

CHAPTER 7

SEWERS

- 7.01 Authority and Title
- 7.02 Definitions
- 7.03 Use of the Public Sewers and Authority to Inspect
- 7.04 Pretreatment
- 7.05 Private Sewage Treatment
- 7.06 Service of Outlying Territory
- 7.07 Construction of Sewers
- 7.08 Septic Tank Haulers
- 7.09 Sewer Use Classification
- 7.10 Conditions for Discharge
- 7.11 Damage of Tampering with Sewage Works
- 7.12 Violations and Penalties
- 7.13 Discharge Permits
- 7.14 Wastewater Treatment Charges
- 7.15 Wastewater Treatment Plant Bill
- 7.16 Debt Service
- 7.17 Accounting
- 7.18 Assessment of Sewer Service Charges
- 7.19 Volume Charges

7.01 AUTHORITY AND TITLE

(1) Authority

This Ordinance is adopted under the authority granted by Section 62.18, 62.185 and 62.19 of the Wisconsin Statutes.

(2) Title

This Ordinance shall be known, referred to, and cited as the Sewer Ordinance and hereinafter referred to as the Ordinance.

(3) Findings and declarations of policy

The Village of Ferryville hereby finds that the requirements for the issuance of state grants and the acceptance of such grants by the Village of Ferryville for the construction and maintenance of wastewater treatment works to improve the quality of effluent discharges from the Village of Ferryville establish:

(a) The necessity of adopting a user charge system that would be proportionate to all classes of users and produce the revenue required to sustain the sewage collection and waste treatment system.

(B) The necessity of enacting regulations that control the use and inflow into wastewater treatment works.

(4) Purpose and intent

The purpose of the Ordinance is to promote the public health, safety, prosperity, aesthetics, and general welfare of the citizens of the Village of Ferryville, Crawford County, Wisconsin. It is further intended to provide for administration and enforcement of the Ordinance and to provide penalties for its violations.

(5) Abrogation and greater restrictions

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

(6) Interpretation

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the Village and shall not be deemed a limitation or repeal of any other power granted by the Statutes of the State of Wisconsin.

(7) Severability of ordinance provisions

If any section, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

(8) Repeal

All other ordinance or parts of ordinances of the Village inconsistent or conflicting with the Ordinance, to the extent of the inconsistency only, are hereby repealed.

7.02 DEFINITIONS

(1) Approving Authority

The Approving Authority shall mean the Village Board of the Village of Ferryville. Village shall mean Village of Ferryville.

(2) BOD

BOD (denoting Biochemical Oxygen Demand) shall mean the quantitative determination of five (5) day BOD made in accordance with the latest edition of Standard Methods.

(3) Billable BOD

Billable Biochemical Oxygen Demand (BOD) shall mean a user's loading in pounds of BOD calculated using the billable flow and concentration of BOD in the waste as determined by the Village Board. Minimum waste strength of BOD shall be the domestic waste concentration of 250 milligrams per liter for the purpose of billing for user charges.

(4) Billable Flow

Billable Flow shall mean a monitored sewage flow or a user's recorded quarterly water usage as metered by the appropriate water utility, plus metered water from wells and other sources and less any sewer-exempt metered data. Residential users on unmetered wells and users with no history of billable flow shall have their billable flow estimated by averaging the billable flow of other residential users of the same class.

(5) Billable Suspended Solids

Billable Suspended Solids (SS) shall mean a user's loading in pounds of SS calculated using the billable flow and concentration of SS in the waste as determined by the Approving Authority. Minimum waste strength of SS shall be the domestic waste concentration of 250 milligrams per liter for the purpose of billing for user charges.

(6) Building Sewer

Building Sewer – Sanitary shall mean the extension from the building drain to the public sewer or other place of disposal and conveys only sanitary or industrial sewage. This is also known as a house connection or lateral.

(7) Class of Users

Class of Users means the division of wastewater treatment customers by waste characteristics and press discharge similarities or function, such as residential, commercial, institutional, or industrial.

(8) Collection Sewers

The Collection Sewers are the sanitary sewer and manholes maintained by the Village of Ferryville.

(9) Easement

Easement shall mean an acquired legal right to install and maintain a portion of the sewer system.

(10) Floatable Oil

Floatable Oil shall mean oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in a pretreatment facility approved by the Village.

(11) Force Main

Force Main shall mean the discharge line from any lift station maintained by the Village of Ferryville.

(12) Garbage

Garbage shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the commercial handling, storage, and sale of produce.

(13) Ground Garbage

Ground Garbage shall mean the residue from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewer with no particle greater than one-half (1/2) inch in any dimension.

(14) Infiltration

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

(15) Inflow

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

(16) Operation and Maintenance costs

Operation and maintenance costs shall include all costs, direct and indirect, including debt service but inclusive of expenditures attributable to administration, replacement of equipment, and treatment and collection of wastewaters, necessary to insure adequate wastewater collection and treatment on a continuing basis which conforms to applicable regulations and assures optimal long-term facility management.

(17) pH

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

(18) Pretreatment

Pretreatment shall mean the treatment of industrial sewage from privately owned industrial source by the generator of that source prior to introduction of the waste effluent into a publicly owned treatment works.

(19) Replacement Costs

Replacement costs shall mean the expenditures for obtaining and installing equipment, accessories, or appurtenances necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

(20) Sewage

Sewage shall mean the combination of the liquid and water carried wastes from residences, commercial building, industrial plants, and institutions, including polluted cooling water and unintentionally admitted infiltration/inflow.

(a) Sanitary Sewage shall mean the combination of liquid and water carried wastes discharged from toilet and other sanitary plumbing facilities.

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

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

(21) Shall

Shall is mandatory: May is permissible.

(22) Slug

Slug shall mean any discharge of water, sewage, or industrial waste in concentration of any given constituent or in quantity of flow which exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

(23) Standard Methods

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.

(24) Storm Sewer

Storm Sewer shall mean a sewer that carries storm, surface, and ground water drainage but excludes sewage and industrial wastes.

(25) Suspended Solids

Suspended solids (SS) shall mean solids that either float to the surface of, or are in suspension in, water, sewage, or industrial waste and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in "Standard Methods".

(26) Toxic Amount

Toxic Amount shall mean concentration of any pollutant or combination of pollutants which upon exposure to or assimilation into, any organism will cause adverse effects such as cancer, genetic mutations, and physiological manifestations as defined in the Department of Natural Resources (DNR), Administrative Rules.

(27) User Charge System

User Charge System shall mean the system of charges levied on users for the cost of operation and maintenance, including replacement reserve requirements on new and old wastewater collection and treatment facilities.

(28) Wastewater

Wastewater shall be synonymous with sewage and shall mean the water carries human, animal, and household wastes in a public or private drain, and may include ground water infiltration, surface drainage, and industrial wastes

(29) Wastewater Treatment Plant

Wastewater Treatment Plant shall mean the structures, lagoons/ponds, equipment, and processes required to collect, transport, and treat domestic and industrial wastes and to dispose of the effluent and accumulated residual solids.

7.03 USE OF THE PUBLIC SEWERS AND AUTHORITY TO INSPECT

(1) Sanitary Sewers

No person shall cause to be discharged any storm water, surface drainage, subsurface drainage, sump pump water, foundation drains, ground water, roof runoff, cooling water, or unpolluted water into any sanitary sewer. An authorized Village employee, or a person authorized by the Approving Authority, shall be permitted to make inspections inside any building with a connection to the Village Sewer.

(2) Storm Sewers

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designate as storm sewers, or to a natural outlet approved by the Approving Authority. Industrial cooling water or unpolluted processed waters may be discharged, on approval of the Approving Authority, to a storm sewer or natural outlet. Such approval is subject to review by the Department of Natural Resources, Division of Environmental Protection of the State of Wisconsin.

(3) Prohibitions and Limitations

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- (b) Any water or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters of the wastewater treatment plant.

- (c) Any waters or wastes having a pH lower than 6.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater treatment plant.
- (d) Any waters or wastes having a pH in excess of 9.0.
- (e) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.
- (f) No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Approving Authority that such wastes can harm either the sewers, sewage treatment plant, or equipment, have an adverse effect on the receiving stream, otherwise endanger life, limb, property or constitute a nuisance. In forming their opinion as to the acceptability of these wastes, the Approving Authority will give consideration to such factors as the quantities or subject wastes in relation to flows and velocities in sewers, materials of construction of the sewers, nature of the wastewater treatment process, capacity of the wastewater treatment plant, and other pertinent factors. The substances prohibited are:
 - (1) Any liquids or vapor having a temperature higher than 150 degrees Fahrenheit.
 - (2) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/1 or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees.
 - (3) Any commercial garbage that has not been properly shredded. The installation and operation of any commercial grinder equipped with a motor of one horsepower or greater shall be subject to the review and approval of the Approving Authority.
 - (4) Any waters or wastes containing iron, copper, zinc, and similar objectionable or toxic substances or wastes exerting an excessive chlorine requirement to such a degree that any such material discharge in the composite sewage to the sewer exceeds limits established by the Approving Authority for such materials.

- (5) Any waters or wastes discharged to the sewer containing over 0.1 mg/l hexavalent chromium per 24 hour composite.
- (6) Any waters or wastes containing phenols or other taste or odor producing substances in such concentrations exceeding limits which may be established by the Approving Authority as necessary after treatment of the composite sewage to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters.
- (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Approving Authority in compliance with state and federal regulations.
- (8) Materials which exert or cause:
 - (a) Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment plant. Material such as milk, whey, blood, molasses, sugar, and milk products:
 - (b) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein:
 - (c) Unusual concentrations of inert suspended solids (such as, but not limited to, Fuller's earth, lime slurring and lime residue) or of dissolved solids (such as but not limited to, sodium sulfate).
- (9) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
- (10) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment plant effluent cannot meet the requirements of the Department of Natural Resources, Division of Environmental Protection of the State of Wisconsin.
- (11) Any amount of the following constituents exceeding that listed below:

	Mg/1
Aluminum	800.0
Arsenic	0.25
Barium	2.0
Boron	1.0

Cadmium	2.0
Chlorides	700.0
Chromium total	21.8
Chromium (Hexavalent)	3.6
Copper	17.6
Cyanide	1.2
Fluorides	2.5
Iron, total	56.0
Lead	1.5
Manganese	1.0
Mercury	0.0005
Nickel	6.7
Phenols	0.3
Selenium	1.0
Silver	0.1
Total Solids	1500.0
Zinc	16.5

(12) Ammonia nitrogen in such an amount as would cause the plant to be in noncompliance with regulations of the State of Wisconsin Department of Natural Resources.

(4) An authorized Village employee or a person authorized by the Approving Authority shall be permitted to make inspections inside any building with a connection to the Village Sewer, to determine compliance with this ordinance.

7.04 Pretreatment

(1) The Approving Authority may require a user to eliminate his/her waste discharge or pretreat to a level acceptable to the authority. Pretreatment may involve the following:

(a) Grease, oil, and sand retainers

- (b) Rate of discharge control
 - (c) Equalization or neutralization.
 - (d) Flow measurements.
 - (e) Sampling equipment and manholes.
 - (f) Manhole connection to sewer main.
 - (g) Mechanical pretreatment units for removal of BOD, SS, oil, grease, solids, etc.
- (2) All costs for pretreatment including installation, operation, and maintenance shall be the responsibility of the user.
- (3) No preliminary treatment plant and facility shall be constructed or operated unless all plans, specifications, technical operating data, and other information pertinent to its proposed operation and maintenance shall conform to all Village, State of Wisconsin Department of Natural Resource, and any other local, state, or federal agency regulations and unless written approval of the plans, specifications, technical operating data, and sludge disposal has been obtained from State of Wisconsin Department of Natural Resources and any other local state, or federal agency having regulatory authority with respect thereto.
- (4) All such preliminary treatment facilities, as required by the Ordinance, shall be maintained continuously in satisfactory and effective operating condition by the user or person operating and maintaining the facility served thereby and at the user's expense.
- (5) No provisions contained in the Ordinance shall be construed to prevent or prohibit a separate or special contract or agreement between the Village and industrial user whereby industrial waste and material of unusual strength, character, or composition may be accepted by the Village for treatment, subject to additional payment therefore by the industrial user; provided, however, that such contract or agreement shall have the prior approval of the Village and also provided user charges are proportional to cost of providing the service.
- (6) The Village reserves the right to reject admission to the system of any waste harmful to the treatment or collection facilities or to the receiving stream.

7.05 PRIVATE SEWAGE TREATMENT

- (1) When a public sewer is provided within 100 feet of the nearest property line of any property served by a private sewage disposal system, the user shall connect to the public sewer within ninety (90) days of notification by the authority.

- (2) The private system, including septic tanks, drain fields, cesspools, etc. shall be abandoned and any underground containers shall be permanently filled with granular material.
- (3) Where a public sewer is not readily available, the Approving Authority may allow a private disposal system (POWTS).
- (4) The Village shall not be responsible in any way for the operation and maintenance of a private sewer or disposal system or facility.
- (5) No provisions of the Ordinance shall be construed to provide lesser requirements for private sewers and disposal systems than are presently, or may hereafter be, imposed and required by any other local governmental body or the state or federal government.

7.06 SERVICE OF OUTLYING TERRITORY

- (1) The Approving Authority may allow service of sanitary sewer to areas outside the corporate limits upon resolutions from the board. Users outside of the limits shall comply with all segments of the Ordinance. All costs for extension shall be borne by the user.
- (2) The sewer rate shall be 1.25 times the rate of the Village and shall include all costs for debt retirement and O + M costs.

7.07 CONSTRUCTION OF SEWERS

- (1) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Approving Authority.
- (2) The applicant for the building sewer permit shall notify the Approving Authority when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Approving Authority.
- (3) 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 or the procedures set forth in appropriate State of Wisconsin specifications. All such connections shall be made gas-tight and water-tight. Any deviation from the prescribed procedures and materials must be approved by the Approving Authority before installation.
- (4) All costs and expense incident to the installation and connection of the building sewer shall be borne by the property owner. The property owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

- (5) 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 requirement of the building and plumbing code or other applicable rules and regulations of the Village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate State of Wisconsin specifications shall apply.
- (6) All excavations for the building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.
- (7) The cost for installation, maintenance, and cleaning of the building sewer shall be the responsibility of the property owner.
- (8) Old building sewers may not be used in connection with new buildings unless they are found, on examination and test by the Approving Authority, to meet all requirements for this ordinance.
- (9) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which is connected directly or indirectly to a public sanitary sewer.
- (10) Cost incurred in extending the existing facilities shall be the responsibility of the contractor developer or owner. All such work shall meet state, local and federal codes and shall be inspected and certified by local or state officials.
- (11) Construction permits shall not be issued unless it has been determined by the Approving Authority that there is capacity available in all downstream sewage facilities.
- (12) All costs for the sewer lateral installation from the main to the building shall be the responsibility of the owner. The connection fee of \$250 (\$50 plus \$2 per foot for existing laterals) must be paid prior to installation.
- (13) Costs incurred in extending the existing facilities shall be the responsibility of the contractor developer or owner. All such work shall meet state, local and federal codes and shall be inspected and certified by local or state officials.
- (14) The Village Board may elect to pay for a portion of a lift station if it will be beneficial to the Village. If the sewer extension will benefit more than one owner, then special assessments shall be levied against each parcel or lot. Deferred assessments for a period not to exceed ten years would be allowed.

7.08 SEPTIC TANK HAULERS

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

7.09 SEWER USE CLASSIFICATION

(1) Typical Users – Residential

Typical users are the single family residence, duplex, and multi-family housing without central cooking. Pollutant concentrations are BOD – 250 mg/1 and SS – 250 Mg/1

(2) Commercial – Business

(a) Commercial users shall mean, for the purpose of the user charge system, a user engaged in the purchase or sale of goods, services, or any business transactions whose wastewaters generated are more that typical domestic sewage.

(b) Typical commercial users are service stations, laundry, car wash, butcher shop, restaurant, motel, hotel, grocery store, and feed mills. Pollutant concentrations are BOD – 250 mg/1 and SS – 250 mg/1.

(3) Institutional

(a) Institutional users shall mean for the purpose of the user charge system, a user whose wastewaters are generated from institutional activities.

(b) Typical institutional users are hospital, nursing homes, and schools. Pollutant concentrations are BOD – 250 mg/1 and SS – 250 mg/1.

(4) Industrial

(a) Industrial user shall mean for the purpose of the user charge system, any user whose wastewaters are generated from the production of products from materials or material handling.

(b) A typical industrial user is a factory, slaughter house, milk transfer, or cheese factory. Pollutant concentrations are to be established by the Approving Authority.

(5) Significant Industrial Users

(a) Significant industrial users are those users whose wastewater generations exceed 10% of the design flow, design BOD, or design suspended solids loading for the plant more than 10 times per year, or have a wastewater that has a detrimental effect on the plant operation and performance. The significant industrial user will be required to acquire a discharge permit, monitor their

discharges for flow, BOD, SS, and any other parameter established by the Approving Authority.

- (b) Penalties for exceeding the allotments by the listed significant industrial users shall not be less than five (5) times the rate for each parameter. Penalties will be assessed for each day the allotments are exceeded (week, if samples are collected weekly). If allotments are exceeded more than five (5) days per month, the Approving Authority shall determine if the discharge permit be revoked.
- (c) The Village reserves the right to inspect the monitoring equipment, sampling equipment, holding tank, etc. as to assure compliance with the permit. The Village also reserved the right at any time to split wastewater samples with the permit holder to compare values of BOD (5), suspended solids or any other parameter listed in the permit. The Village value will govern in case of any discrepancy.

7.10 CONDITIONS FOR DISCHARGE

- (1) Review and acceptance of the Approving Authority shall be obtained prior to the discharge into the public sewers of any waters or wastes having:
 - (a) A BOD greater than 250 mg/1.
 - (b) A suspended solids concentration greater than 250 mg/1 or
 - (c) A chlorine requirement greater than 25 mg/1.
- (2) Similarly, each person desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and file with the Approving Authority a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.
- (3) When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule imposed, a request for extension of time may be presented for consideration of the Approving Authority.
- (4) Each person discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement, and sampling of his/her wastes, including domestic sewage.
- (5) Control manholes or access facilities shall be located and built in a manner acceptable to the Approving Authority. If measuring devices are to be permanently installed, they shall be of a type acceptable to the Approving Authority.

- (6) Control manholes, access facilities, and related equipment shall be installed by the person discharging the waste, at his/her expense, and shall be maintained by him/her so as to be in safe condition, accessible, and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the Approving Authority prior to the beginning of construction.
- (7) The volume of flow used for computing industrial waste surcharges shall be the metered water consumption of the person as shown by the Water Department or flow recording data. Devices for measuring the volume of waste discharged may be required by the Approving Authority if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of waste shall be installed, owned, and maintained by the person discharging the waste following approval and installation such meters may not be removed without the consent of the Approving Authority.
- (8) 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 as often as may be deemed necessary by the Approving Authority. Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the Approving Authority,
- (9) Installation, operation, and maintenance of the sampling facilities shall be the responsibility of the person discharging the waste and shall be subject to the approval of the Approving Authority. Access to sampling locations shall be granted to the Approving Authority or its duly authorized representatives at all times. Every care shall be exercised in the collection of samples to insure their preservation in a state comparable to that at the time the sample was taken.
- (10) Laboratory procedures used in the examination of industrial wastes shall be those set forth in "Standard Methods". However, alternate methods for certain analysis of industrial wastes may be used subject to mutual agreement between the Approving Authority and the person discharging wastes.
- (11) Determination of the character and concentration of the industrial wastes shall be made by the person discharging them, or his/her agent, as designated and required by the Approving Authority. The Village may also make its own analysis on the wastes and these determinations shall be binding as a basis for charges.
- (12) If any waters or wastes are discharged or proposed to be discharged to the public sewers, or contain substances or possess the characteristics which is the judgment of the Approving Authority may have deleterious effect upon the sewage works, processes, equipment, or receiving waters, or otherwise create a hazard to life or health, or constitute a public nuisance the Approving Authority may:

- (a) Reject the wastes.
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers.

7.11 DAMAGE OR TAMPERING WITH SEWAGE WORKS

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 sewage works. Any person(s) violating this provision shall be subject to immediate arrest under a charge of disorderly conduct.

7.12 VIOLATIONS AND PENALTIES

- (1) Written notice of violations.

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

- (2) Continued violations

Any person, partnership, or corporation or any officer, agent, or employee thereof who shall continue any violation beyond the aforesaid notice time limit provided shall, upon conviction thereof, forfeit not more than \$500 together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the county jail for a period not to exceed thirty (30) days. Each day in which any violation is continued beyond the aforesaid notice time limit shall be deemed a separate offense.

- (3) Liability to the Village for losses

Any person violating any provision of this Ordinance shall become liable to the Village for any expense, loss, or damage occasioned by reason of such violation which the Village may suffer as a result thereof.

- (4) Differences of opinion

The Approving Authority shall arbitrate differences between the Approving Authority and sewer users on matters concerning interpretation and execution of the provisions of this Ordinance by the Approving Authority.

7.13 DISCHARGE PERMITS

- (1) The Village reserves the right to require a discharge permit from commercial or industrial users of the sewer, and if the Village does exercise the option, commercial or

industrial users shall not discharge to a sewer without having first applied for and obtained a permit from the Village. Each commercial or industrial user presently discharging material to the sewer shall apply for and obtain such a discharge permit within ninety (90) days from the date of such notification.

- (2) Commercial and industrial classification codes set forth in the Wisconsin Department of Natural Resource (DNR), Administrative Rules, are adopted by the Village as the basis for the issuance of discharge permits for building connections to a sewer.
- (3) The application for a discharge permit shall be made on a form, provided for the purpose by the Village and shall be fully completed under oath by the property owner, user, or a duly authorized and knowledgeable officer, agent, or representative thereof and acknowledged. If requested, the person making application shall also submit such scientific or testing data or other information as may be required by the engineer of the Village. The Approving Authority shall also have, at its discretion, the right to personally inspect the premises, equipment, material, and laboratory testing facilities of the applicant. No fee shall be charged for a discharge application permit.
- (4) No discharge permit shall be issued by the Village to any person whose discharge of material to sewers, whether shown upon the application or determined after inspection and testing conducted by the Approving Authority, is not in conformance with federal, state, or village statutes, ordinance, rules and regulations, unless a waiver or variance of such standards and requirements is granted by the Village of Ferryville in the manner hereinafter set forth. The Village of Ferryville Shall state in writing the reason or reasons for denial or requirement for waiver variance and said written communications shall be mailed or personally delivered to the applicant within five (5) days after denial.
- (5) In the event the type or volume of material from property for which a discharge permit was previously granted shall materially and substantially change, the person granted such permit previously shall make a new application to the Village in the same manner and form as originally made.
- (6) If the application for a new permit or for one because of change in the type or volume of material discharge is denied by the Village of Ferryville, or if the discharge indicated from the permit application or inspection is not in accordance with the requirements of this Ordinance and a waiver or variance is required, the user may have the Approving Authority review the denial or may request waiver variance, provided the user shall give written notice of his/her request within thirty (30) days after receiving the denial. The Approving Authority shall review the permit application, the written denial, and such other evidence and matters as the applicant and Approving Authority shall present at its next regular meeting following receipt of request for its review and the decision of the Approving Authority rendered publicly at said meeting shall be final.

- (7) Should any discharge of material to a sewer materially and substantially differ in type and volume than shown in the application and permit, the person and user shall immediately, upon order of the Approving Authority, cease and desist from such discharge and shall also be subject to disconnection, fine and other penalties provided by this ordinance.
- (8) A grant of waive or variance by the Village may set forth such conditions, exceptions, time limitations, durations and expirations as the Village deems necessary and proper.

7.14 WASTEWATER TREATMENT CHARGES

- (1) All users
 - (a) The basic wastewater treatment bill to be paid by all users shall consist of user charges for operation, maintenance, and replacement using the unit charges from this Ordinance and user charges for billing and collection. The unit charges shall be applied to user's billable flow, BOD, and SS, respectively.
 - (b) The municipality will maintain the proportionate distribution of operation, maintenance, and replacement cost amongst user classes.
 - (c) The Village will generate sufficient revenues to pay the operation, maintenance, and replacement cost. The Village will apply excess revenue collected from a user class to operation, maintenance, and replacement cost attributable to that class for the next year.
 - (d) User's discharging toxic pollutants shall pay for any increased operation, maintenance, and replacement cost caused by the toxic pollutant. Users will be notified annually of proportion of user charges attributable to the wastewater treatment services.
 - (e) The user charge system shall take precedence over pre-existing agreements inconsistent with the governing regulations of this program.
- (2) Industrial users
 - (a) In addition to the basic wastewater treatment bill described in the Ordinance for the user charge system, wastewater treatment bills for industrial and commercial users shall consist of industrial waste monitoring charges as described in the Ordinance.
 - (b) The Village shall periodically sample and analyze wastes from significant users in each industrial and commercial user classification to determine the BOD and SS strengths of wastes and these results shall be used as representative of wastes from all users in that classification for billing purposes unless this user's waste is

classified by the Approving Authority as having special problems. At the request of the user, samples shall be made and analyzed on the same frequency as samples for the user's classification and that analysis shall be used as typical of the particular user's waste for billing purposes. Significant industries with wastes classified by the Approving Authority as having special problems shall install, at the industry's own cost, a structure located on the building service line with flow measurement and sampling devices as required by the Approving Authority to obtain exact information about the waste.

7.15 WASTEWATER TREATMENT PLANT BILL

(1) Billing period.

The billing period shall be quarterly.

(2) Payment of bill

Sewer bills shall be paid by the last day of the billing quarter as noted on the annual invoice. (*amended 12-16-2020)

(3) Delinquent bills

Delinquent bills will be charged a \$10.00 late fee on the 15th day following the due date. Delinquent bills not paid by October 15th including the last quarterly bill shall be placed on the tax bill.

(4) Establishment of a user charge system.

A user charge shall be charged to all users of the sewage system and shall be proportional to usage of various items.

(5) Budget

The Village Board shall establish a budget each year prior to the first quarter period of the following year. The budget shall include the following items:

- (a) Current budget, including cost overruns and surplus,
- (b) Operation and maintenance costs
- (c) Replacement fund
- (d) Administrative costs and billing costs.
- (e) Sampling cost
- (f) Miscellaneous costs

(g) Miscellaneous charges.

7.16 DEBT SERVICE

Sewer user charges are to be collected for general obligation bond principles and interest payments, for public benefit funds, and for any other purpose provided by law related to the operation, maintenance, and replacement of the waste treatment works, or sewer collection system.

7.17 ACCOUNTING

(1) Money

All user charge payments shall be placed in the sewer account. Such money shall be used only to cover the costs of operation and maintenance, replacement, toxins, handling, sampling, and other costs as outlined in this Ordinance.

(2) Expenditures

Expenditures shall be made from the user charge monies by the Village in accordance with the detailed annual budget and ordinances authorized by the Village.

(3) Replacement reserve expenditures

Expenditures from the accrued replacement reserve on facilities shall be for making renewals to accommodate wear of physical elements and/or movable property that would result in an extended useful life or meet the anticipated useful life of the present plant and not for plant expansion or additions.

(4) Renewals

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

7.18 ASSESSMENT OF SEWER SERVICE CHARGES

The assessment of sewer service charges must be based on wastewater contributed by users: therefore, the adjusted metered water volume is used as a basis for the rate design. The difference between metered water volume and wastewater treatment plant volume is identified

as infiltration/inflow. This extraneous flow cannot be directly attributed to any user. The average residential use is 12,500 gallons per quarter.

7.19 VOLUME CHARGES

(1) Residential Users.

The residential user shall pay quarterly \$156.50 based on the average established use, or Residential Equivalent Unit (REU). (*adopted 4/26/2023)

(2) Business Users.

The business user would pay the Residential Equivalent Unit times the REU Number assigned by the "Determination of Users" in the schedule.

Determination of Users:

Description	Residential Equivalent Unit (REU)
Single Family	1
Apartments (per unit)	1
Mobile Home	1
Seasonal Dwelling	1
Motel	.25 (per rentable unit)
Bed/Breakfast	1
Bank	1
Retail Store	1
Service Station	1
Service Station (Food or Carry out)	2
Taverns (Food) (*adopted 12/21/11)	2
Taverns (No Food)	2
Post Office	1
Laundromat	.10 (per machine)
Grocery Store	1
Beautician/Barber	1

Beautician/Barber (In Residence)

.50