Authority, may have a deleterious effect upon the wastewater works, processes, equipment, or receiving waters, or which otherwise create a hazard to life, health, or constitute a public nuisance, the Approving Authority may:
  - a. Reject the wastes;
  - b. Require pretreatment to an acceptable limit for discharge to the public sewers;
  - c. Require control over the quantities and rate of discharge; and/or
  - d. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of this Chapter.
- (2) The toxic pollutants subject to prohibition or regulation under this Chapter shall include, but need not be limited to, the list of toxic pollutants or combination of pollutants established by Section 307(a) of the Clean Water Act of 1977 and subsequent amendments. Effluent standards or prohibitions for discharge to the sanitary sewer shall also conform to the requirements of Section 307(a) and associated regulations. Pretreatment standards for those pollutants which are determined not to be susceptible to treatment by the treatment works or which would interfere with the operation of such works shall conform to the requirements and associated regulations of Section 307(b) of the Clean Water Act of 1977 and subsequent amendments. The primary source for such regulations shall be 40 CFR 403, General Pretreatment Regulations for Existing and New Sources of Pollution.

(d) **Control Manholes.**

- (1) Each user 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 the waste, including domestic wastewater.
- (2) 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.
- (3) Control manholes, access facilities, and related equipment shall be installed by the user discharging the waste, at the user's expense and shall be maintained by the user so as to be in 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.

(e) **Measurement of Flow From High Strength or Toxic Waste Dischargers.**

- (1) The volume of flow used for computing the user charge shall be the metered water consumption of the person as shown in the records of meter readings maintained by the Village Water and Sewer Utility, except as noted in Subsection (f) below.
- (2) In the event that a person discharging industrial waste into the public sewers produces evidence satisfactory to the Approving Authority that more than twenty percent (20%)

of the total annual value of water used for all purposes does not reach the public sewer and the discharger requests a deduction, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the Approving Authority and the person. Satisfactory evidence shall be evidence obtained by approved metering.

(f) **Metering of Industrial Waste.** 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 discharger. A maintenance schedule must be accepted by the Approving Authority. Following approval and installation, such meters may not be removed without the consent of the Approving Authority.

(g) **Waste Sampling.**

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

(2) Sampling 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.

(3) Installation and operation and maintenance of the sampling facilities shall be the responsibility of the user 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 or its duly authorized representatives at all times. Every care shall be exercised in the collection of samples to ensure their preservation in a state comparable to that at the time the sample was taken.

(h) **Analyses.**

(1) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of "Standard Methods." Sampling methods, location times, durations, and frequencies are to be determined on an individual basis subject to approval by the Approving Authority.

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

(i) **Pretreatment.** Where required, in the opinion of the Approving Authority, to modify or eliminate wastes that are harmful to the structures, processes or operation of the wastewater treatment works, the person shall provide at his/her expense such preliminary treatment or processing facilities as may be determined required to render his/her wastes acceptable for admission to the public sewers.

- (j) **Submission of Information.** Plans, specifications, and any other pertinent information relating to the proposed flow equalizations, pre-treatment, or processing facilities shall be submitted for review of the Approving Authority prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.
- (k) **Grease and/or Sand Interceptors.** Grease, oil, and sand interceptors shall be provided when, in the opinion of the Approving Authority, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 9-2-2, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters to dwelling units. All 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 and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal, which are subject to review by the Approving Authority. Any removal and hauling of the collected materials not performed by the personnel of the owner(s) must be performed by currently licensed waste disposal firms.

#### **Sec. 9-2-4 Right of Entry; Safety and Identification.**

- (a) **Right of Entry.** The Village Engineer, operator of the wastewater treatment facility, Plumbing Inspector or other duly authorized representative of the Village of Wausaukee bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, and testing, all in accordance with the provisions of this Chapter and Sec. 196.171, Wis. Stats. The Village Engineer, operator of the wastewater treatment facility, Plumbing Inspector, or other duly authorized representative of the Village of Wausaukee 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 and waterways or facilities for wastewater treatment.
- (b) **Safety.** While performing the necessary work on private premises referred to in Subsection (a) above, the duly authorized Village representative shall observe all safety rules applicable to the premises established by the owner or occupant and the Village shall indemnify the owner against loss or damage to its property by Village representatives and against the liability claims and demands for personal injury or property damage asserted against the owner and growing out of gauging and sampling operations, and indemnify the owner against loss, or damage to its property by Village representatives, except as such may be caused by negligence or failure of the owner to maintain safe conditions as required in Section 9-2-3(d).

- (c) **Identification; Right to Enter Easements.** The Village Engineer, operator of the wastewater treatment facility and other duly authorized representatives of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village 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 wastewater treatment works lying within said easement, all subject to the terms, if any, of the easement agreement.

## **Sec. 9-2-5 Sewer Construction (Building Sewers).**

- (a) **Work Authorized.** 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.
- (b) **Cost of Sewer Connection.** All costs and expenses incident to the installation and connection of the building sewer shall be borne by the property owner. The owner indemnify the Village from any loss of damage that may directly or indirectly be occasioned by the installation of the building sewer. The Village shall approve the contractor and construction plans for the building sewer.
- (c) **Use of Old Building Sewers.** 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 of this Chapter.
- (d) **Materials and Methods of Construction.** The size, slope, alignment, materials of construction of building sewers, 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 Code or other applicable rules and regulations of the Village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.
- (e) **Building Sewer Grade.** 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 wastewater carried by such building drain is too low to permit gravity flow to the public sewer, sanitary wastewater carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- (f) **Storm and Ground Water Drains.**
- (1) No person shall make connection to roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain, which are connected directly or indirectly to a public sanitary sewer.
  - (2) Any person in violation of this Subsection shall disconnect all downspouts, groundwater drains, etc., no later than sixty (60) days from the date of an official

- written notice by the Approving Authority. If any person fails to comply after the expiration of the time provided, the Approving Authority may cause disconnection to be made.
- (g) **Conformance to Plumbing Codes.** The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the Village of Wausaukee or the procedures set forth in appropriate specifications of the "ASTM and the WPCF 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.
  - (h) **Inspection of Connection.** 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.
  - (i) **Barricades; Restoration.** 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 Approving Authority.

## **Sec. 9-2-6      Connections to the Village Wastewater Collection System.**

- (a) **Application to Connect Existing Wastewater System.**
  - (1) Any person located out of the Village of Wausaukee's boundaries desiring to connect any wastewater system with the wastewater treatment works of the Approving Authority shall make a written application to the Approving Authority for permission to make such connection or use.
  - (2) The Village of Wausaukee shall select an engineering consultant to design all proposed sewer extensions. All costs and expenses incident to the design and bidding, including engineering, permits and other fees associated with the connection or hookup to the Village wastewater collection system shall be borne by the developer requesting the extension. Prior to the design of a sewer extension, the developer shall secure and furnish proof of an escrow account for the estimated amount of the design costs, the amount to be determined by the Village. The account shall be so arranged and an escrow agreement executed between the developer, financial institution, and Village Board to allow the latter to withdraw amounts from the account. The account shall be sufficient to cover payments to all parties under contract with the Village of Wausaukee for the design of the wastewater system. This money will not be refunded if the project does not proceed to construction.
- (b) **Application to Connect Proposed New Wastewater System.**
  - (1) Any person located out of the corporate limits of the Village of Wausaukee desiring to connect a proposed new wastewater system to the wastewater treatment works shall

- make a written application to the Approving Authority for permission to make such connection or use. The application shall include a statement of the location or locations at which it is desired to connect, and a statement of the character of the wastewater to be transmitted. If the application is the first one made by a municipality, there shall be submitted a certified copy of the local plumbing and wastewater code. The first application of a Village shall be accompanied by a description of the land embraced by it.
- (2) The Village of Wausaukee shall select an engineering consultant to design all proposed wastewater systems. All costs and expenses incident to the design and bidding including engineering, permits and other fees associated with the connection or connection to the Village wastewater system shall be borne by the developer requesting the extension. Prior to the design of a sewer extension, the developer shall secure and furnish proof of an escrow account for the estimated amount of the design costs, the amount to be determined by the Village. The account shall be so arranged and an escrow agreement executed between the developer, the bank and the Village Board to allow the latter to withdraw amounts from the account. The account shall be sufficient to cover payments to all parties under contract with the Village for the design of the wastewater system. This money will not be refunded if the project does not proceed to construction.
- (c) **Alterations.** Alterations to existing wastewater systems connected to the wastewater treatment works shall be treated as Proposed New Wastewater Systems. The Approving Authority may modify this provision if the sewer connection is not directly connected to an Approving Authority sewer and providing the person has previously presented and has had approved a general overall sewer plan. If such a modification is made, it will be done in writing and must be kept on file by the person to which it applies.
- (d) **Permit to Connect.** Prior to permitting such connection or use, the Approving Authority may investigate, or cause to be investigated, the wastewater system for which such connection or use is requested. If the Approving Authority finds such system to be in a satisfactory condition, it will grant a permit for such connection or use. If the Approving Authority finds such system to be defective in operation, construction, design, or maintenance, the Approving Authority will so notify the applicant and will advise him/her that upon completion of specified alterations, new construction, or change in supervision or operation, a permit will be granted. Should the plans or specifications not be approved under Sec. 9-2-6(a)-(c), one (1) copy will be returned to the applicant who will be informed as to the reason for nonapproval.
- (e) **Reserve Capacity.** Prior to permitting any connection or use of the treatment works, the Approving Authority shall ascertain that all downstream sewers, interceptors, lift stations, forcemains, and treatment works have sufficient reserve capacity for volume, suspended solids, BOD<sub>5</sub>, and phosphorus removal to assure adequate collection and treatment of the additional wastewater contributed to the wastewater treatment works. The Approving

Authority reserves the right to refuse a connection or use permit if the requirements of this Subsection cannot be met with the granting of the permit.

- (f) **Inspections and Supervision During Construction.** During the construction of any wastewater system which the Approving Authority has approved, the Approving Authority may, from time to time, inspect the same to see that said work is being done in accordance with the approval plans and specifications. Failure to make such inspections shall not nullify the rights of the Approving Authority to require reconstruction should non-adherence to approved plans be subsequently discovered. Every person in the construction of laterals or wastewater systems, within its jurisdiction, shall require that such construction be under the direction of a Wisconsin Registered Professional Engineer or Licensed Master Plumber, if plan approval was obtained under his/her license. The Engineer or Master Plumber shall keep accurate records of the location, depth, and length of the sewers as built, and of the location of the Y-branches or slants.
- (g) **Permits Not Granted.** Permits shall not be granted for the connection of combined sewers to the interceptors or municipal sewers. Permits shall not be granted for the connection of any proposed or existing storm sewers to the Approving Authority wastewater treatment works. Connection of catch basin or curb inlets to any sanitary sewer directly or indirectly connected to the wastewater treatment works is strictly prohibited.
- (h) **Physical Connection.** All proposed sewer connections shall be planned to be made at a manhole with the flow lines of the connecting sewer being at or below the manhole shelf or the connection shall be made through an approved drop. At least twenty-four (24) hours before connection is to be made, notice of such intent must be given to the Approving Authority. When the actual connection is made, it must be done in the presence of an Approving Authority inspector.
- (i) **Records.** Records of connections to the wastewater collection system shall be kept by the Village and such records shall be available for inspection by the Approving Authority.

## **Sec. 9-2-7      Septic Tank and Holding Tank Disposal.**

- (a) No person in the business of gathering and disposing of septic tank or holding tank wastes shall transfer such material into any disposal area or sewer manhole located within the Village of Wausaukee boundaries unless a permit for disposal has been first obtained from the Approving Authority. Written application for this permit shall be made to the Approving Authority and shall state the name and address of the applicant; the number of its disposal units; and the make, model and license number of each unit. Permits shall be non-transferable except in case of replacement of the disposal unit for which a permit shall have been originally issued. The permit may be obtained upon payment of a fee. Annual fees shall be established by the Approving Authority. Any applicant for a permit shall furnish a bond to the Village of Wausaukee in the amount of Six Thousand Dollars (\$6,000.00) to guarantee performance. The bond shall be provided prior to the permit being

issued. The time and place of disposal will be designated by the Approving Authority. The Approving Authority may impose such conditions as it deems necessary on any permit granted. Bills shall be mailed on a monthly basis and if payments are not received in thirty (30) days thereof, disposal privileges shall be suspended.

- (b) Any commercial hauler of septic tank or holding tank wastes agrees to carry public liability insurance in an amount not less than One Hundred Thousand Dollars (\$100,000.00) and to protect any and all persons or property from injury and/or damage caused in any way or manner by any act, or failure to act, by any of his/her employees. A certificate certifying such insurance to be in full force and effect shall be furnished to the Approving Authority.
- (c) Any wastes discharged into the treatment system shall be of domestic origin and will comply with the provisions of any and all applicable ordinances of the Village of Wausaukee. A discharger shall not deposit or drain any gasoline, oil, acid, alkali, grease, rags, waste, volatile, or inflammable liquids or other deleterious substances into any manhole nor allow any earth, sand or solid material to pass into any part of the wastewater system.
- (d) Any person or party disposing of septic tank or holding tank wastes agrees to indemnify and save harmless the Village of Wausaukee from any and all liability and claims for damage arising out of or resulting from work and labor performed.

### **Sec. 9-2-8 Damaging or Tampering with Wastewater Facilities.**

- (a) **Willful Neglect or Malicious Damage.** No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the wastewater facilities. Any persons violating this provision shall be subject to immediate prosecution under a charge of disorderly conduct or damage to property.
- (b) **Liability for Losses.** Any person who shall intentionally, negligently or accidentally violates any provisions of this Chapter shall become liable to the Village of Wausaukee or any downstream user for any expense, loss or damage occasioned by reason of such violation which the Village or any downstream user may suffer as a result thereof. This Subsection shall be applicable whether or not a written notice of the violation was given as provided in Sec. 9-2-9 and without consideration for any penalties which may be imposed for a violation of this Chapter.

### **Sec. 9-2-9 Violations and Penalties.**

- (a) **Written Notice of Violation.** Any person found to be violating any provision of this Chapter shall be served by the Village with a written notice stating the nature of the



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

- (b) **Accidental Discharge.** Any person found to be responsible for accidentally allowing a deleterious discharge into the sewer system which causes damage to the treatment facility and/or receiving body of water shall, in addition to a fine, pay the amount to cover damage, both values to be established by the Approving Authority.
- (c) **Continued Violations.** Any person, partnership or corporation, or any officer, agent or employee thereof, who shall continue any violation beyond the aforesaid notice time limit provided shall, upon conviction thereof, pay a forfeiture of not less than One Hundred Dollars (\$100.00) nor more than Two Thousand Five Hundred (\$2,500.00) for each day of violation, together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the Marinette County Jail until such forfeiture and costs are paid, but not exceeding ninety (90) days.
- (d) **Liability to Village for Losses.** Any person violating any provision of this Chapter shall become liable to the Village for any expense, loss or damage occasioned by reason of such violation which the Village may suffer as a result thereof.
- (e) **Differences of Opinion.** The Village of Wausaukee attorney shall arbitrate differences between the Approving Authority and sewer users on matters concerning interpretation and execution of the provisions of this Chapter by the Approving Authority.

### **Sec. 9-2-10 Appeals.**

- (a) Any user, permit application, or permit holder affected by any decision, action or determination, including cease and desist orders, made by the Approving Authority interpreting or implementing the provisions of this Chapter or in any permit issued herein, may file with the Approving Authority a written request for reconsideration within ten (10) days setting forth in detail the facts supporting the user's request for reconsideration. The Approving Authority shall render a decision on the request for reconsideration to the user, permit applicant, or permit holder in writing within fifteen (15) days of receipt of request. If the ruling on the request for reconsideration made by the Approving Authority is unsatisfactory, the person requesting reconsideration may, within fifteen (15) days after notification of the Village's action, file a written appeal with the Village Clerk.
- (b) A fee of One Hundred Dollars (\$100.00) shall accompany any appeal to the Village Board for a ruling. This fee may be refunded if the appeal is sustained in favor of the appellant.
- (c) The written appeal shall be heard by the Village Board from the date of filing. The Village Board shall make a final ruling on the appeal within sixty (60) days from the date of filing.

