

Chapter 227

SEWERS AND WATER

[HISTORY: Adopted by the Village Board of the Village of Dickeyville at the Regular Board meeting, September 9, 2015.]

GENERAL REFERENCES

Building construction — See Ch. 117.

Subdivision of land — See Ch. 245.

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ARTICLE I Sewers

§ 227-1. Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this article shall be as follows. "Shall" is mandatory; "may" is permissive.

AMMONIA NITROGEN (NH₃-N) shall mean one of the oxidation states of nitrogen, which nitrogen is combined with hydrogen in the molecular form as NH₃ or in the ionized form as NH₄. Quantitative determination of ammonia nitrogen shall be in accordance with procedures set forth in Standard Methods.

APPROVING AUTHORITY-- shall mean the Village Board of the Village of Dickeyville, or its duly authorized committee, agent or representative.

BOD (denoting "biochemical oxygen demand") — The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C., expressed in milligrams per liter.

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 feet (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER — The extension from the building drain to the public sewer or other place of disposal.

CATERGORICAL PRETREATMENT STANDARDS – any standard specifying quantities or concentrations of pollutants or pollutant properties that may be discharged to the wastewater facilities by industrial users in specific industrial categories. The “applicable categorical pretreatment standard” shall mean the most restrictive pretreatment limitations or prohibitive standards for industrial wastewater that are enacted by a federal, state or local governmental entity.

CL per liter. Chloride is one of two components of sodium chloride, also known as table salt or **CHLORIDE – (CL)** The quantity of chloride present in wastewater, expressed in milligrams of rock salt. When salt dissolves in water, it separates into sodium (Na⁺) ions and Chloride (Cl⁻) ions

CHLORINE REQUIREMENT – shall mean the amount of chlorine in milligrams per liter that must be added to wastewater to produce specified chlorine content in accordance with procedures in Standard Methods.

CLEAR (UNPOLLUTED) WATER—water having no impurities, or where impurities are below minimum concentration considered harmful by Wisconsin Department of Natural Resources, and would not be benefited by discharge to the wastewater treatment facilities provided. Sources of clear water include inflow and infiltration.

COMBINED SEWER – shall mean a sewer that carries liquid and water carried wastes from residences and institutions together with groundwater, storm water, and surface water.

COMMERCIAL USER—shall mean any user whose premises are used primarily for the conduct of a particular enterprise, including but not limited to businesses such as wholesale or retail trade finance, insurance, real estate or services, schools, and churches and who discharge primarily normal domestic-strength wastewater.

COMPATIBLE POLLUTANTS – BOD, suspended solids, ammonia, and phosphorus, plus additional pollutants identified in the Wisconsin Pollutant Elimination System (WPDES) permit issued to the Village’s wastewater treatment plant, provided that such wastewater treatment plant was designed to treat such pollutants, and does remove such pollutants to a substantial degree.

COMMITTEE — The Public Works Committee of the Village of Dickeyville or said Committee's appointed agent or representative.

DEBT SERVICE — Costs to the Sewer Department for the retirement of debts incurred in the provision of wastewater facilities, including both principal and interest.

DIRECTOR OF PUBLIC WORKS — The Director of Public Works of the Village of Dickeyville or said person's appointed assistant, agent, or representative.

DOMESTIC WASTES—Liquid wastes (a) from the non-commercial preparation, cooking and handling food, or (b) containing human excrement and similar matter from the sanitary convenience or dwellings, commercial buildings industrial facilities, and institutions.

FLOATABLE OIL — Oil, fat, or grease in a physical state such that it will separate by gravity

from wastewater 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.

FLOW PROPORTIONAL COMPOSITE SAMPLE—a combinations of individual samples taken during operating or discharge hours, whichever is longer, where the individual samples are taken at frequent intervals not exceeding 15 minutes, and are either:

- I. Such that the volume of each is proportional to the rate of flow at the time it is taken, or
- II. Of equal volume and taken at intervals such that there is a constant volume of discharge during each interval.

GARBAGE — Solid wastes from the domestic and commercial preparation, cooking, and dispensing of food and from the handling, storage, and sale of meat, fish, fowl, fruits, vegetables and condemned food.

GRAB SAMPLE—a single sample taken at one moment or a combination of several smaller samples of equal volume taken in less than a 2 minute time period. Where the term is used in connection with monitoring temperature or pH, it means a single measurement.

HOLDING TANK—an approved watertight receptacle for the collection and holding of wastewater.

HOLDING TANK WASTE—The scum, liquid, sludge or other wastes from holding tanks such as chemical toilets, campers, trailers, vacuum pump trucks and other temporary holding facilities that collect wastewater from a user. “Holding tanks waste” does not include sludge, or waste from a soil absorption field, septic tank, privy or grease trap.

INCOMPATIBLE POLLUTANTS—shall mean wastewater with other than compatible pollutants, including those that will adversely affect or disrupt the quality of wastewater treatment if discharged to a wastewater treatment facility.

INDUSTRIAL USER — shall mean any user whose premises are used primarily for the conduct of a profit-oriented enterprise in the fields, but not limited to, of manufacturing, transportation, communications, utilities, mining, agriculture, forestry, or fishing.

INDUSTRIAL WASTES — Wastes discharged by industrial users - shall mean the wastewater from individual process of trade business, as distinct from sanitary sewer, including cooling water and the discharge from wastewater pretreatment facilities.

INFLOW/INFILTRATION—shall mean the portion of groundwater, surface water, and rainfall that drains into the sewer.

MILLIGRAMS PER LITER (mg/l)—shall be the weight-to-weight ratio; the milligrams per liter value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of wastewater.

NATURAL OUTLET — Any outlet into a watercourse, pond, ditch, lake, or other body of surface water or groundwater.

NORMAL CONCENTRATION

- A. Five-day, 20° C., BOD of not more than 220 mg/L
- B. A suspended solids content of not more than 250 mg/L
- C. A phosphorus concentration of not more than 5 mg/L
- D. An ammonia-nitrogen concentration of not more than 15 mg/L
- E. A chloride concentration of not more than 100 mg/L
- F. A surfactant concentration of not more than 2.9 mg/L
- G. A COD concentration of not more than 400 mg/L

NORMAL WASTEWATER — Wastewater in which BOD or suspended solids concentrations does not exceed normal concentrations.

OPERATION AND MAINTENANCE — Costs to the Sewer Department for the provision of labor, utilities, supplies, equipment maintenance, and other normal costs necessary for the provision of sewage service. "Operation and maintenance" includes replacement.

PERSON — Any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

pH — The logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed in moles per liter as determined by standard methods.

PHOSPHORUS (P)—shall mean total phosphorus in wastewater, which may be present in any of three principal forms: orthophosphates, and organic phosphates. Quantitative determination of total phosphorus should be made in accordance with procedures set forth in Standard Methods.

PRETREATMENT—shall mean an arrangement of devices and structures, for the preliminary treatment of processing of wastewater required to render such wastes acceptable for admission to public sewers.

PROPERLY SHREDDED GARBAGE — The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.

PUBLIC SEWER — A sewer in which all owners of abutting properties have equal rights and which is controlled by public authority.

REPLACEMENT — Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance during the service life of the treatment works for which such works were designed and constructed.

RESIDENTIAL USER—shall mean any user whose premises are used primarily as a domicile for one or more persons and discharges only normal domestic-strength wastewater.

RESIDENTIAL EQUIVALENCY UNIT CHARGE—A Residential Equivalency Unit Charge (REU) is hereby imposed upon each lot, parcel of land, building or premise served by the wastewater system or otherwise discharging wastewater, including non-domestic and industrial wastes, into the sewer system. Such residential equivalency charge shall be payable as herein provided and shall be on the basis of one unit for each residential equivalent unit. Each single-

family dwelling shall be assigned one unit. A single family dwelling is defined as a seasonal dwelling, a duplex unit, an apartment unit, a single family detached dwelling or a unit in a multi-family building. The REU charge will be determined periodically by the Public Works Committee and the Village Board.

SANITARY SEWER — A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of groundwater, stormwater, and surface water that are not admitted intentionally.

SEPTAGE—shall mean the wastewater content of septic or holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, privies, or portable restrooms.

SEPTIC TANK—A tank which receives and partially treats sewage through processes of sedimentation, oxidation, floatation, and bacterial action, so as to separate solids from liquid in the sewage and discharges the liquid to a soil absorption system.

SEWAGE — The spent water of a community. The preferred term is "wastewater."

SEWER — A pipe or conduit for carrying wastewater.

SEWER USER CHARGE—A Sewer User Charge is hereby imposed on all users of the sewer system based upon the metered water used thereon or therein as calculated by the Village or its designee. The Sewer Use Charge shall be computed by dividing the proposed net yearly debt service, operation, maintenance and replacement budgets as provided in this Ordinance by the previous year's average billable water usage. Any refrigeration, air conditioning/humidification system or industrial cooling water not entering the system shall not be used in computing the Sewer Use Charge if a separate meter is installed. The user of such refrigerator, air conditioning/humidification system or industrial cooling water system shall be responsible for furnishing, installing and maintaining the necessary meter.

SEWER DEPARTMENT or DEPARTMENT — The Dickeyville Sewer Department.

SLUG — Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period longer than 15 minutes more than five times the average twenty-four-hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

STANDARD METHODS—shall mean 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, the American Water Works Association and the Federation of Sewage and Industrial Wastes Association.

STORM SEWER — A sewer which carries storm water and surface water and drainage, but excludes wastewater and industrial wastes, other than unpolluted cooling water.

SUSPENDED SOLIDS — Total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids and that is removable by laboratory filtering as prescribed in Standard Methods for the Examination of Water and Wastewater and referred to as "non-filterable residue."

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 benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

VILLAGE — The Village of Dickeyville, Wisconsin.

WASTEWATER — The spent water of a community. From the standpoint of sources, 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.

WASTEWATER FACILITIES — The structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

WASTEWATER TREATMENT WORKS — An arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with waste treatment plant "or" wastewater treatment plant "or" water pollution control plant."

WATERCOURSE — A natural or artificial channel for the passage of water either continuously or intermittently.

WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT shall mean a document issued by the Wisconsin Department of Natural Resources, Chapter NR 200-299 of the Wisconsin Administrative Code that establishes effluent limitation and monitoring requirements for the wastewater system.

§ 227-2. User charges.

- A. Residential Equivalency Unit Charge (REU). There is hereby levied and assessed upon each lot or parcel of land with a building having a lateral available to discharge normal wastewater to the public sewer system a REU charge based upon rates established by the Committee or the Village Board of the Village of Dickeyville. Said charges shall be assessed and collected monthly.
- (1) The REU charges taxed or levied pursuant to this article shall be collected by the Village Clerk-Treasurer at the Clerk-Treasurer's office. The Committee shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economical and efficient operation, management and protection of the Village sewer system, the wastewater treatment plant and the Sewer Department
 - (2) If commercial or industrial customers obtain all or any part of their water from sources other than the Public Water Utility, all or any part of which is discharged into the public sewers, the customer shall be required to have a water meter or meters installed for the purpose of determining the volume of water obtained from these other sources. Should the Committee determine that the water usage is too small to justify a meter, the Committee shall have the authority to waive this requirement and a flat rate shall be charged based on estimated water usage and the metered rate schedule. The water meters shall be furnished and installed by the Sewer department. The Village can provide a utility owned meter at the discretion of the Director of Public Works for this use. All other costs in connection with the water meter installation shall be at the expense of the customer. The Sewer Department will charge for each meter at the rate of 50% of the basic monthly water rate set for that size meter to compensate for furnishing, reading and servicing the meter. This charge shall be in addition to the REU charge.
 - (3) If residential customers obtain all or part of their water from sources other than the Public Water Utility, all or any part of which is discharged into the public sewers, a flat-rate charge shall be paid for wastewater service. Should the Committee determine that the minimum flat-rate charge is less than the charge would be on a

metered basis, the Committee shall have the authority to set a higher rate based on estimated total usage and the metered rate schedule. Should the residential customer request it, a water meter shall be installed and the customer shall be charged on the same basis as commercial or industrial customers having private water supplies.

- B. Deduction for water not discharged into sewer system. Any customer may purchase a water meter from the Sewer Department. This meter is to be used to monitor water that does not enter the sanitary sewer system. The amount of water used and not discharged into the Village sewer system shall be subtracted from the total volume of water used at the location.
- C. Residential Equivalency Unit Charge (REU) charge shall be determined by the Committee and Village Board as needed. All costs are referenced as rates approved by the Village Board. These costs/rates are in Appendix A and can be changed by resolution.
- D. Volume charge and REU unit charge. In addition to the REU charge, there shall be a volume charge based on water usage as determined by the Water Utility.

All costs are referenced as rates approved by the Village Board. All costs are in Appendix A and can be changed by resolution.

- E. Industrial and commercial charges for other than normal wastewater.
 - (1) Charges for wastewater other than normal wastewater shall be based on flow, BOD, COD, suspended solids, ammonia nitrogen, phosphorus, chloride, surfactants, and such other compatible pollutants which affect the cost of collection and treatment. Charges shall be made in accordance with rates established by the Committee and the Village Board of the Village of Dickeyville as set forth in Appendix A.
 - (2) All persons discharging wastes into the public sewers are subject to a surcharge, in addition to any other wastewater service charge, if their wastewater has a concentration greater than "normal concentrations" (see definition). The volume of flow used for computing waste surcharges shall be the metered water consumption, subject to adjustments as otherwise herein provided, or the actual volume of waste as determined by an industrial waste metering installation. The amount of surcharge shall reflect the cost incurred by the Sewer Department in removing BOD, suspended solids, and other compatible pollutants.
 - (3) Rates of surcharge. The rates of surcharge for each of the aforementioned constituents will be at the prevailing rate at the time. Rates found in Appendix A.
 - (4) In addition to the above surcharges, the Sewer Department's costs of sampling and analyzing industrial wastes shall be charged to the applicable industry.
 - (5) Where industrial wastes are of such a strength or magnitude or are delivered over such a period of time that the above surcharges do not reflect the actual cost of treatment to the Sewer Department, the Department reserves the right to establish a special charge for handling the waste. That portion of the charge related to capital investment shall be based on the design capacity required for the particular waste. In no event shall the charges be less than those charges determined by applying the above surcharge.
- F. Industrial waste pretreatment. In the event the Department provides pretreatment of industrial wastes, the entire cost of such pretreatment shall be charged to the person

producing the industrial wastes. The costs shall include but not be limited to capital expenditures, operation and maintenance expenses, labor, chemicals, heat and power.

- G. Contract basis. Nothing in this article shall prohibit the Village from providing wastewater services to persons outside the corporate limits of the Village under mutually agreeable conditions. The size, slope, alignment, and materials of construction of a building sewer, and the methods to be used in excavating, placing of pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the Wisconsin Administrative Code and building and plumbing code or other applicable rules and regulations of the Village. The owner shall maintain the lateral from the sewer main to the building or structure, including all controls between the same, without expense to the Village, except when damaged as a direct result of provable negligence or carelessness on the part of the Village. All laterals and components thereof shall be maintained free of defective conditions, by and at the expense of the owner or occupant of the property. When any lateral is to be re-laid and there are two or more buildings on such lateral, each building shall be disconnected from such lateral and a new lateral shall be installed for each building.
- H. Remedies from failure to pay service charges. Each wastewater service charge levied by or pursuant to this article is hereby made a lien upon the corresponding lot, land, or premises served by a connection to the sanitary sewer system of the Village, and if the same is not paid within the period allotted for such payment, said charge shall constitute a lien on the property served and be inserted in the Village tax roll as provided in § 66.0821(4), Wis. Stats., in the same manner as water rates are taxed and collected under the provisions of § 66.0809 or 62.69(2)(f), Wis. Stats., as the same has been and from time to time may be amended or recreated, so far as applicable.
- I. Biannual audit. An audit of the Department's financial standing shall be made biannually. This audit will be used to review the adequacy of the then-existing rates, and said rates shall be adjusted if necessary to provide sufficient revenues to adequately finance the Department's operation in accordance with the original intent of the rate structure. The biannual audit and review shall also be used to ensure that each recipient of sewage service (or user class) is charged in proportion to the cost of providing said recipient (or user class) with sewage service. Excess revenues collected for operation and maintenance from a class of users shall be applied to the costs of operation and maintenance attributable to that class for the next year and the rates shall be adjusted accordingly.
- J. Late payment charge. All charges under this article which are not paid within 20 days of the billing date are subject to a late payment charge of 3% of the net billing; 2% of such charges shall go to operations and 1% to the replacement fund.
- K. Replacement fund. Annual income from the wastewater service charges which constitute funds required for replacement shall be separately accounted for and shall not be utilized for any purposes other than replacement.
- L. Notification. Each billing shall identify the amount billed which is attributable to sewer service.
- M. When a customer disputes the amount of water used in a billing period which is used to compute the sewer bill, no credit shall occur unless one of the following is true:
 - I. The water meter does not meet the standards used by the Village for determining whether the water meter is accurately measuring water flow;

- II. The increased water use was caused by actions taken by employees or agents of the Village;
- III. The increased water use was caused by actions not taken by employees or agents of the Village;
- IV. The customer can prove that a specific amount or quantity of water used did not go into the waste water treatment system of the Village.
- V. If credit for sewage service charges is to be given, the credit shall be computed as follows: the average monthly sewage service charge for the customer shall be computed using the total of the charges for the previous twelve months and the credit shall be the excess of this average monthly charge.

§ 227-3. Use of public sewers required.

- A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Village or in any area under the jurisdiction of said Village any human or animal excrement, garbage, or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the Village, or in any area under the jurisdiction of said Village, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article.
- C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- D. Compulsory connection to sanitary sewer. Everything in the Village of Dickeyville used for human habitation and located adjacent to a sanitary sewer main, or in a block in which a sanitary sewer main exists, is hereby required to be connected with such sewer main. If any person fails to comply with the provisions of this article for more than 30 days after notice to do so in writing from the Director of Public Works, the Village may cause such work to be done and the expense thereof shall be assessed as a special tax against the property as provided in § 281.45, Wis. Stats. After connection of any building used for human habitation to a sewer main, it shall be unlawful to use any privy, cesspool or waterless toilet in connection with such premises. The penalty for violation of any provision of this subsection shall be a penalty as provided in Chapter 1, § 1-4 of this Code. A separate offense shall be deemed committed on each day on which a violation occurs or continues, provided that no forfeiture shall be imposed for a violation of this subsection when connection to the sewer or water main is enforced at the expense of the property owner.

§ 227-4. Private wastewater disposal.

- A. Where a public sanitary sewer is not available under the provision of § 227-3D, and with the approval of the Village Board, any building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.
- B. Before commencement of the construction of a private wastewater disposal system or additions to an existing private wastewater disposal system, the owner shall first obtain a

written permit from the office of the Village Director of Public Works.

- C. The type, capacity, location, and layout of a private wastewater disposal system shall comply with all requirements of the Wisconsin Department of Commerce.
- D. The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Village.
- E. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Director of Public Works.
- F. At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in § 227-3D, the building sewer shall be connected to said sewer within 30 days and the private wastewater disposal system shall be cleaned of sludge and filled with sand, gravel, or similar material.

§ 227-5. Building sewers and connections.

- A. 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 Village Director of Public Works. All permits issued under this section shall expire six months after issuance.
- B. Classes of building sewer permits.
 - (1) There shall be two classes of building sewer permits:
 - (a) For residential and commercial service; and
 - (b) For service to establishments producing industrial wastes.
 - (2) In either case, the owner or the owner's agent shall make application on a special form furnished by the Village. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Committee. A permit and inspection fee as required shall be paid to the Village at the time the application is filed.
- C. In addition to the aforementioned permit and inspection fee, there is hereby levied and assessed upon each lot or parcel of land within the Village a contribution in aid of construction charge (CAC) as determined by the Committee. All applicants for building sewer permits, following adoption of this article, shall be assessed a CAC charge. CAC charges are listed in Appendix A
 - (1) The CAC charge shall be payable prior to issuance of the building sewer permit. All revenues collected from CAC charges shall be utilized solely for the purpose of retiring debts incurred by the Sewer Department in providing wastewater treatment services.
- D. All costs and expense incident to the installation and connection of the building sewer shall be the responsibility of the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- E. A separate and independent building sewer shall be provided for every building intended for human habitation or occupancy.

- F. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Director of Public Works, to meet all requirements of this article.
- G. The size, slope, alignment, and materials of construction of a building sewer, 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.
- H. 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 at the owner's expense.
- I. Discharge Prohibited: Except as otherwise expressly authorized in this Section, no ponds, water fountains, water from any roof, surface, foundation drain, groundwater sump pump, swimming pool, or other natural precipitation shall be discharged into the sanitary sewer system. Dwellings and other buildings and structures which require, because of infiltration of water into basements, crawl spaces, and the like, a sump pump discharge system shall have a permanently installed discharge line which shall not at any time discharge water into a sanitary sewer system. A permanent installation shall be one which provides for year round discharge capability to either the outside of the dwelling, building, or structure, or is connected to a storm sewer or discharge through the curb and gutter to the street. Within the home or business, the sump pump discharge pipe shall consist of a rigid discharge line, without valves or quick connections, which would alter the path of discharge. However, if the line is directly connected to a storm sewer line or catch basin a check valve and an air gap are required.
 - 1. Inspections: Property owners shall allow an employee of the Village or a designated representative of the Village to inspect the buildings to confirm that there is no sump pump or other prohibited discharge into the sanitary sewer system. A property owner may hire a licensed plumber to complete the inspection at the property owner's complete expense. The licensed plumber hired to complete the inspection must fill out and sign the proper form work that is available at the Village Office. The Village may periodically re-inspect any building or premise to determine compliance with the requirements of this ordinance.
 - 2. Removal of illegal connections: Any property owner who has made any connection or installation in violation of this ordinance shall immediately remove such connection or correct such an installation. If not removed or corrected within **60** calendar days after notice of the violation has been delivered personally or by certified mail to the owner, the Village may impose a surcharge in the amount provided in Section (5) below of this Ordinance. Such a surcharge may also be imposed upon any property owner who refuses to permit an inspection of the premises, including a re-inspection, within **60** calendar days after notice of demand for inspection has been delivered. The property Owner may be given an extension to remove or correct their installation if weather conditions prevent the removal or correction from being completed.
 - 3. Sump pump and rigid pipe required:
 - a. New Subdivisions: All Construction. A sump pump and rigid pipe discharge connection to the outside shall be required for all construction in new subdivisions.

The sump pump and rigid pipe discharge requirement will apply to all units constructed within a specific subdivision. The homeowner may request a variance from this requirement by the Village's Director of Public Works if conditions exist where a sump pump will not be necessary.

- b. Existing subdivisions: New Construction. Any new construction in a subdivision platted prior to the effective date of this ordinance shall be required to install a sump pump and rigid pipe discharge connection to the outside. The sump pump and rigid pipe discharge requirement will apply to all units constructed within a specific subdivision. The homeowner may request a variance from this requirement by the Village's Director of Public Works if conditions exist where a sump pump will not be necessary.
 - c. Existing Subdivisions: Existing Construction. Any existing construction in a subdivision platted prior to the effective date of this ordinance in which a sump pump has been or will be installed, shall be required to install a rigid pipe connection discharge in accordance with Section 4(b) above, It shall be unlawful to maintain any connection with the sanitary sewer carrying roof water, ground water, surface water or any other natural precipitation after the effective date of this ordinance.
4. Sump pump and rigid pipe: Method of installation.
- a. The building shall have a drain tile placed around the inside or outside perimeter of the foundation that is connected to a sump pit. All baseboard seepage collection systems shall be discharged to the sump pit. The sump pit shall be located at least ten (10) feet away from the inside sanitary floor drain.
 - b. A discharge pipe shall be installed to the outside wall of the building with rigid pipe (plastic, copper, galvanized or black pipe) one (1) inch inside diameter minimum. The discharge pipe must be installed according to all state and local codes. The discharge shall extend at least one (1) foot outside of the foundation wall at a point where there is positive drainage away from the wall.
 - c. Alternate methods of installation:
 - i. The discharge pipe may be connected directly to the municipal underground storm sewer system provided the discharge is at a higher elevation than the normal flow level and that an approved backflow prevention device is installed.
 - ii. The discharge may be connected directly to the municipal curb and gutter system provided the pipe is placed under the sidewalk or boulevard and through the back of the curb and that an approved backflow prevention device is installed.
5. Surcharge. A surcharge of Twenty Five Dollars (\$25) per month for the first three (3) months and One Hundred Dollars (\$100) per month thereafter is hereby imposed on every sewer bill to property for the following conditions:
- a. Failure to comply with this ordinance; or
 - b. Refusal to permit property inspection.

6. Non-payment of surcharge. If the surcharge is not received by the Village of Dickeyville, the Village reserves the right to assess the property owner the unpaid balance.
7. Transfer of real property. Prior to every transfer of real property within the Village, whether by Deed or Real Estate Contract and with or without consideration, the Grantor shall obtain from the Director of Public Works a Certificate of Sump Pump Inspection which shall be delivered to the Grantee at the time the Grantor is required to deliver the Grantor-Seller's Disclosure Statement pursuant to Chapter 709 of the WI Stats. The Certificate shall state that the Director of Public Works has inspected the below ground level, if any, and has determined one of the following conditions exist: 1) the sump pump drainage system complies with this Section; 2) the system does not comply with this Section, stating the reasons therefore; 3) no sump pump drainage system has been installed in the lowest level of the premises; 4) there is no basement or below ground level within the structure. As between the Grantor, Grantee, and the Village, once the property has been conveyed, both Grantor and Grantee shall be jointly and severally liable for a violation of this Section and for bringing the sump pump drainage system in compliance with this Section.
8. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.
- J. 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.
- K. The applicant for the building sewer permit shall notify the Director of Public Works when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Director of Public Works or his representative.
- L. All excavations for building sewer installations 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 Village.
- M. No connections shall protrude into any sewer main.

§ 227-6. Use of public sewers.

- A. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, unpolluted cooling water, swimming pool water, or unpolluted industrial process waters to any sanitary sewer.
- B. 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 Committee and other regulatory agencies. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Committee and other regulatory agencies having jurisdiction, to a storm sewer or natural outlet.
- C. No person shall discharge or cause to be discharged any of the following described waters

or wastes to any public sewers:

- (1) Any gasoline, benzene, naphtha, fuel oil, or 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 wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.
- (3) Any waters or wastes having a pH lower than 6.0 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, bones, 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, sanitary napkins, etc., either whole or ground by garbage grinders.
- (5) Industrial discharges that exceed the applicable categorical pretreatment standard, pursuant to ch. NR 211 of the Wisconsin Administrative Code.
- (6) Wastes prohibited by s. NR 211.10, Wisconsin Administrative Code

D. Control of Industrial Discharges:

- (1) Industrial Request to Discharge for New Users: Any new industrial user wishing to connect to the public sewerage system within the Village shall be required to complete an "Industrial Request to Discharge" before applying for a plumbing permit. The Village will determine whether or not the proposed industrial user must provide further information to the Village. If no further information is needed the prospective industrial user may apply for a plumbing permit.
- (2) Industrial Request to Alter Characteristics of Discharge: Any existing industrial user that desires to increase the amount, or change the nature of the waste discharged to the Village sewer system shall submit an "Industrial Request to Discharge" to the Village. The request will be evaluated to determine if further information is required.
- (3) Baseline Monitoring Report: Upon request of the Village, each industrial user may be required to submit to the Village a "Baseline Monitoring Report." The report shall contain data on the characteristics of the wastewater discharged from the industrial user, such as projected flows, concentrations of compatible pollutants, oils and grease, and any toxic substances as defined by this Ordinance. The purpose of the "Baseline Monitoring Report" is to determine whether the wastewater discharged by an industrial user is compatible with the Village's wastewater facilities, or should be regulated through the use of a permit.
- (4) Permit to Discharge Industrial Waste:
 - (a) Based upon the information supplied in the "Baseline Monitoring Report," the Village shall determine if the industrial discharge is subject to categorical

pretreatment standards, or if the industrial discharge contains substantial amounts and/or concentrations of substances regulated or limited by this Ordinance. In the event the industrial discharge does contain substances regulated by this ordinance or is subject to categorical pretreatment standards, the Village shall so notify the industrial user and said user shall not discharge industrial wastes into the Village's wastewater facilities, except pursuant to a permit issued by the Village.

- (b) Upon receiving notification by the Village pursuant to subparagraph (4)(a) hereof, the industrial user shall make written application to the Village for issuance of a "Permit to Discharge." The Village may issue a permit to the industrial user, which may include, but not be limited to:
- I. The name, address and telephone number of the industrial user; and the identity of an authorized representative to act on its behalf.
 - II. A description of the industrial user's permitted connection or connections to the public sewer system and its location.
 - III. The average and/or maximum limit of various wastewater constituents that may be discharged by such user.
 - IV. Any limit on the maximum rate of industrial discharge or the time of the discharge.
 - V. A requirement for a control manhole or some other means to collect a representative sample of the industrial user's discharge.
 - VI. A description of both the frequency of self-monitoring that is required and of the method of sample collection.
 - VII. A discussion of reports that must be submitted to the Village.
 - VIII. A compliance schedule for construction of pretreatment facilities if required.
 - IX. The requirements for records retention.
 - X. The notification procedure to be followed if the industrial user intends to change the characteristics of its wastewater discharge.
 - XI. A statement concerning the Village's right to inspect the industry's facilities.
 - XII. The agreement of the holders of the permit to indemnify the Village from and against any and all liability for injury or damage arising out of or related to the activities of the holder in discharging industrial wastes.
 - XIII. A statement of the applicable pretreatment standards that the user must abide by.
 - XIV. A statement that a violation of pretreatment requirements as specified may be subject to various penalties as listed in this Ordinance.

- (c) Upon issuance of such permit, the industrial user shall faithfully comply with all provisions thereof and as contained in this ordinance, as amended from time to time.
 - (d) Any permit issued under this section shall be effective for a period not to exceed five (5) years from the date thereof. Any user holding a permit shall apply for a permit renewal at least 180 days prior to the expiration date of the user's existing permit.
 - (e) Permits issued under this section are personal as to the user/holder thereof, and may not be subsequently assigned or transferred by operation of law or otherwise, to any successor or assignee, without the prior written approval of the Village.
 - (f) All industrial users shall notify the Village in advance of any change in its industrial operations that could have an effect upon the waste and wastewaters generated or of any substantial change in the volume or character of pollutants in their discharge. In such event, the Village may add to, change or modify the conditions of such permit to give recognition to the change in industrial operation.
 - (g) The Village reserves the right to amend any issued permit by adding or deleting such provisions, requirements and conditions as it deems appropriate. The Village shall notify the industrial user of any changes in the permit at least thirty (30) days prior to the effective date of such change. Any change or new condition to the permit shall allow for a reasonable period of time for compliance by the user.
 - (h) Any permit issued under this section shall be revocable by the Village Board for violation of the terms and condition thereof, and such violations may be subject to penalties listed in this Ordinance.
- (5) Monitoring of Industrial Discharges:
- a. Control Manholes: Each user who discharges industrial waste into a public sewer shall construct and maintain one or more "control manholes" or access points to facilitate observation, measurement, and sampling of waste, including normal domestic-strength wastewater. Control manholes or access facilities shall be located and built in a manner acceptable to the Village. If measuring devices are to be permanently installed, they shall be a type acceptable to the Village. 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 in a safe condition, accessible, and in proper operating condition at all times. Plans for installation of control manholes or access facilities and related equipment shall be approved by the Village prior to the beginning of construction. Metering of Industrial Waste Devices for measuring the volume of waste discharged may be required by the Village. Metering devices for determining the volume shall be installed, owned, and maintained by the discharger. A Maintenance schedule must be accepted by the Village. Following approval and installation, such meters may not be removed without the consent of the Village.
 - b. Wastewater Sampling: 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 Public Works Director, or his designee, as

often as may be deemed necessary. Sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the Director of Public Works. Installation, operation, and maintenance of the sampling facilities shall be the responsibilities of the user discharging the waste and shall be subject to the approval of the Director of Public Works. Access to sampling locations shall be granted to the Village 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.

c. Analysis: All measurements, tests, and analysis of the characteristics of waters and wastes to which is made in this Ordinance 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 of the Director of Public Works. Determination of the character and concentration of the industrial wastes shall be made by an accredited lab in the State of Wisconsin. If requested by the owner, a split sample can be taken, and the owner may have, at his choice, an independent lab do the analysis to compare results. All costs pertaining to the analysis will be paid by the person.

d Pretreatment: Where an industrial user is required, in the opinion of the Village to modify or eliminate wastes that are harmful to the structures, processes, or operation of the wastewater treatment facility, the industrial user shall provide at its own expense such preliminary treatment or processing facilities as may be determined required to render its wastes acceptable for admission into public sewers. The criteria for such a decision are the existing capacity of the plant relative to BOD, TSS, phosphorus, ammonia nitrogen, COD, chloride and surfactants.

- I. Existing industries or new industrial users found to be subject to applicable categorical pretreatment standards shall be in compliance with these standards in accordance all federal, state, and local laws or regulations.
 - II. When pretreatment facilities are required, the industrial user shall construct and install the necessary facilities at its own expense, and in accordance with plans and specifications approved by the Wastewater Department, and any other local, state, or federal agencies having regulatory authority with respect to such pretreatment facilities. No pretreatment plant or facility shall be constructed or operated unless all plans, specifications, technical operating data and other information pertinent to its proposed operation and maintenance has been approved as described.
 - III. All pretreatment facilities shall be operated and maintained continuously in satisfactory and effective operating condition at the user's expense.
 - IV. The Wastewater Department shall determine the wastewater discharge requirements for the pretreatment facilities. Dilution of an industrial discharge for purposes of reducing the pollutant characteristics or concentrations to below the limitations established by this Ordinance, or below any other applicable pretreatment standard, is prohibited.
- a. Submission of Information: Plans, specifications, any other pertinent information relating to proposed flow equalizations, pretreatment, or processing facilities shall be

submitted for review by the Village prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

E. The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, will not result in violation of the Village's WPDES permit, or will not otherwise endanger lives, limb, or public property or constitute a nuisance. The Committee may set limitations lower than any limitations established in the regulations below if, in the Committee's opinion, more severe limitations are necessary to meet the above objectives. In forming its opinion as to the acceptability, the Committee 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 plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Committee are as follows:

- (1) Wastewater having a temperature higher than 150° F. (65° C.).
- (2) Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.
- (3) Wastewater from industrial plants containing oils, fat, grease, wax, or any other similar substances which float or solidify in the wastewater facilities.
- (4) 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.
- (5) Any waters or wastes containing aluminum, cadmium, copper, lead, mercury, selenium, silver, chromium, zinc, arsenic, molybdenum, nickel and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite waste at the wastewater treatment plant exceeds the limits that may be established by the Committee for such materials.
- (6) Any waters or wastes containing odor-producing substances.
- (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by any state or federal regulations.
- (8) Quantities of flow, concentrations or both which constitute a slug as defined herein.
- (9) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

- (10) Any water or wastes 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 process.

F. Septage and Holding Tank Waste

1. No Discharge into Public Sewers. No person may discharge septage, holding tank waste or any other waste into a manhole or other opening in the sewage collection system without prior approval of the Wastewater Department.
2. Septage or Holding Tank Waste Disposal Application. Licensed disposers may make application to the Wastewater Department to dispose of septage or holding tank waste to the Village's wastewater facilities. Applications for disposal during the winter (November 15 to April 15) shall be submitted prior to September 1 of that year (Wis. Adm. Code requirement).
 - I. The licensed disposer shall make a written application containing, as a minimum, the following information:
 - a) Name of disposer and license number
 - b) Name, address and telephone number of disposer
 - c) Type of waste and source(s)
 - d) Estimates of quantities, disposal dates (by type), and methods for discharge into the sewerage system
 - e) Statement certifying that: (1) the waste contains no known toxic substances; and (2) the disposer is familiar with and understands the Department requirements for waste disposal.
 - II. The Wastewater Department shall require the licensed disposer to analyze representative samples of the waste in order to determine the characteristics of the waste and the compatibility with the sewerage system. The Wastewater Department may not require the analysis of waste from exclusively residential sources.
 - III. The Wastewater Department may deny or approve an application for septage or holding tank waste disposal during the period between April 16 and November 14. The only requirements that licensed disposers discharge to the sewerage system and that the Department accepts and treat said waste during non-winter months are those provided in s. NR 113.07, Wisconsin Administrative Code. If approved, the Department may set conditions for disposal.
 - IV. For applications for disposal between November 15 and April 15, the Department shall review the application and provide written approval or denial of disposal to the licensed disposer by October 1 of each year. The Department may deny acceptance of the waste if the Department determines that:
 - f) Treatment of the septage or holding tank waste would cause the wastewater treatment plant to exceed its operating design capacity or to violate any applicable effluent limitations or standards, water quality standards, or any other legally applicable requirements, including court orders or state or federal statutes, rules, regulations, or orders; or
 - g) The septage or holding tank waste is not compatible with the sewerage system; or

- h) The disposer has not applied for and received approval to dispose of septage or holding tank waste to the sewerage system or the disposer fails to comply with the disposal plan or rules promulgated by the Department.
 - i) The Wastewater Department may require the disposer to post a bond or other financial guarantee that the disposer will comply with the Department's requirements.
- G. Limitations on Discharge of Septage and Holding Tank Waste. Any septage, holding tank waste, or similar waste permitted to be discharged under this Section shall be of domestic origin and/or contain compatible pollutants only. The hauler or licensed disposer shall comply with the provisions of any and all applicable laws and regulations, including these regulations. Without limiting other relevant provisions of these regulations, such person or licensed disposer shall not deposit or drain any gasoline, oil, acid, alkali, grease, rags, volatile or flammable liquids, or other deleterious substances into any manhole, building sewer, or public sewer nor shall such person or licensed disposer allow any grease, earth, sand, or other solid materials to pass into any part of the sewerage system; nor shall such person or licensed disposer discharge any liquid, gaseous, or solid wastes determined by the Department to be detrimental to the sewerage system or the Village's employees or to the process of sewage treatment.
- H. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Subsection E, and which in the judgment of the Committee may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Committee may reject the wastes; require pretreatment to an acceptable condition for discharge to the public sewers; require control over the quantities and rates of discharge; and/or require payment to cover the added cost of handling and treating the wastes not covered by existing user charges under the provisions of this article. When considering the above alternatives, the Committee shall give consideration to the economic impact of each alternative on the discharger. If the Committee permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Committee.
- I. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Committee or wastewater department, they are necessary for the proper handling of liquid wastes containing floatable grease or other substances specified in Subsection E (3), or any flammable wastes, sand, or other harmful ingredients. All interceptors shall be of a type and capacity approved by the Committee or wastewater department 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 which are subject to review by the Committee or wastewater department. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licensed waste disposal firms.
- J. Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- K. The Committee may require a user of sewer services to provide information needed to

determine compliance with this article. These requirements may include:

- (1) Wastewater discharge peak rate and volume over a specified time period.
- (2) Chemical analyses of wastewaters.
- (3) Information on raw materials, processes, and products affecting wastewater volume and quality.
- (4) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.
- (5) A plot plan of sewers for the user's property showing sewer and pretreatment facility location.
- (6) Details of wastewater pretreatment facilities.
- (7) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

- L. No statement contained in this section shall be construed as preventing any special agreement or arrangement between the municipality and Committee and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment subject to payment therefor at rates established in this article.
- M. Accidental discharges. The accidental discharge of any prohibited waste or slug load into any sewer shall be reported to the Committee by the person responsible for the discharge, or by the owner or occupant of the premises where the discharge occurs, immediately upon obtaining knowledge of the fact of such discharge so that steps may be taken to minimize its effect on the treatment plant. Within 15 days of such discharge, a detailed written statement describing the cause of the discharge and measures taken to prevent future occurrences shall be submitted to the Committee. Such reporting shall not relieve the person causing the accidental discharge from any penalties imposed by these regulations. Any discharger who discharges a slug load of prohibited materials shall be liable for any expense, loss or damage to the wastewater system, including but not limited to the wastewater treatment plant, in addition to the amount of any fines or forfeitures imposed on the Village on account thereof under State or Federal law. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the wastewater system and to determine the existence of hazards to life, limb, and property. (The particular analyses involved will determine whether a 24-hour flow-proportional composite of all outfalls of the subject premises is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD, suspended solids, phosphorus, ammonia and chloride analyses are obtained from 24-hr. composites of all outfalls whereas pHs are determined from periodic grab samples.)
- N. Exemption meters. In the event that an industrial user discharging wastes into the public sewers produces evidence satisfactory to the Committee that significant amounts of the total annual volume of water used for all purposes do not reach the sanitary sewer, the customer may be permitted to have an exemption water meter(s) installed. Said meter(s) shall be purchased and installed by the customer from the Sewer Department. All costs shall be at the expense of the customer requiring the meter(s), including any piping revisions required to ensure that only water not reaching the sanitary sewer is metered by the exemption meter. The amount of exemption water metered shall be subtracted from the total amount of water used by the person to determine the applicable wastewater service

charge.

§ 227-7. Protection from 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 person(s) violating this provision shall be subject to immediate arrest under charge of criminal damage to property or disorderly conduct.

§ 227-8. Powers and authority of inspectors.

- A. The Committee and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the sewer system in accordance with the provisions of this article.
- B. The Committee or duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.
- C. While performing the necessary work on private properties referred to in Subsection A above, the Committee or duly authorized employees of the Village shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the Village employees, and the Village shall indemnify the company against loss or damage to its property by Village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in § 227-6H.
- D. The Committee and other duly authorized employees 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 purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
- E. The Village hereby reserves the right to cut off service to any property at any time for the purpose of repairing or maintaining the wastewater system or for any other necessary purpose, any permit granted or regulations to the contrary notwithstanding. Whenever it shall become necessary to shut off the wastewater collection system within any area of the Village, the Village shall, if practicable, give notice to consumers affected by the shutoff of the time when such service will be shut off.

§ 227-9. Violations and penalties.

- A. Any person found to be violating any provision of this article, except § 227-7, shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

- B. Any person who shall continue any violation beyond the time limit provided for in Subsection A shall, upon conviction thereof, pay a forfeiture in the amount not less than \$50 and not more than \$1,000 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
- C. Any person violating any of the provisions of this article shall become liable to the Village and others, as their interests may appear, for any expense, loss, or damage occasioned the Village or others by reason of such violation, including any costs in connection with repairing damages to the wastewater facilities or any downstream user or facilities damaged as a result of a prohibited discharge or any other violation of this article.

CONFLICT AND SEVERABILITY

(1) CONFLICT. If any portion of this Chapter is found to be in conflict with any other provision of the Wisconsin Statutes, Wisconsin Administrative Code or of Federal law or regulation, the provision of State or Federal law shall control.

(2) SEVERABILITY. The provisions of this Chapter are declared to be severable, and if any section, subsection, sentence, clause, or phrase of this Chapter or its application to any person or circumstance is held invalid by the decision of any court of competent jurisdiction, the remainder of this Chapter, or the application of the provision to other persons or to other circumstances nevertheless remains in full force and effect.

ARTICLE II

Water

[Adopted 1-21-1975 as §§ 6.03 to 6.05 and 8.07 to 8.09 of the 1975 Code]

§ 227-10. Definitions.

As used in this article, the following terms shall have the meanings indicated:

APPLICANT — Any person, firm or corporation seeking connection to the municipal water system of the Village of Dickeyville, Wisconsin.

CLERK-TREASURER — The Village Clerk-Treasurer of the Village of Dickeyville, Wisconsin.

SINGLE-FAMILY DWELLING — A dwelling occupied by a single-family unit or a residence for rent which does not contain more than one rental unit.

WATER DEPARTMENT — The Water Department of the Village of Dickeyville, Wisconsin.

§ 227-11. Establishment of service.

No water from the Village water supply shall be turned on for service into any premises by any person but the Director of Public Works, or his designee.

§ 227-12. Application for service.

Application to have water turned on shall be made in writing to the Director of Public Works, or his designee, and shall contain an agreement by the applicant to abide by and accept all the

provisions of this chapter as conditions governing the use of the Village water supply by the applicant. Such application may be for both water and sewer connection.

§ 227-13. Plumbing standards.

No water shall be turned on for service in premises in which the plumbing does not comply with the ordinances of the Village. Water may be turned on, however, for construction works in unfinished buildings subject to the provisions of this chapter. All plumbing fixtures and methods of installation shall comply with the requirements of the Wisconsin Administrative Code.

§ 227-14. Service connection.

No connection with a water main shall be made without a permit being issued and 24 hours' notice having been given to the Director of Public Works or his designee. All such connections shall be made and all such work done at the expense of the applicant, who shall also furnish materials necessary for such work. All such connections shall be made under the supervision of the Director of Public Works or his designee, and no connections shall be covered until the work has been inspected by him. Such fee shall be paid to the Village Clerk-Treasurer. All permits issued under this section shall expire six months after issuance.

§ 227-15. Resale.

No water shall be resold or distributed by the recipient thereof from the Village supply to any premises other than that for which application has been made and meter installed, except in case of emergency.

§ 227-16. Tampering.

It shall be unlawful for any person not authorized by the Village to tamper with, alter or injure any part of the Village waterworks or supply system, or any meter.

§ 227-17. Service pipes.

- A. Installation. All service pipes from the mains to the premises served shall be installed by the Village and the cost shall be paid by the owner of the property to be served or the applicant for the service. Such charges and costs shall be in amounts and under conditions set by the Public Service Commission of Wisconsin. Installation of all service pipes and the tapping of the main must be done by a licensed master plumber or a journeyman under his supervision and shall be under the direction of the Director of Public Works or his designee.
- B. Pipes. No service shall be installed unless it conforms to specifications approved by the Village Engineer. A copy of such specifications shall be kept on file by the Village Clerk-Treasurer and shall be open to public inspection.
- C. Repairs. All repairs for service pipes and plumbing systems of buildings shall be made by and at the expense of the owners of the premises served. The Village may, in case of an emergency, repair any service pipes, and if this is done the cost of such repair work shall be repaid to the Village by the owner of the premises served.
- D. Excavations. Excavations for installing service pipes or repairing the same shall be made in

compliance with the ordinance provisions relating to making excavations in streets,¹ provided that it shall be unlawful to place any service pipe directly over any drainpipe or sewer pipe.

- E. Shutoff boxes. Shutoff boxes or service boxes shall be placed on every service pipe and shall be located directly behind the curblin where this is practicable. Such boxes shall be so located that they are easily accessible and shall be protected from frost.

§ 227-18. Meters; water rates; violations and penalties.

- A. Meters required. All premises using the Village water supply must be equipped with an adequate water meter furnished by the Village; provided, however, that such water service may be supplied by the Village at a flat rate or charge until such meter is installed.
- B. Installation. Meters shall be installed in a location that will be easy of access.
- C. Reading meters. The Director of Public Works shall read or cause to be read every water meter used in the Village at such times as are necessary that the bills may be sent out at the proper time.
- D. Testing meters. Meters shall be tested according to § PSC 185.77, Wis. Adm. Code.
- E. Rates. All property upon which any building has been or may hereafter be erected having a connection with any mains or pipes which may be hereafter constructed and used in connection with the Village water system shall pay for water used or provided to such property at rates set from time to time by the Public Service Commission.
- F. Bills. Bills for water used shall be dated and sent out at such times as may be directed by the Village Board.
- G. Construction contractors. During the construction of any building and before any water is installed as is herein provided, the contractor so constructing such building may be permitted to use the Village water supply by making application therefor and paying the fee prescribed by the Public Service Commission.
- H. Nonpayment. The water supply may be shut off from any premises for which the water bill remains unpaid for a period of 20 days after the bill is rendered and mailed. When shut off, water shall not be turned on except upon the payment of the usual fee for turning on water and any delinquent or unpaid charges, and, further, the provisions of § 66.0809, Wis. Stats., are hereby adopted by reference as though fully set forth herein. The Dickeyville Water Department will follow the Public Service Commission rules for the Deferred Payment Agreement.
- I. Penalty. Any person, firm or corporation found guilty of violating any of the provisions of §§ 227-11 through 227-18 shall forfeit an amount not exceeding \$200 and costs of prosecution and in default of payment of said forfeiture and costs shall be imprisoned until such forfeiture and costs are paid, but not to exceed 30 days. Any violation of the provisions of §§ 227-11 through 227-18 as hereunder specified shall be considered as a daily breach, if committed on successive days, calling for the filing of charges hereunder for each daily occurrence.

1. Editor's Note: See Ch. 241, Streets and Sidewalks.

§ 227-19. Cross-connections.

- A. Statement of policy. It is the policy of the Village of Dickeyville to prevent contamination of the public water system from contaminants entering the water system because of cross-connections with outside sources of water and other liquids.
- B. Definition. A cross-connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Village of Dickeyville water system and the other water from a private source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.
- C. Cross-connections prohibited. No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any cross-connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of Village of Dickeyville may enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Village of Dickeyville and by the Wisconsin Department of Natural Resources in accordance with Ch. NR 811, Wis. Adm. Code.
- D. Inspections. It shall be the duty of the Director of Public Works to cause inspections to be made of all properties served by the public water system where cross-connection with the public water system is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be established by the Public Works Director, or his designee and as approved by the Wisconsin Department of Natural Resources. If an outside company is hired to do a cross connection inspection, the fees for such service will be the responsibility of the owner of the property or its tenant.
- E. Entry. Upon presentation of credentials, the Director of Public Works, or his designee, 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 Village of Dickeyville for cross-connections. If entry is refused, the Director of Public Works or his designee shall obtain a special inspection warrant under § 66.0119, Wis. Stats. On request, the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems of such property.
- F. Discontinuing service. The Dickeyville Water Utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists and to 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 Subsection G. Water service to such property shall not be restored until the cross-connection(s) has been eliminated in compliance with the provisions of this section.
- G. Immediate discontinuance. If it is determined by the Director of Public Works or his designee that a cross-connection or an emergency endangers public health, safety or welfare and requires immediate action and a written finding to that effect is filed with the Clerk-Treasurer of the Village of Dickeyville 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.

- H. State Plumbing Code. The Village of Dickeyville adopts by reference the State Plumbing Code of Wisconsin, being Ch's. Comm 81 to 87, Wis. Adm. Code.
- I. Supplementary regulations. This section does not supersede the State Plumbing Code and Village of Dickeyville Plumbing Code² but is supplementary to them.
- J. Penalties. The penalty for violation of any provision of this section shall be a penalty as provided in Chapter 1, § 1-4 of this Code. A separate offense shall be deemed committed on each day on which a violation occurs or continues.

§ 227-20. Use of private wells.

- A. Use of private wells prohibited. No person shall use or maintain on any premises within the Village served by the public water system of the Village any private well unless a permit for the maintenance or use of such well is issued as hereinafter provided. All such wells must be properly filled and sealed within one year from the date of publication of this section (August 25, 1988).
- B. Permits. A permit may be granted for the operation of a well for a period not to exceed two years if the following conditions are met:
 - (1) The well and pump installation meet the requirements of Ch. NR 812, Wis. Adm. Code, and a well constructor's report is on file with the Department of Natural Resources, or certification of the acceptability of the well has been granted by the Private Water Supply Section of the Department of Natural Resources;
 - (2) The well has a history of producing safe water and presently produces bacteriologically safe water as evidenced by three samplings taken two weeks apart;
 - (3) The proposed use of the well can be justified as being necessary in addition to water provided by the public water system; and
 - (4) No physical connection exists between the piping of the public water system and the private well.
- C. Methods of abandonment.
 - (1) All wells abandoned under this section shall be so abandoned according to the procedures and methods of § NR 812.26, Wis. Adm. Code. All debris, pumps, piping, unsealed liners and other obstructions which may interfere with sealing operations shall be removed prior to abandonment.
 - (2) The owner of the well or the owner's agent shall notify the Village Clerk-Treasurer at least 48 hours in advance of any well abandonment activities. The abandonment of the well may be observed or verified by Village personnel.
 - (3) An abandonment form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Village Clerk-Treasurer and the Department of Natural Resources within 30 days of the completion of well abandonment activities.
- D. Penalties. The penalty for violation of any provision of this section shall be a penalty as provided in Chapter 1, § 1-4 of this Code. A separate offense shall be deemed committed on each day on which a violation occurs or continues.

2. Editor's Note: See Ch. 117, Building Construction.

ARTICLE III
Financing Extensions
[Adopted 1-21-1975 as §§ 6.06 and 6.07 of the 1975 Code]

§ 227-21. Water main extensions.

- A. The cost of installing, constructing or laying water mains along or in any street, alley or highway or across or in any lot or parcel of land in the Village of Dickeyville shall be charged in part to the property benefited thereby.
- B. It is hereby determined that all lots or parcels of land adjoining any such street, alley or highway along or in which water mains are installed, constructed or laid and all lots or parcels of land across or in which water mains are installed, constructed or laid are benefited thereby.
- C. It is further determined that the cost of installing, constructing or laying such water mains shall constitute a lien on the property benefited thereby and shall be assessed the actual cost per foot against all lots or parcels of land abutting both sides of the street, alley or highway along or in which such water mains are installed, constructed or laid or abutting both sides of such water main when not installed, constructed or laid along or in any street, alley or highway, except that where any lot or parcel of land shall be on a corner of such street, alley or highway or such water main, then such assessment shall be based on the longest side of such lot or parcel of land only.
 - (1) Such assessment shall be made by serving upon the owner or owners of each lot or parcel of land benefited a special assessment notice. Such special assessment notice shall contain the name of the owner or owners, a description of the property benefited, and the amount of the assessment and shall provide that such assessment shall be final unless, within 20 days after receipt of such special assessment notice, the owner or owners shall file with the Clerk-Treasurer of the Village of Dickeyville a written request for a hearing before the Village Board of the Village of Dickeyville. In the event such a request is filed, then such assessment shall not be final until after a determination by the Village Board of the Village of Dickeyville following a hearing to which the person or persons requesting the same are given not less than 10 days' notice.
 - (2) Such assessments shall be due and payable on or before the November 1 following the time that such assessments become final, unless on or before November 1 the owner or owners of any lot or parcel of land against which such an assessment shall have been made shall file with the Village Clerk-Treasurer of the Village of Dickeyville a written request asking that the same be paid in installments, in which event such assessment shall be payable in five equal installments and 1/5 of such assessment, without interest, shall be extended on the tax roll of such lot or parcel of land for the current year and 1/5 of such assessment plus interest for one year at 10% on the remaining balance shall be extended on the tax roll of such lot or parcel of land for each of the next four successive years.
 - (3) If such assessment is not paid by November 1 and a request for installment payment is not filed by November 1, then the entire of such assessment shall be extended on the tax roll of such lot or parcel of land for the current year.
- D. No water mains shall be installed, constructed or laid across private property unless the persons requesting the same furnish to the Village of Dickeyville an easement.

- E. It is hereby provided that the provisions of this section do not require the Village of Dickeyville to make an extension of water mains to an area where because of terrain or distance the cost appears excessive to the Village Board.
- F. No person shall request the installation, construction or laying of water mains without first furnishing the Village Clerk-Treasurer of the Village of Dickeyville with a legal description of the property benefited thereby as defined in this section.
- G. Where service of notice is required by this section, such notice shall be by personal service or by certified mail, return receipt requested; to the last known address of the person entitled to receive such notice.
- H. The provisions of § 227-23 shall apply to water main extensions and payment of the costs thereof when the circumstances set forth in § 227-23 exist.

§ 227-22. Sewer main extensions.

- A. The cost of installing, constructing or laying sanitary sewers along or in any street, alley or highway or across or in any lot or parcel of land in the Village of Dickeyville shall be charged in part to the property benefited thereby.
- B. It is hereby determined that all lots or parcels of land adjoining any such street, alley or highway along or in which sanitary sewers are installed, constructed or laid and all lots or parcels of land across or in which sanitary sewers are installed, constructed or laid are benefited thereby.
- C. It is further determined that the cost of installing, constructing or laying such sanitary sewer, and any costs accrued for lift stations shall constitute a lien on the property benefited thereby and shall be assessed the actual cost per foot against all lots or parcels of land abutting both sides of the street, alley or highway along or in which such sanitary sewers are installed, constructed or laid or abutting both sides of such sanitary sewers when not installed, constructed or laid along or in any street, alley or highway, except that where any lot or parcel of land shall be on a corner of such street, alley or highway or such sanitary sewer, then such assessment shall be based on the longest side of such lot or parcel of land only. It is also noted that costs for building sewers/laterals are the sole responsibility of the property owner.
 - (1) Such assessment shall be made by serving upon the owner or owners of each lot or parcel of land benefited a special assessment notice. Such special assessment notice shall contain the name of the owner or owners, a description of the property benefited, and the amount of the assessment and shall provide that such assessment shall be final unless, within 20 days after receipt of such special assessment notice, the owner or owners shall file with the Clerk-Treasurer of the Village of Dickeyville a written request for a hearing before the Village Board of the Village of Dickeyville. In the event that such a request is filed, then such assessment shall not be final until after a determination by the Village Board of the Village of Dickeyville following a hearing to which the person or persons requesting the same are given not less than 10 days' notice.
 - (2) Such assessments shall be due and payable on or before the November 1 following the time that such assessments become final, unless on or before November 1 the owner or owners of any lot or parcel of land against which such an assessment shall have been made file with the Village Clerk-Treasurer of the Village of Dickeyville a

written request asking that the same be paid in installments, in which event such assessment shall be payable in five equal installments and 1/5 of such assessment, without interest, shall be extended on the tax roll of such lot or parcel of land for the current year and 1/5 of such assessment plus interest for one year at 10% on the remaining balance shall be extended on the tax roll of such lot or parcel of land for each of the next four successive years.

- (3) If such assessment is not paid by November 1 and a request for installment payment is not filed by November 1, then the entire of such assessment shall be extended on the tax roll of such lot or parcel of land for the current year.
- D. No sanitary sewers shall be installed, constructed or laid across private property unless the persons requesting the same furnish to the Village of Dickeyville an easement.
- E. It is hereby provided that the provisions of this section do not require the Village of Dickeyville to make an extension of sanitary sewers to an area where because of terrain or distance the cost appears excessive to the Village Board.
- F. No person shall request the installation, construction or laying of sanitary sewers without first furnishing the Village Clerk-Treasurer of the Village of Dickeyville with a legal description of the property benefited thereby as defined in this section.
- G. Where service of notice is required by this section, such notice shall be by personal service or by certified mail, return receipt requested to the last known address of the person entitled to receive such notice.
- H. The provisions of § 227-23 shall apply to sewer main extensions and payment of the costs thereof when the circumstances set forth in § 227-23 exist.
- I. The Village shall not furnish sanitary sewer service to any property located outside of the Village's incorporated limits unless:
 - (a) the property was being furnished with such service on the effective date of this Chapter,
 - (b) the Village is required to furnish such service by Wisconsin Statutes or the Wisconsin Administrative Code, or
 - (c) such service is furnished pursuant to an express written contract between the property owner and the Village.A contract between the property owner and the Village for sanitary sewer service outside of the Village's incorporated limits shall include such terms and conditions deemed by the Village Board to be in the best interests of the Village. Such a contract may include a requirement that a non-governmental property owner seek annexation of such property into the Village on terms set forth in the contract. The contract is subject to the approval of the Village Board.
- J. Except as provided for sanitary sewer service to State property used for public purposes, pursuant to Wis. Stats. §§ 61.34(1) and 66.0813, and other sanitary sewer service that may be provided by agreement, the Village elects not to provide sanitary sewer service outside of its municipal corporate boundaries. Neither sanitary sewer service nor the extension of building sewers or laterals shall be provided or installed by the Village to or on any premises that is located outside the Village limits. Sanitary sewer service may be provided to state property used for public purposes and located outside Village limits but within the Village's urban service area pursuant to a written agreement under Wis. Stats. § 66.0813(4) if the Village Board determines that the furnishing of such services does not unduly

jeopardize continuing service to properties within the Village and all costs of installing and extending such service are paid by the state.

§ 227-23. Unimproved lots.

In areas where the Village installs water and sewer mains which serve unimproved lots, the cost of such installation shall be reimbursed to the Village by each owner of such unimproved lots at the time improvements are made on each lot and the improvements are hooked up to the water or sewer main. The reimbursement shall be at the then cost per foot for the installation of such main serving such lot, with 1/2 the cost to be paid by lots on each side of the street.