CITY OF STOUGHTON, 381 E. Main Street, Stoughton, WI 53589

ORDINANCE OF THE COMMON COUNCIL			
Amending Chapter 74 of the City of Stoughton Code of Ordinances, relating to utilities and sewer use. Committee Action: The Utilities Committee recommends approval by a vote of 7 - 0. Fiscal Impact: 0			
File Number:	O-10-2018	**First Reading:** **Second Reading:**	March 13, 2018 March 27, 2018

RECITALS

A. On February 19, 2018 the Utilities Committee recommended amending Chapter 74 of the City of Stoughton Ordinances with the primary purpose of updating the City's sewer use provisions.

B. The Utilities Committee recommended amending Chapter 74 as provided in Exhibit A.

ORDINANCE

The City Council of the City of Stoughton, Dane County, Wisconsin, ordains as follows:

1. Chapter 74 of the City of Stoughton Code of Ordinances is amended as provided in Exhibit A.

2. This ordinance will take effect upon adoption and publication or posting pursuant to law.

The foregoing ordinance was adopted by the Common Council of the City of Stoughton at a meeting held on March 27, 2018.

Dates:

Council Adopted: _____

Mayor Approved: _____ _____
Donna Olson, Mayor

Published: _____

Attest: _____ _____
Holly Licht, City Clerk

EXHIBIT A

ARTICLE I. - IN GENERAL

Sec. 74-1. - Penalty.

Any person who shall violate any provision of this chapter, or any order, rule or regulation made under this chapter, shall be subject to a penalty as provided in section 1-3.

(Code 1986, § 13.16)

Sec. 74-2. - Compulsory connection to wastewater or sanitary sewer and water.

(a) *Notice to connect to wastewater or sanitary sewer.* Whenever wastewater or sanitary sewer becomes available to any building used for human habitation, the building inspector shall notify in writing the owner, agent or occupant thereof to connect facilities thereto as required by the building inspector within 12 months. If such person to whom the notice has been given shall fail to comply in a timely manner, the building inspector shall cause the necessary connections to be made and the expense thereof shall be assessed as a special tax against the property pursuant to Wis. Stats. § 281.45.

(b) *Notice to connect water.* Whenever water becomes available to any building used for human habitation, the building inspector shall notify in writing the owner, agent or occupant thereof to extend a water lateral to the building within 12 months. If such person to whom the notice has been given shall fail to timely comply, the building inspector shall cause the necessary installations to be made and the expense thereof shall be assessed as a special tax against the property pursuant to Wis. Stats. § 281.45.

(c) *Abatement of private sewer systems.* After connection to a water main and public sanitary sewer, no private sewer system shall be constructed or maintained upon such lot or parcel and shall be abated upon 60 days' written notice for such abatement by the building inspector. If not so abated, the building inspector shall cause the work to be done and the cost thereof assessed as a special tax against the property.

(d) *Where wastewater or sanitary sewer mains not available.* Where wastewater or sanitary sewer mains are not available, private sewer systems shall be constructed with a permit granted by the county environmental health department.

(e) *Where water mains not available.* Where water mains are not available, existing private wells shall be permitted if in compliance with Wis. Adm. Code. NR ch. 812.

(Code 1986, § 11.03)

Sec. 74-3. - Management of utilities.

(a) The electric utility, the wastewater utility, and the water utility shall be separate utilities, all of which shall be under the supervision and operated by the common council pursuant to Wis. Stat. § 66.0805(6).

(b) The common council may command the services of the utilities director and fix the compensation of such subordinates as shall be necessary.

(Code 1986, § 13.01; Ord. No. 0-36-03, § 1, 9-9-2003; Ord. No. 0-10-10, § 2, 8-10-2010)

Sec. 74-4. - Utilities director.

EXHIBIT A

The utilities director shall have charge of the electric utility, wastewater utility and the water utility, under the supervision of the common council. The utilities director shall be appointed by the common council. The utilities director or his or her designee shall keep books of account, in the manner and form prescribed by the public service commission, which shall be open to the public.

(Code 1986, § 13.02; Ord. No. 0-36-03, § 1, 9-9-2003; Ord. No. 0-10-10, § 2, 8-10-2010)

Cross reference— Officers and employees, § 2-101 et seq.

Sec. 74-5. - Operations superintendent of utilities.

An operations superintendent of utilities shall be appointed following the City of Stoughton Hiring Policy.

(Code 1986, § 13.03; Ord. No. 0-36-03, § 1, 9-9-2003)

Sec. 74-6. - Rates, rules and regulations.

(a) *Determination of rates and rules.* The rates, rules and regulations for electric and water service shall be as determined by the common council and approved and on file with the state public service commission.

(b) *Operating rules.*

(1) *Compliance with regulations.* All persons now receiving a water supply from the utility or who may hereafter make application therefor shall be considered as having agreed to be bound by all rules and regulations as filed with the state public service commission.

(2) *Public service commission rules adopted.* The following provisions of Wis. Adm. Code. PSC ch. 185 are adopted by reference and made a part of these rules as if set forth in full. A violation of any such rules shall constitute a violation of this section and shall be punishable as provided in section 74-1.

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Wis. Adm. Code PSC Section	Description
185.11	Authorization for and application of rules.
185.12	Definitions.
185.13	General requirements.
185.15	Free or discriminatory service prohibited.
185.16	Protection of utility facilities.
185.17	Interference with public service structures.

EXHIBIT A

185.18	Location of records.
185.19	Retention of records.
185.21	Schedules to be filed with the commission.
185.22	Information available to customers.
185.31	Metered service.
185.32	Meter readings and billing periods.
185.33	Billing.
185.34	Adjustment of bills (ROM).
185.35	Adjustment of bills.
185.36	Deposits for residential service.
185.361	Deposits for nonresidential service.
185.37	Disconnection and refusal of service.
185.38	Deferred payment agreement.
185.39	Dispute procedures.
185.41	Employees authorized to enter a customer's premises.
185.42	Customer complaints.
185.43	Construction records.
185.44	Records and reports of service interruptions.
185.45	Pumpage records.
185.46	Metering equipment records.

EXHIBIT A

185.47	Other records.
185.51	Requirement for good engineering practice.
185.52	General construction requirements.
185.53	Metering configuration.
185.61	Meters.
185.65	Accuracy requirements for meters.
185.71	Meter testing facilities and equipment.
185.72	Calibration of meter testing equipment.
185.73	Testing of customer meters.
185.74	Test flows.
185.75	Required tests of customer meters.
185.751	Alternate sample-testing plan for "before-use" test for 5/8-, 3/4- and 1-inch meters.
185.76	Periodic tests.
185.761	Alternative sample-testing plan for in-use meters.
185.77	Request and referee tests.
185.79	Remote outside meter (ROM) and automatic meter reading (AMR) system tests.
185.795	Electrical Safety.
185.81	Quality of water.

EXHIBIT A

185.82	Pressure standards.
185.83	Station meters.
185.85	Water audits and water loss control.
185.86	Flushing mains.
185.88	Frozen laterals.
185.89	Adequacy of Water Supply, Emergency Operations and Interruptions of Service
185.90	Water Supply Shortage

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(c) *Operating rules for electric service.*

(1) All persons now receiving an electric service from the utility or who may hereafter make application therefor shall be considered as having agreed to be bound by all rules and regulations as filed with the state public service commission.

(2) The following provisions of Wis. Adm. Code. PSC ch. 113 are adopted by reference and made a part of these rules as if set forth in full. A violation of any such rules shall constitute a violation of this section and shall be punishable as provided in section 74-1.

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Wis. Adm. Code PSC Section	Description
113.01	Application of rules.
113.012	Definitions.
113.0201	General requirements.

EXHIBIT A

113.0202	Relocation of poles.
113.0203	Protection of utility facilities.
113.0204	Interference with public service structures.
113.0205	Standard voltages and utilization equipment.
113.0207	Requirements for utility rules for interconnection of small customer-owned generation facilities with the utility system.
113.0208	Right to appeal.
113.0209	Notice to communication firms.
113.0210	Whistleblower protection.
113.0301	Disconnections, residential.
113.0302	Disconnections, commercial and farm accounts.
113.0303	Reconnection of service.
113.0304	Cold weather disconnections.
113.0305	Customer requested termination of service.
113.0401	Schedules to be filed with commission.
113.0402	Deposits residential.
113.0403	Deposits for commercial and farm service.
113.0404	Deferred payment agreement.
113.0405	Meter readings and billing periods.
113.0406	Billing.

EXHIBIT A

113.0407	Dispute procedures.
113.0410	Billing statement inserts.
113.0412	Limiting connected load.
113.0501	Information available to customers.
113.0502	planned service interruptions.
113.0503	Telephone answering time.
113.0504	Change in type of service.
113.0505	Low-income service requirement.
113.0506	Stray voltage service fees.
113.0507	Unconscionability.
113.0508	Oppressive and deceptive practices prohibited.
113.0509	Landowner easements.
113.0510	Tree trimming contacts.
113.0511	Oak tree cutting and pruning.
113.0512	Identification of potential power line natural hazards.
113.0513	Wetlands work.
113.0601	Standards for electric service reliability.
113.0602	Definitions.
113.0603	Recording Standards.
113.0604	Annual Report.

EXHIBIT A

113.0605	Initial historical reliability performance report.
113.0606	Interruptions of service.
113.0607	Appropriate inspection and maintenance; system reliability.
113.0608	Emergency response.
113.0609	Customer Satisfaction surveys.
113.0610	Customers' complaints.
113.0611	Employees authorized to enter customers' premises.
113.0612	Employee safety.
113.0613	Maps and diagrams.
113.0614	Preservation of records.
113.0615	Inventory of Conductors.
113.0701	Definitions.
113.0702	Standard and maintenance of a service voltage.
113.0703	Variations of voltage.
113.0704	Harmonics of 60 Hz voltage waves.
113.0705	Power quality diagnostic services.
113.0706	Check of standards by commission.
113.0707	Radio and television interference.
113.0801	Measuring energy on system.
113.0802	Measuring customer service.

EXHIBIT A

113.0803	Individual electric meters required for nontransient multidwelling unit residential buildings, mobile home parks and commercial establishments.
113.0804	One-point metering.
113.0805	Tamper-resistant equipment.
113.0806	Multipliers and test constants.
113.0807	Meter compensation.
113.0808	Sealing meters and service entrance equipment.
113.0809	Installation of metering equipment.
113.0810	Rental charge for metering equipment.
113.0811	Accuracy of watt-hour meters.
113.0812	Accuracy of demand meters.
113.0813	Requirements as to instrument transformers.
113.0814	Portable indicating instruments.
113.0815	Type of instruments.
113.0816	Servicing utilization control equipment.
113.0817	Metering at point of interchange and for customers' operating generating equipment.
113.0818	Determination of average meter error.
113.0901	Testing of metering installations—general requirements.
113.0902	Testing equipment.
113.0903	Accuracy and calibration of test standards.

EXHIBIT A

113.0904	Watthour caligration.
113.0905	Methods of testing watt-hour meters.
113.0906	Methods of testing block-interval demand registers.
113.0907	Methods of testing block-interval pulse-operated demand meters and pulse recorders.
113.0908	Methods of testing electronic (solid state) meters.
113.0910	Methods of testing electronic demand registers.
113.0911	Testing of self-contained meters and three-wire network meters at fixed periodic intervals.
113.0912	Testing of self-contained polyphase meters.
113.0913	Testing of meters used instrument transformers on single phase service.
113.0914	Testing of polyphase meters used with instrument transformers.
113.0915	Testing of metering installations utilizing pulse devices.
113.0916	Testing of instrument transformers.
113.0917	Phase-shifting transformers and loss compensators.
113.0918	Adoption of standard by reference.
113.0919	Metering equipment records.
113.0920	Statistical sample testing plan for new self-contained single phase and 3-wire network meters.
113.0921	Statistical sample testing plan for in-service, electronic (solid state) meters and electromechanical, self-contained, single phase and 3-wire network meters.
113.0922	Customer request test.

EXHIBIT A

113.0923	Commission referee test.
113.0924	Adjustment of bills for metering inaccuracies.
113.0925	Billings for grounds.
113.0925	Metering with one meter for net energy billing.
113.1001	Purpose.
113.1002	Principles of facilities development.
113.1003	Definitions.
113.1004	Customer contribution for service facilities.
113.1005	Customer contributions for distribution.
113.1006	Embedded cost allowance.
113.1007	Refunds.
113.1008	Modifications to existing distribution and service facilities.
113.1009	Revision of estimates to reflect actual cost.
113.1010	Extension or modification of transmission facilities to retail customers.

(Code 1986, § 13.04; Ord. No. 0-36-03, § 1, 9-9-2003)

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Sec. 74-7. - Collections.

The utilities director and his agents appointed by him as agents of the city treasurer shall enforce and collect the bills for water, wastewater, and electric service according to the applicable rates.

(Code 1986, § 13.05; Ord. No. 0-36-03, § 1, 9-9-2003)

Sec. 74-8. - Payment of water and electric charges.

EXHIBIT A

(a) All charges for water supplied to customers shall be paid monthly on or before the 20th day following mailing of the monthly statement. Disconnections for failure to pay water charges may be made by the water utility in accordance with the rules established therefor by the utility.

(b) Each water service charge levied pursuant to this section shall be made a lien upon the corresponding lot, land or premises served by a connection to the water system of the city. If the water service charge is not paid within the period allotted for such payment, the charge shall constitute a lien on the property served and be inserted on the city tax roll as provided by Wis. Stats. § 66.0809.

(c) Each electric service charge levied pursuant to this section shall be deemed a special charge for current services rendered on behalf of the corresponding lot, land or premises served by a connection to the electric system of the city. If the electric service charge is not paid within the period allotted for such payment, the charge shall constitute a lien on the property served and be inserted on the city tax roll as provided by Wis. Stats. § 66.0809.

(Code 1986, § 13.06)

Sec. 74-9. - Applications; contract.

All applications for electric, wastewater and water service shall be on forms prescribed by the city and shall be signed by the applicant and owner of the premises for which service is desired. Notice to discontinue furnishing service shall be given to the director of utilities at least ten days before the date fixed for discontinuance, at which date the charges shall become due upon estimate made by the director. By the utilities director's application, the applicant and the owner agree that the provisions of this chapter, together with the rates, rules and regulations on file with the public service commission, where applicable, shall be part of the contract with the applicant and the owner of the premises.

(Code 1986, § 13.07; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Sec. 74-10. - Utility funds.

All money collected for the furnishing of services shall be deposited to the respective electric utility fund, wastewater utility fund and the water utility fund.

(Code 1986, § 13.08; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Sec. 74-11. - Keeping of records.

The director of utilities shall keep an accurate record of all labor employed, meters and material furnished, supplies used, wiring done, repairs made, together with the cost of the same to the city. The director of utilities shall also keep a list of the names of all consumers and a description of the premises to which service is furnished, all meter readings, the amounts due and received for service, and shall make reports thereof to the utilities committee and the city council when requested.

(Code 1986, § 13.09; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Sec. 74-12. - Repairs.

The utilities committee shall report to the city council any repairs, additions and improvements that may be deemed necessary, but no such repairs, additions and improvements, except such as are required to keep the utilities in substantial repair, shall be made by the utilities committee without first submitting a report of such repairs, additions and improvements for the approval of the utilities committee and the common council. The utilities committee may purchase the necessary staple supplies or direct the director

of utilities to do so and employ the necessary labor to perform the work required to operate and maintain the utilities in proper manner, or authorize the director of utilities to do so.

(Code 1986, § 13.10; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Sec. 74-13. - Right of access.

The director of utilities, or such person as may be directed by the director, may enter and have free access at all reasonable hours to the premises where electric, wastewater or water service is used, to ascertain the location and condition of all fixtures used in connection with the utility. The service leading to the premises may be shut off until all defects have been remedied to the satisfaction of the plumbing or electrical inspector.

(Code 1986, § 13.11; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Sec. 74-14. - Interference with operation of utilities prohibited.

(a) Wis. Stats. § 941.36 is adopted by reference.

(b) In addition to the penalty imposed by subsection (a) of this section for violation of this section, the person making an unauthorized connection shall be liable for all electricity, wastewater or water estimated by the director to have been consumed or discharged, which amount unless sooner paid may be assessed as a special tax against the premises.

(Code 1986, § 13.12; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Sec. 74-15. - Water meters.

(a) The utilities committee shall prescribe and regulate the kind of water meters to be used in the city and the manner of attaching and connecting the water meters, and may in like manner make such other rules for the use and control of water meters attached and connected as provided in this chapter as shall be necessary to secure reliable and just measurement of the quantity of water used; and also make rules to regulate the use of soil pipe, wastewater or sanitary sewer or water pipes which are proposed to be connected with the city water or wastewater or sanitary sewer system; and may alter and amend such rules from time to time as shall be necessary for the purposes named.

(b) If the owner or occupant of any premises, where the attaching and connection of a water meter may lawfully be required, shall neglect or fail to attach and connect such water meter, as is required according to the rules established by the utilities committee, for 30 days after the expiration of the time within which such owner or occupant shall have been notified by such utilities committee to attach and connect such meter, the utilities committee may cause the water supply by the city to be cut off from the premises, and it shall not be restored except upon such terms and conditions as the utilities committee shall prescribe.

(Code 1986, § 13.13; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Secs. 74-16—74-30. - Reserved.

ARTICLE III. - WASTEWATER UTILITY[2]

Footnotes:

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EXHIBIT A

Editor's note— Ordinance No. 0-45-03, adopted Nov. 11, 2003, changed the title of article III from Sewer Utility to Wastewater Utility.

DIVISION 1. - GENERALLY

Sec. 74-61. - Wastewater or sanitary sewer improvement tax.

No person shall connect with the public wastewater or sanitary sewerage system unless a wastewater and sanitary sewer improvement tax has been made to or paid on the frontage of the property to which wastewater or sanitary sewer connection is to be installed except upon permit by the utilities committee.

(Code 1986, § 13.14; Ord. No. 0-45-03, § 1, 11-11-2003)

Sec. 74-62. - Definitions.

(a) Unless the context specifically indicates otherwise, the meanings of terms used in this article shall be as follows:

BOD (biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in milligrams per liter.

Building drain means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the building walls and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

Building inspector means the planning director or building inspector of the city or their appointed assistant, agent or representative.

Building sewer or *lateral* means the extension from the building drain to the public wastewater or sanitary sewer or other place of disposal. The building sewer is owned, operated and maintained by the property owner.

Compatible pollutants means biochemical oxygen demand, suspended solids or pH, plus additional pollutants identified in the WPDES permit for the publicly owned treatment works receiving the pollutant if such works were designed to treat such additional pollutants to a substantial degree.

Debt and *debt service* mean the cost to the wastewater utility for the retirement of debts incurred in the provision of sewerage system facilities including both principal and interest.

Detrimental effect means a discharge to the sewerage system that either alone or in combination with other discharges would pass through or interfere with the operation of the sewerage system, cause the utility to violate its WPDES permit, or create or constitute a hazard to human health or the environment.

Director and *utilities director* shall mean the utilities director for the city or the director's appointed operator of utility, agent or representative.

Floatable oil means oil, fat or grease in a physical state such that it will separate by gravity from wastewater in an approved pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

Garbage means 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.

Industrial wastes means any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process or from the

development, recovery or processing of natural resources. The term "industrial wastes" under this article shall include discharges from any nongovernmental user of the wastewater or sanitary sewer system identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the divisions listed in this definition. A user in the divisions listed may be excluded from the industrial waste classification if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

(1) *Division A.* Agriculture, forestry and fishing.

(2) *Division B.* Mining.

(3) *Division D.* Manufacturing.

(4) *Division E.* Transportation, communications, electric, gas and sanitary services.

(5) *Division I.* Services.

Incompatible pollutants or wastewater means wastewater or septage with pollutants or of such strength that will adversely affect or disrupt the wastewater treatment processes or effluent quality or sludge quality if discharged to the sewerage system facility.

Interference means a discharge which, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts wastewater treatment processes or operations or the sludge processes, use or disposal, or is the cause of a violation under any federal or state law.

May is permissive.

Natural outlet means any outlet into a watercourse, pond, ditch, lake or other body of surface water or ground water.

Normal concentration means:

(1) Five-day 20 degrees Celsius, BOD of not more than 200 mg/l.

(2) A suspended solids content of not more than 250 mg/l.

(3) A phosphorous concentration of not more than eight mg/l.

Normal wastewater means wastewater in which BOD, suspended solids, or phosphorous concentrations do not exceed normal concentrations.

Operation, maintenance and replacement means costs to the wastewater utility for the provision of labor, utilities, supplies, equipment maintenance and other normal costs necessary for the provision of wastewater treatment services, including replacement costs.

Pass through means a discharge which exits the wastewater treatment plant into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the utility's WPDES permit including an increase in the magnitude or duration of a violation.

pH means the logarithm, base 10, of the reciprocal of the hydrogen ion concentration expressed in moles per liter as determined by Standard Methods for the Examination of Water and Wastewater as published by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

Phosphorous means the total phosphorous concentration in milligrams per liter in wastewater. The total phosphorous concentration shall be determined by testing in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater as published by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

Properly shredded garbage means 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 wastewater or sanitary sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

EXHIBIT A

Public wastewater or sanitary sewer means a wastewater or sanitary sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

Replacement means 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.

Sanitary sewer means a wastewater or sanitary 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 means the wastewater or contents of septic or holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, seepage trenches, privies or portable restrooms.

Sewage means the spent water of a community. The preferred term is "wastewater."

Sewerage system means all structures, equipment, conduits and pipes by which sewage is collected, transported, treated and disposed of, except plumbing inside and in connection with buildings served and service pipes from building to street main.

Shall is mandatory.

Slug means any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for longer than 15 minutes more than five times the average 24-hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

Storm sewer means a sewer which carries stormwater and surface water and drainage, but excludes wastewater and industrial wastes, other than polluted cooling water.

Suspended solids means total suspended matter that either floats on the surface of or is in suspension in water, wastewater or other liquids and is removable by laboratory filtering as prescribed in Standard Methods for the examination of water and wastewater and referred to as nonfilterable residue.

Unpolluted water means water of quality equal to or better than the effluent criteria in effect or water that would not cause a violation of receiving water quality standards and would not be benefitted by discharge to the wastewater or sanitary sewer and wastewater treatment facilities provided.

Urban service area means the service area delineated under the most recent city comprehensive plan as may be enlarged or reduced by the council by subsequent ordinance (see section 74-91).

User charge and *wastewater service charge* mean a charge levied on users of wastewater treatment works and the wastewater or sanitary sewer system for the cost of operation and maintenance of such facilities. The terms "operation" and "maintenance" include replacement.

Wastewater means the spent water and water-carried wastes of a community. Its source may be a combination of the liquid and water-carried wastes from residence, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater that may be present.

Wastewater facilities means the structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

Wastewater or sanitary sewer means a pipe or conduit for carrying wastewater.

Wastewater or sanitary sewer service areas means the areas presently served and anticipated to be served by a municipal wastewater collection system within the urban service area.

Wastewater or sanitary sewer systems means the common wastewater or sanitary sewers within a sewerage system which are primarily installed to receive wastewater directly from facilities which convey wastewater from individual structures or from private property and which include service connection "Y" fittings designed for connection with those facilities. The facilities which convey wastewater from individual structures, from private property to the public wastewater or sanitary sewer, or its equivalent are specifically excluded from the definition of sewerage collection system; except pumping units and pressurized lines for

individual structures or groups of structures may be included as part of a "wastewater or sanitary sewer system" when such units are cost effective and are owned and maintained by the sewerage owner.

Wastewater treatment works means the city's arrangement of devices and structures for treating wastewater, industrial wastes and sludge. The term "wastewater treatment works" may be used as synonymous with "waste treatment plant," "wastewater treatment plant," "sewage treatment plant" or "water pollution control plant."

Wastewater utility and *utility* mean the city wastewater utility.

Watercourse means a natural or artificial channel for the passage of water either continuously or intermittently.

(Code 1986, § 13.15(1); Ord. No. 0-45-03, § 1, 11-11-2003)

Cross reference— Definitions generally, § 1-2.

Sec. 74-63. - Use of public wastewater or sanitary sewers required.

(a) No person shall place, deposit or permit to be placed or deposited in any insanitary manner on public or private property within the city, or in any area under the city's jurisdiction, any human or animal excrement, garbage or other objectionable waste.

(b) No person shall discharge to any natural outlet within the city, or in any area under the city's jurisdiction, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article.

(c) Except as provided in this article, no person shall construct or maintain any privy, vault, septic tank, cesspool or other facility intended or used for sewage disposal.

(d) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the city and abutting on any street, alley or right-of-way in which there is now or may be located a city wastewater or sanitary sewer shall, at the owner's expense, install suitable toilet facilities therein and connect such facilities directly with the proper public wastewater or sanitary sewer in accordance with this article within 90 days after official notice to do so.

(Code 1986, § 13.15(3))

Secs. 74-64—74-80. - Reserved.

DIVISION 2. - ADMINISTRATION AND ENFORCEMENT[3]

Footnotes:

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Cross reference— Administration, ch. 2.

Sec. 74-81. - Penalty.

(a) Any person found to be violating any provision of this article, except section 74-92, shall be served by the city with a 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) of this section shall, upon conviction thereof, be subject to section 1-3.

(c) Any person violating any of the provisions of this article shall become liable to the city and others, as their interests may appear, for any expense, loss or damage occasioned the city or others by reason of such violation, including any costs in connection with repairing damages to the wastewater facilities or any upstream or downstream user or facilities damaged as a result of a prohibited discharge or any other violation of this article.

(Code 1986, § 13.15(10)(a)—(c); Ord. No. 0-45-03, § 1, 11-11-2003)

Sec. 74-82. - Wastewater services to persons outside the city.

Nothing in this article shall prohibit the city from providing wastewater services to persons outside the city under mutually agreeable conditions.

(Code 1986, § 13.15(2)(h))

Sec. 74-83. - Remedies for failure to pay service charges.

Each wastewater service charge levied by or pursuant to this article is a lien upon the corresponding lot, land or premises served by a connection to the wastewater or sanitary sewer system of the city. If the wastewater service charge is not paid within the period allotted for such payment, such charge shall constitute a lien on the property served and shall be inserted in the city tax roll as provided in Wis. Stats. § 66.0821(4)(d), in the same manner as water rates are taxed and collected under Wis. Stats. §§ 66.0809 or 66.0821(2)(a). The wastewater service charges taxed or levied under this article shall be collected by the city at the utilities office. The utility 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 city wastewater or sanitary sewer system, the wastewater treatment plant and the utility.

(Code 1986, § 13.15(2)(i))

Sec. 74-84. - Annual audit.

An audit of the utility's financial standing shall be made annually on a calendar year basis. This audit shall be used to review the adequacy of the then existing rates; and such rates shall be adjusted if necessary to provide sufficient revenues to adequately finance the utility's operation in accordance with the original intent of the rate structure. The annual 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 such recipient (or user class) with sewage service. Excess revenues collected for operation, maintenance and replacement from a class of users shall be applied to the costs of operation, maintenance and replacement attributable to that class of user and the rates shall be adjusted accordingly.

(Code 1986, § 13.15(2)(j); Ord. No. 0-45-03, § 1, 11-11-200)

Sec. 74-85. - Late payment charge.

Any charges under this article which have not been paid within 20 days of the billing date shall be subject to a late payment charge of three percent of the current charges.

EXHIBIT A

(Code 1986, § 13.15(2)(k))

Sec. 74-86. - Replacement fund.

Annual income from the wastewater service charge which constitutes funds required for replacement shall be separately accounted for and shall not be used for purposes other than replacement.

(Code 1986, § 13.15(2)(l))

Sec. 74-87. - Debt retirement.

Debt incurred as a part of the expansion, modification or upgrade of existing treatment facilities will be repaid out of monies collected under user charges.

(Code 1986, § 13.15(2)(m))

Sec. 74-88. - Private wastewater disposal.

(a) Where a public wastewater or sanitary sewer is not available under the provisions of subsection 74-63(d), any existing building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article.

(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 building inspector's office.

(c) The type, capacity, location and layout of a private wastewater disposal system shall comply with all requirements of the state department of health and the state department of commerce.

(d) The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at no expense to the city.

(e) When a public wastewater or sanitary sewer becomes available to a property served by a private wastewater disposal system, as provided in subsection 70-63(d), the building sewer shall be connected to such wastewater or sanitary sewer within 90 days and the private wastewater disposal system shall be cleaned of sludge and filled with sand, gravel or similar material.

(f) Notwithstanding subsection 74-88(e), the utilities director may, at his or her discretion, grant an exception to the requirement to connect a building sewer to a public wastewater or sanitary sewer and allow an owner to maintain a private wastewater disposal system if all of the following circumstances are met:

    (1) The building is not used for residential purposes;

    (2) The building is used to house animals;

    (3) The building's private wastewater disposal system is used to dispose of animal as well as human waste; and

    (4) The private wastewater disposal system will achieve total treatment or facilitate waste removal within one week of use.

(Code 1986, § 13.15(4); Ord. No. 0-45-03, § 1, 11-11-2003; Ord. No. 0-22-09, § 1, 12-8-2009)

Sec. 74-89. - Building sewer and connections.

EXHIBIT A

(a) No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public wastewater or sanitary sewer or appurtenance thereof without first obtaining one of the following written permits from the building inspector:

(1) Residential and commercial service.

(2) Service to establishments producing industrial wastes.

(b) In either case set out in subsection (a) of this section, the owner or the owner's agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the building inspector. A permit and inspection fee as provided in section 10-4 shall be paid to the city when the application is filed. All service pipes (laterals) on private property shall be installed in accordance with Wis. Adm. Code Comm. ch. 82, Design, Construction, Installation, Supervision and Inspection of Plumbing.

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

(d) A separate and independent building sewer shall be provided for every building intended for human habitation or occupancy.

(e) Old building sewers may be used in connection with new buildings only when they are found on examination and test by the building inspector to meet all requirements of this article.

(f) The size, slope, alignment, 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 conform to the requirements of chapter 10 or other applicable city rules and regulations.

(g) 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 wastewater or sanitary 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.

(h) Roof leaders, swimming pool drains, surface drains, groundwater drains, foundation footing drains and other clear water drains shall be connected wherever possible with a storm sewer, but they shall not be connected to a building sewer which discharges into a wastewater or sanitary sewer or private wastewater treatment plant. All such connections existing on October 16, 1976, shall thereafter be illegal. If stormwater or clear water is being discharged into a wastewater or sanitary sewer, the utilities director shall give the offending person 15 days' notice to disconnect. Failure to disconnect after such notice shall authorize the utilities director to cause disconnection and assessment of those costs against the property involved. The utilities director may, in the alternative, institute action for violation of this subsection.

(i) The connection of the building sewer into the public wastewater or sanitary sewer shall conform to the requirements of chapter 10 or other applicable city rules and regulations.

(j) The applicant for the building sewer permit shall notify the building inspector when the building sewer is ready for inspection and connection to the public wastewater or sanitary sewer. The connection shall be made under the supervision of the building inspector.

(k) All excavations for building sewer installations shall be adequately guarded with barricades and lights to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed during the work shall be restored in a manner satisfactory to the city.

(l) Wastewater or sanitary sewer laterals and connections to the wastewater or sanitary sewer main are the responsibility of the building owner. Expenses for maintenance and repairs shall be paid for by the building owners.

(m) Broken wastewater or sanitary sewer laterals which allow debris to enter the wastewater or sanitary sewer system shall be repaired within 30 days of the owner's or occupant's receipt of notice regarding

the break following the utilities director's determination that the debris may result in a clogged wastewater or sanitary sewer. If the repair is not made in the time provided, the city may make the repair or contract to have the repair made and bill such expense as a special charge against the subject property.

(n) Effective December 31, 2007, all non-metallic building sanitary sewers and connections within public right-of-way shall be installed with an electronic marker system to provide a means of locating the underground pipe. The utilities director, or such person as may be directed by the director, shall prescribe the type of tracer wire installation.

(Code 1986, § 13.15(5); Ord. No. 0-45-03, § 1, 11-11-2003; Ord. No. 0-37-07, § 1, 11-13-2007)

Sec. 74-90. - Use of public wastewater or sanitary sewers.

(a) No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, swimming pool water or unpolluted industrial process waters to any wastewater or sanitary sewer.

(b) Stormwater and all other unpolluted drainage shall be discharged to a storm sewer or to a natural outlet approved by the superintendent of streets 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 wastewater or sanitary sewers:

(1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas which create or contribute to a fire or explosive hazard in the wastewater treatment plant, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods in s. NR 661.21.

(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 pass through, to injure, or to interfere with the operation or performance of the wastewater treatment plant, , 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 5.5, or greater than 9.5, 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 or contributing to obstruction to the flow in wastewater or sanitary 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, paper dishes, cups, milk containers, sanitary napkins, disposable wipes, etc., either whole or ground by garbage grinders.

(5) Any trucked or hauled pollutants, including septage and holding tank waste.

(6) Any pollutant, including oxygen demanding pollutants, released in a discharge of such volume or strength as to cause or contribute to interference in the wastewater treatment plant.

(7) Pollutants which result in the presence of gases, vapors, or fumes within the wastewater treatment plant or sewerage system in a quantity which may cause acute worker health or safety problems.

(8) Heat in amounts which will inhibit or contribute to inhibition of biological activity in the wastewater treatment plant resulting in interference or causing damage to the wastewater treatment plant, but in no case wastewater which causes the temperature at the introduction to the treatment plant to exceed 104 degrees F (40 degrees C).

(9) Any substance with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solution.

(10) Detergents, surface-active agents or other substance that may cause excessive foaming in the sewerage system.

(11) Used antifreeze, motor oil, brake fluid, transmission fluid, hydraulic fluid, oil-based paint, and paint thinners.

(12) Any substance regulated as hazardous waste under federal or state law.

(13) Any wastes which cause, or are capable of causing, either alone or in combination with other substances obstruction of flow or damage to the wastewater facilities; danger to life or safety or welfare of any persons; prevention of effective maintenance or operation of the wastewater facilities; a detrimental effect, public nuisance, or condition unacceptable to any public agency having regulatory jurisdiction over the utility; or any sanitary sewer or wastewater facility to be overloaded.

(d) The following described substances, materials, waters or wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the wastewater or sanitary sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream or will not otherwise endanger lives, limb, public property or constitute a nuisance. The utilities director may set limitations lower than the limitations established in the regulations in this subsection if, in his opinion, such more severe limitations are necessary to meet the objectives of this subsection. In determining acceptability, the utilities director shall give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the wastewater or sanitary sewers, materials of construction of the wastewater or sanitary 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 wastewater or sanitary sewer which shall not be violated without approval of the utilities director are as follows:

(1) Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).

(2) Wastewater containing more than 50 mg/l of petroleum oil, nonbiodegradable cutting oils or product of mineral oil origin.

(3) Wastewater containing more than 50 mg/l of floatable oils, fat or grease.

(4) Any garbage that has not been properly shredded. Garbage grinders may be connected to wastewater or sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for consumption on the premises or when served by caterers.

(5) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the utilities director for such materials.

(6) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the utilities director.

(7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the utilities director in compliance with applicable state or federal regulations.

(8) Quantities of flow, concentrations or other characteristics which constitute a slug.

(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 waters or wastes which, by interaction with other waters or wastes in the public wastewater or sanitary sewer system, release obnoxious gases, from suspended solids which interfere with the collection system or create a condition deleterious to structures and treatment processes.

(11) Dilution of an industrial discharge for purposes of reducing the pollutant characteristics or concentrations to meet limitations established in this chapter, by the utilities director, or applicable pretreatment standards is prohibited.

(12) Medical wastes or infectious wastes.

(13) Wastewater containing polychlorinated biphenyls.

(e) If any waters or wastes which contain the substances or possess the characteristics enumerated in subsection (c) or (d) of this section are discharged or proposed to be discharged to the public wastewater or sanitary sewers and if, in the judgment of the utilities director, the waters or wastes may have a detrimental effect upon the wastewater facilities, processes, equipment or receiving waters or otherwise create a hazard to life or constitute a public nuisance, the utilities director may take any of the actions set out in this subsection (e). When considering such alternatives, the utilities director shall give consideration to the economic impact of each alternative on the discharger. If the utilities director permits the pretreatment or equalization of waste flows, the design and installation of the pretreatment systems and equipment shall be subject to the review and approval of the utilities director.

(1) Reject the wastes;

(2) Require pretreatment to an acceptable condition for discharge to the public wastewater or sanitary sewers;

(3) Require control over the quantities and rates of discharge; and/or

(4) Require payment to cover added costs of handling and treating the wastes not covered by existing taxes or wastewater or sanitary sewer charges under the provisions of this article.

(f) Grease, oil, and sand traps.

(1) Establishments involved in the preparation of food for commercial purposes, car washes, or other processes where fats, oils, greases, or sand are produced, used or disposed of shall provide grease interceptors or traps. Grease, oil, and sand interceptors or traps shall be provided when, in the opinion of the utilities director, they are necessary for the proper handling of liquid wastes containing fats, oils, or grease in excessive amounts as specified in subsection (d)(3) of this section, sand, any flammable wastes, or other harmful ingredients, except that such interceptors or traps shall not be required for private living quarters or residential dwelling units.

(2) All interceptors or traps shall be of a type and capacity approved by the Wisconsin Department of Natural Resources and the State plumbing code, and approved by the utilities director, and shall be located so as to be readily and easily accessible for cleaning and inspection, and to be effective in capturing fats, oils, greases and sand by providing sufficient opportunity for wastewater containing fats, oils, and grease to cool enough for these to be trapped. They shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperatures and shall be of substantial construction, gastight, watertight, and equipped with easily removable covers. Grease interceptors shall receive the entire waste discharge from kitchens or food processing areas.

(3) All grease, oil, and sand interceptors or traps shall be maintained by the user at his expense in continuously efficient operation at all times, and the records of such maintenance, including dates and means of disposal, shall be kept current and available when requested by city employees or representatives of the utility. Any removal and hauling of the collected materials not performed by the owner's personnel shall be performed by currently licensed waste disposal firms.

(4) Approval of proposed facilities or equipment by the state regulatory agency(ies) does not, in any way guarantee that these facilities or equipment will function in the manner described by their

constructor or manufacturer nor shall it relieve a person of the responsibility of enlarging, relocating, or otherwise modifying such facilities to accomplish the intended purposes.

(5) The city shall have the right to inspect grease interceptors and traps to determine compliance with the requirements of this section. The discharger shall allow the utility director or his designee to enter upon the premises of the discharger at all reasonable hours for purposes of inspection, sampling, or records examination.

(6) The owner must retain and provide to the city upon request information satisfactory to the utility director demonstrating adequate design, operation, and maintenance of grease interceptors and traps. All users with a grease and/or sand interceptor must adhere to all the requirements, procedures, and detailed record keeping to ensure compliance with the requirements of this section. All users shall maintain such records for not less than seven (7) years. An accurate, complete, and daily updated maintenance log shall be kept by every user that indicates, at a minimum: date the interceptor was serviced, name of person or company servicing the interceptor, method of cleaning, and disposal method of FOG or sand.

(7) No person shall introduce, permit, or cause the introduction of surfactant, solvent, enzymes, emulsifying chemicals, hot water or other agents into a grease interceptor to dissolve or emulsify grease or as a grease abatement method.

(fm) Inspection Manholes.

(1) Any person discharging industrial wastes into a sewer shall construct and maintain a suitable control manhole or manholes downstream from any such place of discharge to permit observation, measurement, and sampling of such wastes by the utility.

(2) Multitenant buildings must have constructed and maintained means for access for sampling and measuring flow of all discharges to the sanitary sewer for each tenant to the satisfaction of the utility director. All monitoring facilities shall be constructed and maintained in accordance with all applicable state and local construction standards and specifications. Plans for the installation of monitoring facilities and related equipment shall be submitted to the utilities director for review and approval prior to the beginning of construction

(g) 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. National categorical pretreatment standards as promulgated by the United States Environmental Protection Agency shall be met by all dischargers of the regulated industrial categories. State requirements and limitations on discharges to the wastewater facilities shall be met by all dischargers which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this or any other applicable ordinance.

(h) When required by the utilities director, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structure, when required, shall be accessible, safely located and constructed in accordance with plans approved by the utilities director. The structure shall be installed by the owner at his expense and shall be maintained by him safe and accessible at all times. All costs of maintaining and calibrating permanent or temporary equipment shall be at the owner's expense.

(1) When required by the utility, the owner of any property served by a building sewer carrying industrial wastes shall perform, at the owner's expense, flow proportional sampling of their discharge. If no monitoring structure has been required, monitoring and sampling shall be as directed by the utilities director. Samples collected shall be analyzed by a state department of natural resources-certified laboratory using approved methods. The sampling frequency and duration shall be decided by the utilities director. Results from the required analysis shall be utilized for assessing surcharges **and determining compliance**.

(2) The utility may elect to measure, monitor and analyze industrial discharges. The industry shall reimburse the utility for the costs of any temporary metering and sampling equipment necessary to monitor the discharge from the industry.

(3) If a meter malfunctions or is demonstrated to have provided incorrect readings, the volume of wastewater discharged to the sewerage system shall be based on historical flow data and reasonable engineering estimates, as determined jointly by the utility and the industry, until such time as the meter is repaired or replaced and made operable. Where directed by the utility, a temporary metering or sampling device shall be furnished and installed by the industry until the permanent meter or sampler is operating properly. Retroactive billing adjustments will be made accordingly for the period of any inaccuracy, up to a maximum of six months prior to discovery of the malfunction or incorrect readings.

(4) All control manholes, grease interceptors and grease traps shall be accessible or made accessible to city employees or representatives of the utility at all times and without prior notification.

(i) The utilities director may require a user of wastewater or sanitary sewer services to provide information needed to determine compliance with this article. These requirements may include:

(1) Wastewater discharge average and peak rate and volume over a specified time period.

(2) Chemical analyses representative 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 wastewater or sanitary sewer use control.

(5) A plat plan of wastewater or sanitary sewers for the user's property showing wastewater or sanitary 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 wastewater or sanitary sewer.

(j) Each user shall notify the utilities director in advance of any change in its operations or system which may have an effect upon the waste and wastewater generated or of any substantial change in the volume or character of pollutants in their discharge.

(k) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association and Guidelines Establishing Test Procedures for Analysis of Pollutants, (40 CFR 136) or other methods approved by the Department. Sampling methods, location, times, durations and frequencies are to be determined on an individual basis subject to approval by the utilities director.

(~~k~~l) No statement contained in this article shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment at rates established in this article.

(m) The accidental discharge of any prohibited waste into any wastewater or sanitary sewer shall be reported to the utilities director 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 such discharge so that steps may be taken to minimize its effect on the treatment plant. They shall also immediately report the location of the discharge, the time, the volume, and the type of waste or wastewater so discharged. Within fifteen (15) days of such discharge, a detailed written statement describing the cause of the discharge and the measures taken to prevent a future occurrence shall be submitted to the utilities director. Such reporting shall not relieve the person causing the accidental discharge from any penalties imposed by this ordinance. Where the utilities director deems necessary, industrial users

shall provide facilities to prevent accidental discharges or spills of wastes or wastewaters prohibited under this Ordinance.

(n) If a person discharging wastes into the public wastewater or sanitary sewers produces evidence satisfactory to the utilities director that significant amounts of the total annual volume of water used for all purposes does not reach the wastewater or sanitary sewer, such person may be permitted to have an exemption water meter installed. Such meter shall be furnished by the utility and installed by the customer. All other costs shall be at the expense of the person requiring the meter, including any piping revisions required to ensure that only water not reaching the wastewater or sanitary sewer is metered by the exemption meter. The utility shall charge for each meter at the rate of the minimum service charge set for that size meter to compensate for furnishing, reading and servicing the meter. This charge shall be in addition to the wastewater service charge. 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.

(o) Enforcement and Cost Recovery. Any person or industrial user violating any of the provisions of this section or who discharges or causes a discharge producing a deposit or obstruction or in any manner causes detrimental effects, damage to or impairs the city's wastewater collection system and/or wastewater treatment system shall be liable to the city for any expense, loss cost or damage, without limitation, caused by such violation or discharge. The city shall bill the user for the costs incurred by the city of any cleaning, repair, replacement work for restoration of receiving water damaged by the wastewater treatment plant upsets or any other cleaning, repair, damage, forfeitures, administrative costs, penalties or replacement work caused by the violation or discharge. Refusal to pay the assessed cost or failure to comply with other provisions of this section shall constitute a violation of this section enforceable under the provisions of this chapter.

(Code 1986, § 13.15(6); Ord. No. 0-45-03, § 1, 11-11-2003; Ord. No. 0-19-04, § 1, 8-10-2004; Ord. No. 0-37-07, § 1, 11-13-2007)

Sec. 74-91. - Water and wastewater or sanitary sewer service limited.

(a) Under Wis. Stats. § 66.0813, and the city master plan adopted September 22, 1992, no water or wastewater or sanitary sewer service shall be extended or provided to any person or premises outside the areas delineated under the master plan, specifically the map of Estimated Year 2000 Stoughton Urban Service Area as amended and the 2004 Comprehensive Plan. Such area may be enlarged or reduced by the council by subsequent ordinance.

(b) If any wastewater or sanitary sewer or water service has been inadvertently provided to persons or premises outside the master plan or comprehensive plan boundaries, such service shall be limited expressly to the premises so being served.

(Code 1986, § 13.15(7); Ord. No. 0-45-03, § 1, 11-11-2003)

Sec. 74-92. - 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 violating this provision shall be subject to immediate arrest for disorderly conduct.

(Code 1986, § 13.15(8))

Sec. 74-93. - Powers and authority of inspectors.

EXHIBIT A

(a) The utilities director and other authorized city employees bearing proper credentials and identification may enter all properties to inspect, observe, measure, sample and test discharges to the city system in accordance with the provisions of this article.

(b) The utilities director or other 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 shall establish that 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 this subsection, the utilities director or authorized city employees shall observe all safety rules applicable to the premises established by the company. The company shall be held harmless for injury or death to the city employees. The city shall indemnify the company against loss or damage to its property by city 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 the negligence or failure of the company to maintain safe conditions as required in subsection 74-90(h).

(d) The utilities director and other authorized city employees bearing proper credentials and identification may enter all private properties through which the city holds a negotiated easement for, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within such easement. All entry and subsequent work, if any, on such easement shall be done in full accordance with the terms of the negotiated easement pertaining to the private property involved.

(Code 1986, § 13.15(9); Ord. No. 0-45-03, § 1, 11-11-2003)

Sec. 74-94. - Notification.

Each billing shall identify the amount billed which is attributable to wastewater or sanitary sewer service.

(Code 1986, § 13.15(11))

Secs. 74-95—74-110. - Reserved.

DIVISION 3. - FEES AND CHARGES

Sec. 74-111. - Normal sewage service charge.

There is levied and assessed upon each lot or parcel of land with a building having a lateral available to discharge normal sewage to the public wastewater or sanitary sewer system a wastewater service charge based upon rates established by the council. Such charges shall be assessed and collected monthly.

(1) 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 wastewater or sanitary sewers, the customer shall have a water meter installed to determine the volume of water obtained from these other sources. If the utilities director determines that the water usage is too small to justify a meter, he may waive this requirement and a flat rate shall be charged based on estimated water usage and the metered rate schedule after approval of the council. The water meters shall be furnished by the utility and installed by the customer. All other costs in connection with the water meter installation shall be at the expense of the customer. The utility shall charge

for each meter the minimum service charge set for that size meter to compensate for furnishing, reading and servicing the meter. This charge shall be in addition to the wastewater service charge.

(2) 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 wastewater or sanitary sewers, a flat rate charge shall be paid for wastewater service. If the utilities director determines the minimum flat rate charge is less than the charge would be on a metered basis, he shall have the authority to set a higher rate based on estimated total usage and the metered rate schedule after approval of such rate by the council. Should the residential customer request it, a water meter shall be installed and the customer charged on the same basis as commercial or industrial customers having private water supplies.

(Code 1986, § 13.15(2)(a); Ord. No. 0-45-03, § 1, 11-11-2003)

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Sec. 74-112. - Minimum monthly wastewater service charge.

The minimum monthly wastewater service charge shall be based on the size water meter in service, as per the following schedule effective January 1, 2015:

Meter Size	OM&R	Debt	Total
5/8 " & ¾	$ 2.01	$ 5.31	$ 7.32
1"	3.27	7.96	11.23
1¼"	4.12	9.72	13.84
1½"	5.39	12.36	17.75
2"	7.93	17.65	25.58
3"	13.85	29.99	43.84
4"	22.32	47.61	69.93
6"	43.48	91.68	135.16

(Code 1986, § 13.15(2)(b)(2); Ord. No. 0-28-03, § 1(b), 6-24-2003; Ord. No. 0-45-03, § 1, 11-11-2003; Ord. No. 0-35-06, § 1, 7-11-2006; Ord. No. 0-22-07, § 1, 6-26-2007; Ord. No. 0-34-2014, § 1, 12-9-2014)

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EXHIBIT A

Sec. 74-113. - Volume.

In addition to the minimum monthly charge based on meter size, there shall be a charge for all flow based on water usage as determined by the water utility, at the rate of $4.93 per 1,000 gals, effective January 1, 2015.

(Code 1986, § 13.15(2)(c); Ord. No. 0-28-03, § 1(c), 6-24-2003; Ord. No. 0-45-03, § 1, 11-11-2003; Ord. No. 0-35-06, § 1, 7-11-2006; Ord. No. 0-22-07, § 1, 6-26-2007; Ord. No. 0-34-2014, § 1, 12-9-2014)

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Sec. 74-114. - Industrial and commercial charges for other than normal wastewater.

(a) Charges for wastewater other than normal wastewater shall be based on flow, BOD, suspended solids and such other constituents which affect the cost of collection and treatment. Charges shall be made in accordance with rates established by the council as set forth in subsection (b).

(b) 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. 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 utility in removing BOD, suspended solids and other pertinent constituents.

(c) The rates of surcharge in dollars per pound for each of the constituents above will be at the prevailing rate at the time as follows:

	Effective 07-20-06	Effective 01-01-07	Effective 07-05-07
Volume			
OM&R:	$2.11	$2.37	$2.55
Debt:	1.94	2.18	2.41
Total:	4.05	4.55	4.96
B.O.D. in excess of 200 mg/l:			
OM&R:	0.31		
Debt:	0.31		
Total:	0.62		

EXHIBIT A

Total Suspended Solids in excess of 250 mg/l:			
OM&R:	0.23		
Debt:	0.23		
Total:	0.46		
Phosphorous in excess of 8 mg/l:			
OM&R:	2.72		
Debt:	0.87		
Total:	3.59		

(Code 1986, § 13.15(2)(d); Ord. No. 0-28-03, § 1(d), 6-24-2003; Ord. No. 0-45-03, § 1, 11-11-2003; Ord. No. 0-35-06, § 1, 7-11-2006; Ord. No. 0-22-07, § 1, 6-26-2007)

Sec. 74-115. - Sanitary sewer main extension cost recovery.

Public service commission rules adopted. The following provisions of Wis. Adm. Code PSC Ch. 187 are adopted by reference and made a part of these rules as if set forth in full. A violation of any such rules shall constitute a violation of this section and shall be punishable as provided in section 74-1.

Wis. Adm. Code PSC Section	Description
187.01	Purpose.
187.02	Definitions.
187.03	Application.
187.04	Notice.

EXHIBIT A

187.05	Determining refund fees. Notwithstanding any contrary language in PSC section 187.05, developer-financed sanitary sewer main extensions completed on or after April 15, 2005 shall be eligible for cost recovery pursuant to this section and PSC section 187.05 for a period of ten years after the date of completion and acceptance by the city.

(Ord. No. 0-44-05, § 1, 12-13-2005; Ord. No. 0-9-08, § 1, 4-8-2008)

Secs. 74-116—74-140. - Reserved.

Stoughton Utilities

600 South Fourth Street
P.O. Box 383
Stoughton, WI 53589-0383

Serving Electric, Water & Wastewater Since 1886

Date: February 13, 2018

To: Stoughton Utilities Committee

From: Brian G. Erickson
Stoughton Utilities Wastewater System Supervisor

Robert P. Kardasz, P.E.
Stoughton Utilities Director

Subject: Ordinance to amend Chapter 74 of the City of Stoughton Code of Ordinances, relating to utilities and sewer use

Stoughton Utilities staff has been working with our engineering consultants, Strand Associates, Inc., to finalize new language for our City of Stoughton sewer use ordinances. Changes to the ordinance largely focus on allowed discharges, fats, oils, and greases (FOG) prevention including our grease trap inspection program, as well as other updates required to conform to our Capacity, Management, Operation, and Maintenance (CMOM) program, and the requirements set forth by the Wisconsin Department of Natural Resources and United States Environmental Protection Agency.

The amended ordinance has been reviewed by the City Attorney.

It is requested that the Stoughton Utilities Committee review and approve the amended ordinance, and recommend the ordinance to be adopted by the Stoughton Common Council, to be introduced on March 13, 2018.

Information regarding Stoughton Utilities' Renewable Energy Program: Stoughton Utilities staff discussed the Renewable Energy Program and distributed generation, including customer participation rate, national recognition, and environmental impacts. Discussion followed.

Bad debt account write-offs through December 31, 2017: Stoughton Utilities staff presented the annual list of bad debt account write-offs for calendar year 2017. The delinquent balances presented remain after collection efforts of at least six months in duration have proven to be unsuccessful. Motion by Alderperson Michael Engelberger, the motion seconded by Citizen Member David Erdman, to approve the Bad Debt Account Write-offs through December 31, 2017, and recommend the Stoughton Common Council approve the write-offs and adopt the accompanying resolution. The motion carried 7 to 0.

Customer collections status report: Stoughton Utilities staff presented and discussed a status report on delinquent customer collections, including past history and current collection strategies. Stoughton Utilities' efforts in working with our customers to meet their financial obligations continue to be successful. Discussion followed.

Regulatory review of Water Utility rates: Stoughton Utilities Staff has conducted a thorough review of our current water rates and has determined that the water utility income has fallen below adequate levels to continue routine replacement of aging water mains and lead services. Staff presented current financial information and a residential bill comparison. Discussion followed.

Ordinance to amend Chapter 74 of the City of Stoughton Code of Ordinances, relating to utilities and sewer use: Stoughton Utilities Staff presented revisions to Chapter 74 of the City of Stoughton Code of Ordinances. Changes to the ordinance largely focus on allowed discharges, fats, oils, and greases (FOG) prevention including our grease trap inspection program, as well as other updates required to conform to our Capacity, Management, Operation, and Maintenance (CMOM) program, and the requirements set forth by the Wisconsin Department of Natural Resources and United States Environmental Protection Agency. Discussion followed. Motion by Alderperson Michael Engelberger, the motion seconded by Citizen Member David Erdman, to approve the amended ordinance, and recommend the ordinance to be adopted by the Stoughton Common Council, to be introduced on March 13, 2018. The motion carried unanimously 7 to 0.

Request to authorize the bid award for the replacement of sewer-cleaning truck #17: Stoughton Utilities Staff presented and discussed bid results for the replacement of sewer-cleaning truck #17. All bids came in significantly under the budgeted amount due to the trade-in credits. After careful consideration, it is staff's recommendation that the bid be awarded to Bruce Equipment for the purchase of a Vactor 2100 combination machine. Discussion followed. Motion by Alderperson Pat O'Connor, the motion seconded by Citizen Member John Kallas, to approve the bid award and purchase of the Vactor 2100+ from Bruce Equipment at the cost of $392,920, less a trade in credit of $85,000, and recommend approval to the Stoughton Common Council. The motion carried unanimously 7 to 0.

Revisions to Section III of the City of Stoughton Work Rules related to On-Call status: Stoughton Utilities Staff presented and discussed Stoughton Utilities' on-call rotation, including normal, holiday, and other schedules, and requested that changes be made to the language in

ARTICLE I. - IN GENERAL

Sec. 74-1. - Penalty.

Any person who shall violate any provision of this chapter, or any order, rule or regulation made under this chapter, shall be subject to a penalty as provided in section 1-3.

(Code 1986, § 13.16)

Sec. 74-2. - Compulsory connection to wastewater or sanitary sewer and water.

(a) *Notice to connect to wastewater or sanitary sewer.* Whenever wastewater or sanitary sewer becomes available to any building used for human habitation, the building inspector shall notify in writing the owner, agent or occupant thereof to connect facilities thereto as required by the building inspector within 12 months. If such person to whom the notice has been given shall fail to comply in a timely manner, the building inspector shall cause the necessary connections to be made and the expense thereof shall be assessed as a special tax against the property pursuant to Wis. Stats. § 281.45.

(b) *Notice to connect water.* Whenever water becomes available to any building used for human habitation, the building inspector shall notify in writing the owner, agent or occupant thereof to extend a water lateral to the building within 12 months. If such person to whom the notice has been given shall fail to timely comply, the building inspector shall cause the necessary installations to be made and the expense thereof shall be assessed as a special tax against the property pursuant to Wis. Stats. § 281.45.

(c) *Abatement of private sewer systems.* After connection to a water main and public sanitary sewer, no private sewer system shall be constructed or maintained upon such lot or parcel and shall be abated upon 60 days' written notice for such abatement by the building inspector. If not so abated, the building inspector shall cause the work to be done and the cost thereof assessed as a special tax against the property.

(d) *Where wastewater or sanitary sewer mains not available.* Where wastewater or sanitary sewer mains are not available, private sewer systems shall be constructed with a permit granted by the county environmental health department.

(e) *Where water mains not available.* Where water mains are not available, existing private wells shall be permitted if in compliance with Wis. Adm. Code. NR ch. 812.

(Code 1986, § 11.03)

Sec. 74-3. - Management of utilities.

(a) The electric utility, the wastewater utility, and the water utility shall be separate utilities, all of which shall be under the supervision and operated by the common council pursuant to Wis. Stat. § 66.0805~~7~~(6).

(b) The common council may command the services of the utilities director and fix the compensation of such subordinates as shall be necessary.

(Code 1986, § 13.01; Ord. No. 0-36-03, § 1, 9-9-2003; Ord. No. 0-10-10, § 2, 8-10-2010)

Sec. 74-4. - Utilities director.

The utilities director shall have charge of the electric utility, wastewater utility and the water utility, under the supervision of the common council. The utilities director shall be appointed by the common council. The utilities director or his or her designee shall keep books of account, in the manner and form prescribed by the public service commission, which shall be open to the public.

(Code 1986, § 13.02; Ord. No. 0-36-03, § 1, 9-9-2003; Ord. No. 0-10-10, § 2, 8-10-2010)

Cross reference— Officers and employees, § 2-101 et seq.

Sec. 74-5. - Operations superintendent of utilities.

An operations superintendent of utilities shall be appointed following the City of Stoughton Hiring Policy.

(Code 1986, § 13.03; Ord. No. 0-36-03, § 1, 9-9-2003)

Sec. 74-6. - Rates, rules and regulations.

(a) *Determination of rates and rules.* The rates, rules and regulations for electric and water service shall be as determined by the common council and approved and on file with the state public service commission.

(b) *Operating rules.*

(1) *Compliance with regulations.* All persons now receiving a water supply from the utility or who may hereafter make application therefor shall be considered as having agreed to be bound by all rules and regulations as filed with the state public service commission.

(2) *Public service commission rules adopted.* The following provisions of Wis. Adm. Code. PSC ch. 185 are adopted by reference and made a part of these rules as if set forth in full. A violation of any such rules shall constitute a violation of this section and shall be punishable as provided in section 74-1.

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Wis. Adm. Code PSC Section	Description
185.11	Authorization for and application of rules.
185.12	Definitions.
185.13	General requirements.
185.15	Free or discriminatory service prohibited.
185.16	Protection of utility facilities.
185.17	Interference with public service structures.

185.18	Location of records.
185.19	Retention of records.
185.21	Schedules to be filed with the commission.
185.22	Information available to customers.
185.31	Metered service.
185.32	Meter readings and billing periods.
185.33	Billing.
185.34	Adjustment of bills (ROM).
185.35	Adjustment of bills.
185.36	Deposits for residential service.
185.361	Deposits for nonresidential service.
185.37	Disconnection and refusal of service.
185.38	Deferred payment agreement.
185.39	Dispute procedures.
185.41	Employees authorized to enter a customer's premises.
185.42	Customer complaints.
185.43	Construction records.
185.44	Records and reports of service interruptions.
185.45	Pumpage records.
185.46	Metering equipment records.

185.47	Other records.
185.51	Requirement for good engineering practice.
185.52	General c~~C~~onstruction ~~standards~~requirements.
185.53	Metering configuration.
185.61	Meters.
185.65	Accuracy requirements for meters.
185.71	Meter testing facilities and equipment.
185.72	Calibration of meter testing equipment.
185.73	Testing of customer meters.
185.74	Test flows.
185.75	Required tests of customer meters.
185.751	Alternate sample-testing plan for "before-use" test for 5/8-, 3/4- and 1-inch meters.
185.76	Periodic tests.
185.761	Alternative sample-testing plan for in-use meters.
185.77	~~Complaint~~ Request and referee tests.
~~185.78~~	~~Referee tests.~~
185.79	Remote outside meter (ROM) and automatic meter reading (AMR) system tests.
185.795	Electrical Safety.
185.81	Quality of water.
~~185.815~~	~~Adequacy of water supply.~~

185.82	Pressure standards.
185.83	Station meters.
~~185.84~~	~~Emergency operation.~~
185.85	~~System~~ Water audits and water loss~~es~~ control.
185.86	Flushing mains.
~~185.87~~	~~Interruptions of service.~~
185.88	Frozen laterals.
185.89	Adequacy of Water Supply, Emergency Operations and Interruptions of Service
185.90	Water Supply Shortage

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(c) *Operating rules for electric service.*

(1) All persons now receiving an electric service from the utility or who may hereafter make application therefor shall be considered as having agreed to be bound by all rules and regulations as filed with the state public service commission.

(2) The following provisions of Wis. Adm. Code. PSC ch. 113 are adopted by reference and made a part of these rules as if set forth in full. A violation of any such rules shall constitute a violation of this section and shall be punishable as provided in section 74-1.

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Wis. Adm. Code PSC Section	Description
113.01	Application of rules.
113.012	Definitions.
113.0201	General requirements.

113.0202	Relocation of poles.
113.0203	Protection of utility facilities.
113.0204	Interference with public service structures.
113.0205	Standard voltages and utilization equipment.
113.0207	Requirements for utility rules for interconnection of small customer-owned generation facilities with the utility system.
113.0208	Right to appeal.
113.0209	Notice to communication firms.
113.0210	Whistleblower protection.
113.0301	Disconnections, residential.
113.0302	Disconnections, commercial and farm accounts.
113.0303	Reconnection of service.
113.0304	Cold weather disconnections.
113.0305	Customer requested termination of service.
113.0401	Schedules to be filed with commission.
113.0402	Deposits residential.
113.0403	Deposits for commercial and farm service.
113.0404	Deferred payment agreement.
113.0405	Meter readings and billing periods.
113.0406	Billing.

113.0407	Dispute procedures.
113.0410	Billing statement inserts.
113.0412	Limiting connected load.
113.0501	Information available to customers.
113.0502	planned service interruptions.
113.0503	Telephone answering time.
113.0504	Change in type of service.
113.0505	Low-income service requirement.
113.0506	Stray voltage service fees.
113.0507	Unconscionability.
113.0508	Oppressive and deceptive practices prohibited.
113.0509	Landowner easements.
113.0510	Tree trimming contacts.
113.0511	Oak tree cutting and pruning.
113.0512	Identification of potential power line natural hazards.
113.0513	Wetlands work.
113.0601	Standards for electric service reliability.
113.0602	Definitions.
113.0603	Recording Standards.
113.0604	Annual Report.

113.0605	Initial historical reliability performance report.
113.0606	Interruptions of service.
113.0607	Appropriate inspection and maintenance; system reliability.
113.0608	Emergency response.
113.0609	Customer Satisfaction surveys.
113.0610	Customers' complaints.
113.0611	Employees authorized to enter customers' premises.
113.0612	Employee safety.
113.0613	Maps and diagrams.
113.0614	Preservation of records.
113.0615	Inventory of Conductors.
113.0701	Definitions.
113.0702	Standard and maintenance of a service voltage.
113.0703	Variations of voltage.
113.0704	Harmonics of 60 Hz voltage waves.
113.0705	Power quality diagnostic services.
113.0706	Check of standards by commission.
113.0707	Radio and television interference.
113.0801	Measuring energy on system.
113.0802	Measuring customer service.

113.0803	Individual electric meters required for nontransient multidwelling unit residential buildings, mobile home parks and commercial establishments.
113.0804	One-point metering.
113.0805	Tamper-resistant equipment.
113.0806	Multipliers and test constants.
113.0807	Meter compensation.
113.0808	Sealing meters and service entrance equipment.
113.0809	Installation of metering equipment.
113.0810	Rental charge for metering equipment.
113.0811	Accuracy of watt-hour meters.
113.0812	Accuracy of demand meters.
113.0813	Requirements as to instrument transformers.
113.0814	Portable indicating instruments.
113.0815	Type of instruments.
113.0816	Servicing utilization control equipment.
113.0817	Metering at point of interchange and for customers' operating generating equipment.
113.0818	Determination of average meter error.
113.0901	Testing of metering installations—general requirements.
113.0902	Testing equipment.
113.0903	Accuracy and calibration of test standards.

113.0904	Watthour caligration.
113.0905	Methods of testing watt-hour meters.
113.0906	Methods of testing block-interval demand registers.
113.0907	Methods of testing block-interval pulse-operated demand meters and pulse recorders.
113.0908	Methods of testing electronic (solid state) meters.
113.0910	Methods of testing electronic demand registers.
113.0911	Testing of self-contained meters and three-wire network meters at fixed periodic intervals.
113.0912	Testing of self-contained polyphase meters.
113.0913	Testing of meters used instrument transformers on single phase service.
113.0914	Testing of polyphase meters used with instrument transformers.
113.0915	Testing of metering installations utilizing pulse devices.
113.0916	Testing of instrument transformers.
113.0917	Phase-shifting transformers and loss compensators.
113.0918	Adoption of standard by reference.
113.0919	Metering equipment records.
113.0920	Statistical sample testing plan for new self-contained single phase and 3-wire network meters.
113.0921	Statistical sample testing plan for in-service, electronic (solid state) meters and electromechanical, self-contained, single phase and 3-wire network meters.
113.0922	Customer request test.

113.0923	Commission referee test.
113.0924	Adjustment of bills for metering inaccuracies.
113.0925	Billings for grounds.
113.0925	Metering with one meter for net energy billing.
113.1001	Purpose.
113.1002	Principles of facilities development.
113.1003	Definitions.
113.1004	Customer contribution for service facilities.
113.1005	Customer contributions for distribution.
113.1006	Embedded cost allowance.
113.1007	Refunds.
113.1008	Modifications to existing distribution and service facilities.
113.1009	Revision of estimates to reflect actual cost.
113.1010	Extension or modification of transmission facilities to retail customers.

(Code 1986, § 13.04; Ord. No. 0-36-03, § 1, 9-9-2003)

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Sec. 74-7. - Collections.

The utilities director and his agents appointed by him as agents of the city treasurer shall enforce and collect the bills for water, wastewater, and electric service according to the applicable rates.

(Code 1986, § 13.05; Ord. No. 0-36-03, § 1, 9-9-2003)

Sec. 74-8. - Payment of water and electric charges.

(a) All charges for water supplied to customers shall be paid monthly on or before the 20th day following mailing of the monthly statement. Disconnections for failure to pay water charges may be made by the water utility in accordance with the rules established therefor by the utility.

(b) Each water service charge levied pursuant to this section shall be made a lien upon the corresponding lot, land or premises served by a connection to the water system of the city. If the water service charge is not paid within the period allotted for such payment, the charge shall constitute a lien on the property served and be inserted on the city tax roll as provided by Wis. Stats. § 66.0809.

(c) Each electric service charge levied pursuant to this section shall be deemed a special charge for current services rendered on behalf of the corresponding lot, land or premises served by a connection to the electric system of the city. If the electric service charge is not paid within the period allotted for such payment, the charge shall constitute a lien on the property served and be inserted on the city tax roll as provided by Wis. Stats. § 66.0809.

(Code 1986, § 13.06)

Sec. 74-9. - Applications; contract.

All applications for electric, wastewater and water service shall be on forms prescribed by the city and shall be signed by the applicant and owner of the premises for which service is desired. Notice to discontinue furnishing service shall be given to the director of utilities at least ten days before the date fixed for discontinuance, at which date the charges shall become due upon estimate made by the director. By the utilities director's application, the applicant and the owner agree that the provisions of this chapter, together with the rates, rules and regulations on file with the public service commission, where applicable, shall be part of the contract with the applicant and the owner of the premises.

(Code 1986, § 13.07; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Sec. 74-10. - Utility funds.

All money collected for the furnishing of services shall be deposited to the respective electric utility fund, wastewater utility fund and the water utility fund.

(Code 1986, § 13.08; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Sec. 74-11. - Keeping of records.

The director of utilities shall keep an accurate record of all labor employed, meters and material furnished, supplies used, wiring done, repairs made, together with the cost of the same to the city. The director of utilities shall also keep a list of the names of all consumers and a description of the premises to which service is furnished, all meter readings, the amounts due and received for service, and shall make reports thereof to the utilities committee and the city council when requested.

(Code 1986, § 13.09; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Sec. 74-12. - Repairs.

The utilities committee shall report to the city council any repairs, additions and improvements that may be deemed necessary, but no such repairs, additions and improvements, except such as are required to keep the utilities in substantial repair, shall be made by the utilities committee without first submitting a report of such repairs, additions and improvements for the approval of the utilities committee and the common council. The utilities committee may purchase the necessary staple supplies or direct the director

of utilities to do so and employ the necessary labor to perform the work required to operate and maintain the utilities in proper manner, or authorize the director of utilities to do so.

(Code 1986, § 13.10; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Sec. 74-13. - Right of access.

The director of utilities, or such person as may be directed by the director, may enter and have free access at all reasonable hours to the premises where electric, wastewater or water service is used, to ascertain the location and condition of all fixtures used in connection with the utility. The service leading to the premises may be shut off until all defects have been remedied to the satisfaction of the plumbing or electrical inspector.

(Code 1986, § 13.11; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Sec. 74-14. - Interference with operation of utilities prohibited.

(a) Wis. Stats. § 941.36 is adopted by reference.

(b) In addition to the penalty imposed by subsection (a) of this section for violation of this section, the person making an unauthorized connection shall be liable for all electricity, wastewater or water estimated by the director to have been consumed or disc~~haah~~rged, which amount unless sooner paid may be assessed as a special tax against the premises.

(Code 1986, § 13.12; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Sec. 74-15. - Water meters.

(a) The utilities committee shall prescribe and regulate the kind of water meters to be used in the city and the manner of attaching and connecting the water meters, and may in like manner make such other rules for the use and control of water meters attached and connected as provided in this chapter as shall be necessary to secure reliable and just measurement of the quantity of water used; and also make rules to regulate the use of soil pipe, wastewater or sanitary sewer or water pipes which are proposed to be connected with the city water or wastewater or sanitary sewer system; and may alter and amend such rules from time to time as shall be necessary for the purposes named.

(b) If the owner or occupant of any premises, where the attaching and connection of a water meter may lawfully be required, shall neglect or fail to attach and connect such water meter, as is required according to the rules established by the utilities committee, for 30 days after the expiration of the time within which such owner or occupant shall have been notified by such utilities committee to attach and connect such meter, the utilities committee may cause the water supply by the city to be cut off from the premises, and it shall not be restored except upon such terms and conditions as the utilities committee shall prescribe.

(Code 1986, § 13.13; Ord. No. 0-40-03, § 1, 10-14-2003; Ord. No. 0-54-03, § 1, 12-9-2003)

Secs. 74-16—74-30. - Reserved.

ARTICLE III. - WASTEWATER UTILITY[2]

Footnotes:

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Editor's note— Ordinance No. 0-45-03, adopted Nov. 11, 2003, changed the title of article III from Sewer Utility to Wastewater Utility.

DIVISION 1. - GENERALLY

Sec. 74-61. - Wastewater or sanitary sewer improvement tax.

No person shall connect with the public wastewater or sanitary sewerage system unless a wastewater and sanitary sewer improvement tax has been made to or paid on the frontage of the property to which wastewater or sanitary sewer connection is to be installed except upon permit by the utilities committee.

(Code 1986, § 13.14; Ord. No. 0-45-03, § 1, 11-11-2003)

Sec. 74-62. - Definitions.

(a) Unless the context specifically indicates otherwise, the meanings of terms used in this article shall be as follows:

BOD (biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees Celsius, expressed in milligrams per liter.

Building drain means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the building walls and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

Building inspector means the planning director or building inspector of the city or their appointed assistant, agent or representative.

Building sewer or *lateral* means the extension from the building drain to the public wastewater or sanitary sewer or other place of disposal. The building sewer is owned, operated and maintained by the property owner.

Compatible pollutants means biochemical oxygen demand, suspended solids or pH, plus additional pollutants identified in the WPDES permit for the publicly owned treatment works receiving the pollutant if such works were designed to treat such additional pollutants to a substantial degree.

Debt and *debt service* mean the cost to the wastewater utility for the retirement of debts incurred in the provision of sewerage system facilities including both principal and interest.

Detrimental effect means a discharge to the sewerage system that either alone or in combination with other discharges would pass through or interfere with the operation of the sewerage system, cause the utility to violate its WPDES permit, or create or constitute a hazard to human health or the environment.

Director and *utilities director* shall mean the utilities director for the city or the director's appointed operator of utility, agent or representative.

Floatable oil means oil, fat or grease in a physical state such that it will separate by gravity from wastewater in an approved pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

Garbage means 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.

Industrial wastes means any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process or from the development, recovery or processing of natural resources. The term "industrial wastes" under this article shall include discharges from any nongovernmental user of the wastewater or sanitary sewer system identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the divisions listed in this definition. A user in the divisions listed may be excluded from the industrial waste classification if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

(1) *Division A.* Agriculture, forestry and fishing.

(2) *Division B.* Mining.

(3) *Division D.* Manufacturing.

(4) *Division E.* Transportation, communications, electric, gas and sanitary services.

(5) *Division I.* Services.

Incompatible pollutants or wastewater means wastewater or septage with pollutants or of such strength that will adversely affect or disrupt the wastewater treatment processes or effluent quality or sludge quality if discharged to the sewerage system facility.

Interference means a discharge which, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts wastewater treatment processes or operations or the sludge processes, use or disposal, or is the cause of a violation under any federal or state law.

May is permissive.

Natural outlet means any outlet into a watercourse, pond, ditch, lake or other body of surface water or ground water.

Normal concentration means:

(1) Five-day 20 degrees Celsius, BOD of not more than 200 mg/l.

(2) A suspended solids content of not more than 250 mg/l.

(3) A phosphorous concentration of not more than eight mg/l.

Normal wastewater means wastewater in which BOD, suspended solids, or phosphorous concentrations do not exceed normal concentrations.

Operation, maintenance and replacement means costs to the wastewater utility for the provision of labor, utilities, supplies, equipment maintenance and other normal costs necessary for the provision of wastewater treatment services, including replacement costs.

Pass through means a discharge which exits the wastewater treatment plant into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the utility's WPDES permit including an increase in the magnitude or duration of a violation.

pH means the logarithm, base 10, of the reciprocal of the hydrogen ion concentration expressed in moles per liter as determined by Standard Methods for the Examination of Water and Wastewater as published by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

Phosphorous means the total phosphorous concentration in milligrams per liter in wastewater. The total phosphorous concentration shall be determined by testing in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater as published by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

Properly shredded garbage means 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 wastewater or sanitary sewers, with no particle greater than one-half inch (1.27 centimeters) in any dimension.

Public wastewater or sanitary sewer means a wastewater or sanitary sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

Replacement means 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.

Sanitary sewer means a wastewater or sanitary 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 means the wastewater or contents of septic or holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, seepage trenches, privies or portable restrooms.

Sewage means the spent water of a community. The preferred term is "wastewater."

Sewerage system means all structures, equipment, conduits and pipes by which sewage is collected, transported, treated and disposed of, except plumbing inside and in connection with buildings served and service pipes from building to street main.

Shall is mandatory.

Slug means any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for longer than 15 minutes more than five times the average 24-hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

Storm sewer means a sewer which carries stormwater and surface water and drainage, but excludes wastewater and industrial wastes, other than polluted cooling water.

Suspended solids means total suspended matter that either floats on the surface of or is in suspension in water, wastewater or other liquids and is removable by laboratory filtering as prescribed in Standard Methods for the examination of water and wastewater and referred to as nonfilterable residue.

Unpolluted water means water of quality equal to or better than the effluent criteria in effect or water that would not cause a violation of receiving water quality standards and would not be benefitted by discharge to the wastewater or sanitary sewer and wastewater treatment facilities provided.

Urban service area means the service area delineated under the most recent city comprehensive plan as may be enlarged or reduced by the council by subsequent ordinance (see section 74-91).

User charge and *wastewater service charge* mean a charge levied on users of wastewater treatment works and the wastewater or sanitary sewer system for the cost of operation and maintenance of such facilities. The terms "operation" and "maintenance" include replacement.

Wastewater means the spent water and water-carried wastes of a community. Its source may be a combination of the liquid and water-carried wastes from residence, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater that may be present.

Wastewater facilities means the structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

Wastewater or sanitary sewer means a pipe or conduit for carrying wastewater.

Wastewater or sanitary sewer service areas means the areas presently served and anticipated to be served by a municipal wastewater collection system within the urban service area.

Wastewater or sanitary sewer systems means the common wastewater or sanitary sewers within a sewerage system which are primarily installed to receive wastewater directly from facilities which convey wastewater from individual structures or from private property and which include service connection "Y" fittings designed for connection with those facilities. The facilities which convey wastewater from individual

structures, from private property to the public wastewater or sanitary sewer, or its equivalent are specifically excluded from the definition of sewerage collection system; except pumping units and pressurized lines for individual structures or groups of structures may be included as part of a "wastewater or sanitary sewer system" when such units are cost effective and are owned and maintained by the sewerage owner.

Wastewater treatment works means the city'san arrangement of devices and structures for treating wastewater, industrial wastes and sludge. The term "wastewater treatment works" may be used as synonymous with "waste treatment plant," "wastewater treatment plant," "sewage treatment plant" or "water pollution control plant."

Wastewater utility and *utility* mean the city wastewater utility.

Watercourse means a natural or artificial channel for the passage of water either continuously or intermittently.

(Code 1986, § 13.15(1); Ord. No. 0-45-03, § 1, 11-11-2003)

Cross reference— Definitions generally, § 1-2.

Sec. 74-63. - Use of public wastewater or sanitary sewers required.

(a) No person shall place, deposit or permit to be placed or deposited in any insanitary manner on public or private property within the city, or in any area under the city's jurisdiction, any human or animal excrement, garbage or other objectionable waste.

(b) No person shall discharge to any natural outlet within the city, or in any area under the city's jurisdiction, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article.

(c) Except as provided in this article, no person shall construct or maintain any privy, vault, septic tank, cesspool or other facility intended or used for sewage disposal.

(d) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the city and abutting on any street, alley or right-of-way in which there is now or may be located a city wastewater or sanitary sewer shall, at the owner's expense, install suitable toilet facilities therein and connect such facilities directly with the proper public wastewater or sanitary sewer in accordance with this article within 90 days after official notice to do so.

(Code 1986, § 13.15(3))

Secs. 74-64—74-80. - Reserved.

DIVISION 2. - ADMINISTRATION AND ENFORCEMENT[3]

Footnotes:

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Cross reference— Administration, ch. 2.

Sec. 74-81. - Penalty.

(a) Any person found to be violating any provision of this article, except section 74-92, shall be served by the city with a 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) of this section shall, upon conviction thereof, be subject to section 1-3.

(c) Any person violating any of the provisions of this article shall become liable to the city and others, as their interests may appear, for any expense, loss or damage occasioned the city or others by reason of such violation, including any costs in connection with repairing damages to the wastewater facilities or any upstream or downstream user or facilities damaged as a result of a prohibited discharge or any other violation of this article.

(Code 1986, § 13.15(10)(a)—(c); Ord. No. 0-45-03, § 1, 11-11-2003)

Sec. 74-82. - Wastewater services to persons outside the city.

Nothing in this article shall prohibit the city from providing wastewater services to persons outside the city under mutually agreeable conditions.

(Code 1986, § 13.15(2)(h))

Sec. 74-83. - Remedies for failure to pay service charges.

Each wastewater service charge levied by or pursuant to this article is a lien upon the corresponding lot, land or premises served by a connection to the wastewater or sanitary sewer system of the city. If the wastewater service charge is not paid within the period allotted for such payment, such charge shall constitute a lien on the property served and shall be inserted in the city tax roll as provided in Wis. Stats. § 66.0821(4)(d), in the same manner as water rates are taxed and collected under Wis. Stats. §§ 66.0809 or 66.0821(2)(a). The wastewater service charges taxed or levied under this article shall be collected by the city at the utilities office. The utility 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 city wastewater or sanitary sewer system, the wastewater treatment plant and the utility.

(Code 1986, § 13.15(2)(i))

Sec. 74-84. - Annual audit.

An audit of the utility's financial standing shall be made annually on a calendar year basis. This audit shall be used to review the adequacy of the then existing rates; and such rates shall be adjusted if necessary to provide sufficient revenues to adequately finance the utility's operation in accordance with the original intent of the rate structure. The annual 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 such recipient (or user class) with sewage service. Excess revenues collected for operation, maintenance and replacement from a class of users shall be applied to the costs of operation, maintenance and replacement attributable to that class of user and the rates shall be adjusted accordingly.

(Code 1986, § 13.15(2)(j); Ord. No. 0-45-03, § 1, 11-11-200)

Sec. 74-85. - Late payment charge.

Any charges under this article which have not been paid within 20 days of the billing date shall be subject to a late payment charge of three percent of the current charges.

(Code 1986, § 13.15(2)(k))

Sec. 74-86. - Replacement fund.

Annual income from the wastewater service charge which constitutes funds required for replacement shall be separately accounted for and shall not be used for purposes other than replacement.

(Code 1986, § 13.15(2)(l))

Sec. 74-87. - Debt retirement.

Debt incurred as a part of the expansion, modification or upgrade of existing treatment facilities will be repaid out of monies collected under user charges.

(Code 1986, § 13.15(2)(m))

Sec. 74-88. - Private wastewater disposal.

(a) Where a public wastewater or sanitary sewer is not available under the provisions of subsection 74-63(d), any existing building sewer shall be connected to a private wastewater disposal system complying with the provisions of this article.

(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 building inspector's office.

(c) The type, capacity, location and layout of a private wastewater disposal system shall comply with all requirements of the state department of health and the state department of commerce.

(d) The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at no expense to the city.

(e) When a public wastewater or sanitary sewer becomes available to a property served by a private wastewater disposal system, as provided in subsection 70-63(d), the building sewer shall be connected to such wastewater or sanitary sewer within 90 days and the private wastewater disposal system shall be cleaned of sludge and filled with sand, gravel or similar material.

(f) Notwithstanding subsection 74-88(e), the utilities director may, at his or her discretion, grant an exception to the requirement to connect a building sewer to a public wastewater or sanitary sewer and allow an owner to maintain a private wastewater disposal system if all of the following circumstances are met:

    (1) The building is not used for residential purposes;

    (2) The building is used to house animals;

    (3) The building's private wastewater disposal system is used to dispose of animal as well as human waste; and

    (4) The private wastewater disposal system will achieve total treatment or facilitate waste removal within one week of use.

(Code 1986, § 13.15(4); Ord. No. 0-45-03, § 1, 11-11-2003; Ord. No. 0-22-09, § 1, 12-8-2009)

Sec. 74-89. - Building sewer and connections.

(a) No unauthorized person shall uncover, make any connection with or opening into, use, alter or disturb any public wastewater or sanitary sewer or appurtenance thereof without first obtaining one of the following written permits from the building inspector:

(1) Residential and commercial service.

(2) Service to establishments producing industrial wastes.

(b) In either case set out in subsection (a) of this section, the owner or the owner's agent shall make application on a special form furnished by the city. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the building inspector. A permit and inspection fee as provided in section 10-4 shall be paid to the city when the application is filed. All service pipes (laterals) on private property shall be installed in accordance with Wis. Adm. Code Comm. ch. 82, Design, Construction, Installation, Supervision and Inspection of Plumbing.

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

(d) A separate and independent building sewer shall be provided for every building intended for human habitation or occupancy.

(e) Old building sewers may be used in connection with new buildings only when they are found on examination and test by the building inspector to meet all requirements of this article.

(f) The size, slope, alignment, 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 conform to the requirements of chapter 10 or other applicable city rules and regulations.

(g) 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 wastewater or sanitary 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.

(h) Roof leaders, swimming pool drains, surface drains, groundwater drains, foundation footing drains and other clear water drains shall be connected wherever possible with a storm sewer, but they shall not be connected to a building sewer which discharges into a wastewater or sanitary sewer or private wastewater treatment plant. All such connections existing on October 16, 1976, shall thereafter be illegal. If stormwater or clear water is being discharged into a wastewater or sanitary sewer, the utilities director shall give the offending person 15 days' notice to disconnect. Failure to disconnect after such notice shall authorize the utilities director to cause disconnection and assessment of those costs against the property involved. The utilities director may, in the alternative, institute action for violation of this subsection.

(i) The connection of the building sewer into the public wastewater or sanitary sewer shall conform to the requirements of chapter 10 or other applicable city rules and regulations.

(j) The applicant for the building sewer permit shall notify the building inspector when the building sewer is ready for inspection and connection to the public wastewater or sanitary sewer. The connection shall be made under the supervision of the building inspector.

(k) All excavations for building sewer installations shall be adequately guarded with barricades and lights to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed during the work shall be restored in a manner satisfactory to the city.

(l) Wastewater or sanitary sewer laterals and connections to the wastewater or sanitary sewer main are the responsibility of the building owner. Expenses for maintenance and repairs shall be paid for by the building owners.

(m) Broken wastewater or sanitary sewer laterals which allow debris to enter the wastewater or sanitary sewer system shall be repaired within 30 days of the owner's or occupant's receipt of notice regarding the break following the utilities director's determination that the debris may result in a clogged wastewater or sanitary sewer. If the repair is not made in the time provided, the city may make the repair or contract to have the repair made and bill such expense as a special charge against the subject property.

(n) Effective December 31, 2007, all non-metallic building sanitary sewers and connections within public right-of-way shall be installed with an electronic marker system to provide a means of locating the underground pipe. The utilities director, or such person as may be directed by the director, shall prescribe the type of tracer wire installation.

(Code 1986, § 13.15(5); Ord. No. 0-45-03, § 1, 11-11-2003; Ord. No. 0-37-07, § 1, 11-13-2007)

Sec. 74-90. - Use of public wastewater or sanitary sewers.

(a) No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, swimming pool water or unpolluted industrial process waters to any wastewater or sanitary sewer.

(b) Stormwater and all other unpolluted drainage shall be discharged to a storm sewer or to a natural outlet approved by the superintendent of streets 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 wastewater or sanitary sewers:

(1) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas which create or contribute to a fire or explosive hazard in the wastewater treatment plant, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods in s. NR 661.21.

(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 pass through, to injure, or to interfere with the operation or performance of the wastewater treatment plant, ~~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 5.5, or greater than 9.5, 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 or contributing to obstruction to the flow in wastewater or sanitary 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, paper dishes, cups, milk containers, sanitary napkins, disposable wipes, etc., either whole or ground by garbage grinders.

(5) Any trucked or hauled pollutants, including septage ~~or~~ and holding tank waste.

(6) Any pollutant, including oxygen demanding pollutants, released in a discharge of such volume or strength as to cause or contribute to interference in the wastewater treatment plant.

(7) Pollutants which result in the presence of gases, vapors, or fumes within the wastewater treatment plant or sewerage system in a quantity which may cause acute worker health or safety problems.

(8) Heat in amounts which will inhibit or contribute to inhibition of biological activity in the wastewater treatment plant resulting in interference or causing damage to the wastewater treatment plant,

but in no case wastewater which causes the temperature at the introduction to the treatment plant to exceed 104 degrees F (40 degrees C).

(9) Any substance with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solution.

(10) Detergents, surface-active agents or other substance that may cause excessive foaming in the sewerage system.

(11) Used antifreeze, motor oil, brake fluid, transmission fluid, hydraulic fluid, oil-based paint, and paint thinners.

(12) Any substance regulated as hazardous waste under federal or state law.

(13) Any wastes which cause, or are capable of causing, either alone or in combination with other substances obstruction of flow or damage to the wastewater facilities; danger to life or safety or welfare of any persons; prevention of effective maintenance or operation of the wastewater facilities; a detrimental effect, public nuisance, or condition unacceptable to any public agency having regulatory jurisdiction over the utility; or any sanitary sewer or wastewater facility to be overloaded.

(d) The following described substances, materials, waters or wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the wastewater or sanitary sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream or will not otherwise endanger lives, limb, public property or constitute a nuisance. The utilities director may set limitations lower than the limitations established in the regulations in this subsection if, in his opinion, such more severe limitations are necessary to meet the objectives of this subsection. In determining acceptability, the utilities director shall give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the wastewater or sanitary sewers, materials of construction of the wastewater or sanitary 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 wastewater or sanitary sewer which shall not be violated without approval of the utilities director are as follows:

(1) Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).

(2) Wastewater containing more than ~~25~~ 50 mg/l of petroleum oil, nonbiodegradable cutting oils or product of mineral oil origin.

(3) Wastewater containing more than ~~25~~ 50 mg/l of floatable oils, fat or grease.

(4) Any garbage that has not been properly shredded. Garbage grinders may be connected to wastewater or sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for consumption on the premises or when served by caterers.

(5) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the utilities director for such materials.

(6) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the utilities director.

(7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the utilities director in compliance with applicable state or federal regulations.

(8) Quantities of flow, concentrations or other characteristics which constitute a slug.

(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 waters or wastes which, by interaction with other waters or wastes in the public wastewater or sanitary sewer system, release obnoxious gases, from suspended solids which interfere with the collection system or create a condition deleterious to structures and treatment processes.

(11) Dilution of an industrial discharge for purposes of reducing the pollutant characteristics or concentrations to meet limitations established in this chapter, by the utilities director, or applicable pretreatment standards is prohibited.

(12) Medical wastes or infectious wastes.

(13) Wastewater containing polychlorinated biphenyls.

(e) If any waters or wastes which contain the substances or possess the characteristics enumerated in subsection (c) or (d) of this section are discharged or proposed to be discharged to the public wastewater or sanitary sewers and if, in the judgment of the utilities director, the waters or wastes may have a ~~deleterious~~ detrimental effect upon the wastewater facilities, processes, equipment or receiving waters or otherwise create a hazard to life or constitute a public nuisance, the utilities director may take any of the actions set out in this subsection (e). When considering such alternatives, the utilities director shall give consideration to the economic impact of each alternative on the discharger. If the utilities director permits the pretreatment or equalization of waste flows, the design and installation of the ~~plants~~ pretreatment systems and equipment shall be subject to the review and approval of the utilities director.

(1) Reject the wastes;

(2) Require pretreatment to an acceptable condition for discharge to the public wastewater or sanitary sewers;

(3) Require control over the quantities and rates of discharge; and/or

(4) Require payment to cover added costs of handling and treating the wastes not covered by existing taxes or wastewater or sanitary sewer charges under the provisions of this article.

~~(f) Grease, oil and sand interceptors shall be provided when, in the opinion of the utilities director, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in subsection (d)(3) of this section, or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the utilities director and shall be located to be readily and easily accessible for cleaning and inspection. In maintaining these interceptors, the owner 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 utilities director. Any removal and hauling of the collected materials not performed by the owner's personnel shall be performed by currently licensed waste disposal firms.~~

(f) Grease, oil, and sand traps. ~~and inspection manholes~~

(1) Establishments involved in the preparation of food for commercial purposes, car washes, or other processes where fats, oils, greases, or sand are produced, used or disposed of shall provide grease interceptors or traps. Grease, oil, and sand interceptors or traps shall be provided when, in the opinion of the utilities director, they are necessary for the proper handling of liquid wastes containing fats, oils, or grease in excessive amounts as specified in subsection (d)(3) of this section, sand, any flammable wastes, or other harmful ingredients, except that such interceptors or traps shall not be required for private living quarters or residential dwelling units.

(2) All interceptors or traps shall be of a type and capacity approved by the Wisconsin Department of Natural Resources and the State plumbing code, and approved by the utilities director, and shall be located so as to be readily and easily accessible for cleaning and inspection, and to be effective in capturing fats, oils, greases and sand by providing sufficient opportunity for wastewater containing fats, oils, and grease to cool enough for these to be trapped. They shall be constructed of impervious

materials capable of withstanding abrupt and extreme changes in temperatures and shall be of substantial construction, gastight, watertight, and equipped with easily removable covers. Grease interceptors shall receive the entire waste discharge from kitchens or food processing areas.

(3) All grease, oil, and sand interceptors or traps shall be maintained by the user at his expense in continuously efficient operation at all times, and the records of such maintenance, including dates and means of disposal, shall be kept current and available when requested by city employees or representatives of the utility. Any removal and hauling of the collected materials not performed by the owner's personnel shall be performed by currently licensed waste disposal firms.

(4) Approval of proposed facilities or equipment by the state regulatory agency(ies) does not, in any way guarantee that these facilities or equipment will function in the manner described by their constructor or manufacturer nor shall it relieve a person of the responsibility of enlarging, relocating, or otherwise modifying such facilities to accomplish the intended purposes.

(5~~4~~) The city shall have the right to inspect grease interceptors and traps to determine compliance with the requirements of this section. The discharger shall allow the utility director or his designee to enter upon the premises of the discharger at all reasonable hours for purposes of inspection, sampling, or records examination.

(6~~5~~) The owner must retain and provide to the city upon request information satisfactory to the utility director demonstrating adequate design, operation, and maintenance of grease interceptors and traps. All users with a grease and/or sand interceptor must adhere to all the requirements, procedures, and detailed record keeping to ensure compliance with the requirements of this section. All users shall maintain such records for not less than seven (7) years. An accurate, complete, and daily updated maintenance log shall be kept by every user that indicates, at a minimum: date the interceptor was serviced, name of person or company servicing the interceptor, method of cleaning, and disposal method of FOG or sand.

(7~~6~~) No person shall introduce, permit, or cause the introduction of surfactant, solvent, enzymes, emulsifying chemicals, hot water or other agents into a grease interceptor to dissolve or emulsify grease or as a grease abatement method.

(fm~~2~~) Inspection Manholes.

(1) Any person discharging industrial wastes into a sewer shall construct and maintain a suitable control manhole or manholes downstream from any such place of discharge to permit observation, measurement, and sampling of such wastes by the utility.

(2~~3~~) Multitenant buildings must have constructed and maintained means for access for sampling and measuring flow of all discharges to the sanitary sewer for each tenant to the satisfaction of the utility director. All monitoring facilities shall be constructed and maintained in accordance with all applicable state and local construction standards and specifications. Plans for the installation of monitoring facilities and related equipment shall be submitted to the utilities director for review and approval prior to the beginning of construction.

~~(4) The city shall have the right to inspect grease interceptors and traps to determine compliance with the requirements of this section. The discharger shall allow the utility director or his designee to enter upon the premises of the discharger at all reasonable hours for purposes of inspection, sampling, or records examination.~~

~~(5) The owner must retain and provide to the city upon request information satisfactory to the utility director demonstrating adequate design, operation, and maintenance of grease interceptors and traps. All users with a grease and/or sand interceptor must adhere to all the requirements, procedures, and detailed record keeping to ensure compliance with the requirements of this section. All users shall maintain such records for not less than seven (7) **years. An accurate, complete, and daily updated maintenance log shall be kept by every user that indicates, at a minimum: date the interceptor was serviced, name of person or company servicing the interceptor, method of cleaning, and disposal method of FOG or sand.**~~

~~(6) No person shall introduce, permit, or cause the introduction of surfactant, solvent, enzymes, emulsifying chemicals, hot water or other agents into a grease interceptor to dissolve or emulsify grease or as a grease abatement method.~~

~~(7) Enforcement and Cost Recovery. Any person or industrial user violating any of the provisions of this section or who discharges or causes a discharge producing a deposit or obstruction or in any manner causes damage to or impairs the city's wastewater collection system and/or wastewater treatment system shall be liable to the city for any expense, loss cost or damage, without limitation, caused by such violation or discharge. The city shall bill the user for the costs incurred by the city of any cleaning, repair, replacement work for restoration of receiving water damaged by the wastewater treatment plant upsets or any other cleaning, repair, damage, forfeitures, administrative costs, penalties or replacement work caused by the violation or discharge. Refusal to pay the assessed cost or failure to comply with other provisions of this section shall constitute a violation of this section enforceable under the provisions of this chapter.~~

(g) 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. National categorical pretreatment standards as promulgated by the United States Environmental Protection Agency shall be met by all dischargers of the regulated industrial categories. State requirements and limitations on discharges to the wastewater facilities shall be met by all dischargers which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this or any other applicable ordinance.

(h) When required by the utilities director, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structure, when required, shall be accessible, safely located and constructed in accordance with plans approved by the utilities director. The structure shall be installed by the owner at his expense and shall be maintained by him safe and accessible at all times. All costs of maintaining and calibrating permanent or temporary equipment shall be at the owner's expense.

(1) When required by the utility, the owner of any property served by a building sewer carrying industrial wastes shall perform, at the owner's expense, flow proportional sampling of their discharge. If no monitoring structure has been required, monitoring and sampling shall be as directed by the utilities director. Samples collected shall be analyzed by a state department of natural resources-certified laboratory using approved methods. The sampling frequency and duration shall be decided by the utilities director. Results from the required analysis shall be utilized for assessing surcharges and determining compliance.

(2) The utility may elect to measure, monitor and analyze industrial discharges. The industry shall reimburse the utility for the costs of any temporary metering and sampling equipment necessary to monitor the discharge from the industry.

(3) If a meter malfunctions or is demonstrated to have provided incorrect readings, the volume of wastewater discharged to the sewerage system shall be based on historical flow data and reasonable engineering estimates, as determined jointly by the utility and the industry, until such time as the meter is repaired or replaced and made operable. Where directed by the utility, a temporary metering or sampling device shall be furnished and installed by the industry until the permanent meter or sampler is operating properly. Retroactive billing adjustments will be made accordingly for the period of any inaccuracy, up to a maximum of six months prior to discovery of the malfunction or incorrect readings.

(4) All control manholes, grease interceptors and grease traps shall be accessible or made accessible to city employees or representatives of the utility at all times and without prior notification.

(i) The utilities director may require a user of wastewater or sanitary sewer services to provide information needed to determine compliance with this article. These requirements may include:

(1) Wastewater discharge average and peak rate and volume over a specified time period.

(2) Chemical analyses representative 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 wastewater or sanitary sewer use control.

(5) A plat plan of wastewater or sanitary sewers for the user's property showing wastewater or sanitary 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 wastewater or sanitary sewer.

(j) Each user shall notify the utilities director in advance of any change in its operations or system which may have an effect upon the waste and wastewater generated or of any substantial change in the volume or character of pollutants in their discharge.

(~~j~~k) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association and Guidelines Establishing Test Procedures for Analysis of Pollutants, (40 CFR 136) or other methods approved by the Department. Sampling methods, location, times, durations and frequencies are to be determined on an individual basis subject to approval by the utilities director.

(~~k~~l) No statement contained in this article shall be construed as preventing any special agreement or arrangement between the city and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment at rates established in this article.

(~~l~~m) The accidental discharge of any prohibited waste into any wastewater or sanitary sewer shall be reported to the utilities director 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 such discharge so that steps may be taken to minimize its effect on the treatment plant. They shall also immediately report the location of the discharge, the time, the volume, and the type of waste or wastewater so discharged. Within fifteen (15) days of such discharge, a detailed written statement describing the cause of the discharge and the measures taken to prevent a future occurrence shall be submitted to the utilities director. Such reporting shall not relieve the person causing the accidental discharge from any penalties imposed by this ordinance. Where the utilities director deems necessary, industrial users shall provide facilities to prevent accidental discharges or spills of wastes or wastewaters prohibited under this Ordinance.

(~~m~~n) If a person discharging wastes into the public wastewater or sanitary sewers produces evidence satisfactory to the utilities director that significant amounts of the total annual volume of water used for all purposes does not reach the wastewater or sanitary sewer, such person may be permitted to have an exemption water meter installed. Such meter shall be furnished by the utility and installed by the customer. All other costs shall be at the expense of the person requiring the meter, including any piping revisions required to ensure that only water not reaching the wastewater or sanitary sewer is metered by the exemption meter. The utility shall charge for each meter at the rate of the minimum service charge set for that size meter to compensate for furnishing, reading and servicing the meter. This charge shall be in addition to the wastewater service charge. 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.

(o) ~~(7)~~ Enforcement and Cost Recovery. Any person or industrial user violating any of the provisions of this section or who discharges or causes a discharge producing a deposit or obstruction or in any manner causes detrimental effects, damage to or impairs the city's wastewater collection system and/or wastewater treatment system shall be liable to the city for any expense, loss cost or damage, without limitation, caused by such violation or discharge. The city shall bill the user for the costs incurred by the city of any cleaning, repair, replacement work for restoration of receiving water

damaged by the wastewater treatment plant upsets or any other cleaning, repair, damage, forfeitures, administrative costs, penalties or replacement work caused by the violation or discharge. Refusal to pay the assessed cost or failure to comply with other provisions of this section shall constitute a violation of this section enforceable under the provisions of this chapter.

(Code 1986, § 13.15(6); Ord. No. 0-45-03, § 1, 11-11-2003; Ord. No. 0-19-04, § 1, 8-10-2004; Ord. No. 0-37-07, § 1, 11-13-2007)

Sec. 74-91. - Water and wastewater or sanitary sewer service limited.

(a) Under Wis. Stats. § 66.0813, and the city master plan adopted September 22, 1992, no water or wastewater or sanitary sewer service shall be extended or provided to any person or premises outside the areas delineated under the master plan, specifically the map of Estimated Year 2000 Stoughton Urban Service Area as amended and the 2004 Comprehensive Plan. Such area may be enlarged or reduced by the council by subsequent ordinance.

(b) If any wastewater or sanitary sewer or water service has been inadvertently provided to persons or premises outside the master plan or comprehensive plan boundaries, such service shall be limited expressly to the premises so being served.

(Code 1986, § 13.15(7); Ord. No. 0-45-03, § 1, 11-11-2003)

Sec. 74-92. - 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 violating this provision shall be subject to immediate arrest for disorderly conduct.

(Code 1986, § 13.15(8))

Sec. 74-93. - Powers and authority of inspectors.

(a) The utilities director and other authorized city employees bearing proper credentials and identification may enter all properties to inspect, observe, measure, sample and test discharges to the city system in accordance with the provisions of this article.

(b) The utilities director or other 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 shall establish that 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 this subsection, the utilities director or authorized city employees shall observe all safety rules applicable to the premises established by the company. The company shall be held harmless for injury or death to the city employees. The city shall indemnify the company against loss or damage to its property by city 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 the negligence or failure of the company to maintain safe conditions as required in subsection 74-90(h).

(d) The utilities director and other authorized city employees bearing proper credentials and identification may enter all private properties through which the city holds a negotiated easement for, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within such easement. All entry and subsequent work, if any, on such

easement shall be done in full accordance with the terms of the negotiated easement pertaining to the private property involved.

(Code 1986, § 13.15(9); Ord. No. 0-45-03, § 1, 11-11-2003)

Sec. 74-94. - Notification.

Each billing shall identify the amount billed which is attributable to wastewater or sanitary sewer service.

(Code 1986, § 13.15(11))

Secs. 74-95—74-110. - Reserved.

DIVISION 3. - FEES AND CHARGES

Sec. 74-111. - Normal sewage service charge.

There is levied and assessed upon each lot or parcel of land with a building having a lateral available to discharge normal sewage to the public wastewater or sanitary sewer system a wastewater service charge based upon rates established by the council. Such charges shall be assessed and collected monthly.

(1) 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 wastewater or sanitary sewers, the customer shall have a water meter installed to determine the volume of water obtained from these other sources. If the utilities director determines that the water usage is too small to justify a meter, he may waive this requirement and a flat rate shall be charged based on estimated water usage and the metered rate schedule after approval of the council. The water meters shall be furnished by the utility and installed by the customer. All other costs in connection with the water meter installation shall be at the expense of the customer. The utility shall charge for each meter the minimum service charge set for that size meter to compensate for furnishing, reading and servicing the meter. This charge shall be in addition to the wastewater service charge.

(2) 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 wastewater or sanitary sewers, a flat rate charge shall be paid for wastewater service. If the utilities director determines the minimum flat rate charge is less than the charge would be on a metered basis, he shall have the authority to set a higher rate based on estimated total usage and the metered rate schedule after approval of such rate by the council. Should the residential customer request it, a water meter shall be installed and the customer charged on the same basis as commercial or industrial customers having private water supplies.

(Code 1986, § 13.15(2)(a); Ord. No. 0-45-03, § 1, 11-11-2003)

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Sec. 74-112. - Minimum monthly wastewater service charge.

The minimum monthly wastewater service charge shall be based on the size water meter in service, as per the following schedule effective January 1, 2015:

Meter Size	OM&R	Debt	Total
5/8 " & ¾	$ 2.01	$ 5.31	$ 7.32
1"	3.27	7.96	11.23
1¼"	4.12	9.72	13.84
1½"	5.39	12.36	17.75
2"	7.93	17.65	25.58
3"	13.85	29.99	43.84
4"	22.32	47.61	69.93
6"	43.48	91.68	135.16

(Code 1986, § 13.15(2)(b)(2); Ord. No. 0-28-03, § 1(b), 6-24-2003; Ord. No. 0-45-03, § 1, 11-11-2003; Ord. No. 0-35-06, § 1, 7-11-2006; Ord. No. 0-22-07, § 1, 6-26-2007; Ord. No. 0-34-2014, § 1, 12-9-2014)

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Sec. 74-113. - Volume.

In addition to the minimum monthly charge based on meter size, there shall be a charge for all flow based on water usage as determined by the water utility, at the rate of $4.93 per 1,000 gals, effective January 1, 2015.

(Code 1986, § 13.15(2)(c); Ord. No. 0-28-03, § 1(c), 6-24-2003; Ord. No. 0-45-03, § 1, 11-11-2003; Ord. No. 0-35-06, § 1, 7-11-2006; Ord. No. 0-22-07, § 1, 6-26-2007; Ord. No. 0-34-2014, § 1, 12-9-2014)

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Sec. 74-114. - Industrial and commercial charges for other than normal wastewater.

(a) Charges for wastewater other than normal wastewater shall be based on flow, BOD, suspended solids and such other constituents which affect the cost of collection and treatment. Charges shall be made in accordance with rates established by the council as set forth in subsection (b).

(b) 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. 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 utility in removing BOD, suspended solids and other pertinent constituents.

(c) The rates of surcharge in dollars per pound for each of the constituents above will be at the prevailing rate at the time as follows:

	Effective 07-20-06	Effective 01-01-07	Effective 07-05-07
Volume			
OM&R:	$2.11	$2.37	$2.55
Debt:	1.94	2.18	2.41
Total:	4.05	4.55	4.96
B.O.D. in excess of 200 mg/l:			
OM&R:	0.31		
Debt:	0.31		
Total:	0.62		
Total Suspended Solids in excess of 250 mg/l:			
OM&R:	0.23		
Debt:	0.23		
Total:	0.46		
Phosphorous in excess of 8 mg/l:			
OM&R:	2.72		
Debt:	0.87		
Total:	3.59		

(Code 1986, § 13.15(2)(d); Ord. No. 0-28-03, § 1(d), 6-24-2003; Ord. No. 0-45-03, § 1, 11-11-2003; Ord. No. 0-35-06, § 1, 7-11-2006; Ord. No. 0-22-07, § 1, 6-26-2007)

Sec. 74-115. - Sanitary sewer main extension cost recovery.

Public service commission rules adopted. The following provisions of Wis. Adm. Code PSC Ch. 187 are adopted by reference and made a part of these rules as if set forth in full. A violation of any such rules shall constitute a violation of this section and shall be punishable as provided in section 74-1.

Wis. Adm. Code PSC Section	Description
187.01	Purpose.
187.02	Definitions.
187.03	Application.
187.04	Notice.
187.05	Determining refund fees. Notwithstanding any contrary language in PSC section 187.05, developer-financed sanitary sewer main extensions completed on or after April 15, 2005 shall be eligible for cost recovery pursuant to this section and PSC section 187.05 for a period of ten years after the date of completion and acceptance by the city.

(Ord. No. 0-44-05, § 1, 12-13-2005; Ord. No. 0-9-08, § 1, 4-8-2008)

Secs. 74-116—74-140. - Reserved.