

TITLE 9

Public Utilities

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CHAPTER 1

Water Utility Regulations and Rates

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ARTICLE A

AUTHORIZED WATER RATES

SEC. 9-1-1 PUBLIC FIRE PROTECTION SERVICE - F-1

- (a) Public fire protection service includes the use of hydrants for fire protection service only and such quantities of water as may be demanded for the purpose of extinguishing fires within the service area. This service shall also include water used for testing equipment and training personnel. For all other purposes, the metered or other rates set forth, or as may be filed with the Public Service Commission, shall apply.
- (b) The annual charge for public fire protection service to the City of Green Lake shall be \$100,020. The utility may bill for this amount in equal quarterly installments.
- (c) **Billing.** Same as Schedule Mg-1. (Section 9-1-3 below).

SEC. 9-1-2 PUBLIC FIRE PROTECTION SERVICE - UNMETERED - Upf-1

- (a) This service shall consist of permanent or continuous unmetered connections to the main for the purpose of supplying water to private fire protection systems such as automatic sprinkler systems, standpipes, and private hydrants. This service shall also include reasonable quantities of water used for testing check valves and other backflow prevention devices.
- (b) Quarterly Private Fire Protection Service Demand Charges:

2-inch or smaller connection	\$ 17.40
3-inch connection	\$ 30.60
4-inch connection	\$ 54.00
6-inch connection	\$108.00
8-inch connection	\$174.00
10-inch connection	\$261.00
12-inch connection	\$345.00
14-inch connection	\$432.00
16-inch connection	\$519.00

- (c) **Billing.** Same as Schedule Mg-1. (Section 9-1-3 below).

SEC. 9-1-3 GENERAL SERVICE - METERED - Mg-1

- (a) Quarterly Service Charges:

5/8-inch meter	\$ 15.60	3-inch meter	\$ 72.00
3/4-inch meter	\$ 15.60	4-inch meter	\$108.00
1-inch meter	\$ 21.60	6-inch meter	\$180.00
1 1/4-inch meter	\$ 27.00	8-inch meter	\$264.00
1 1/2-inch meter	\$ 33.00	10-inch meter	\$375.00

SEC. 9-1-5 PUBLIC SERVICE - Mpa-1

- (a) **Metered Service.** Water used by the City of Green Lake on an intermittent basis for flushing sewers, street washing, flooding skating rinks, drinking fountains, etc., shall be metered and billed according to the rates as set forth in Schedule Mg-1 (Section 9-1-3 above).
- (b) **Unmetered Service.** Where it is impossible to meter the service, the utility shall estimate the volume of water used based on the pressure, size of opening, and the period of time the water is used. The estimated quantity shall be billed at the volumetric rates set forth in Schedule Mg-1 (Section 9-1-3 above), excluding any service charges.
- (c) **Billing.** Same as Schedule Mg-1 (Section 9-1-3 above).

SEC. 9-1-6 ADDITIONAL METER RENTAL CHARGE - Am-1

- (a) Upon request, the utility shall furnish and install additional meters to:
 - (1) Water service customers for the purpose of measuring the volume of water used that is not discharged into the sanitary sewer system; and
 - (2) Sewerage service customers who are not customers of the water utility for the purpose of determining the volume of sewage that is discharged into the sanitary sewer system.
- (b) The utility shall charge a meter installation charge of \$40.00 and a quarterly rental fee for the use of this additional meter.
- (c) Quarterly Additional Meter Rental Charges:

5/8-inch meter	\$ 7.80
3/4-inch meter	\$ 7.80
1-inch meter	\$10.80
1 1/4-inch meter	\$13.50
1 1/2-inch meter	\$16.50
2-inch meter	\$24.00

This schedule applies only if the additional meter is installed on the same service lateral as the primary meter and either:

- (1) The additional meter is 3/4-inch or smaller if the metering configuration is the Addition Method; or
- (2) The additional meter is 2-inch or smaller for all other metering configurations.

If the additional meter is larger than 2-inch or larger than 3/4-inch and installed in the Addition Method, each meter shall be treated as a separate account and Schedule Mg-1 (Section 9-1-3 above) rates shall apply.

- (d) **Billing.** Same as Schedule Mg-1 (Section 9-1-3 above).

SEC. 9-1-7 BULK WATER - BW-1

- (a) All bulk water supplied from the water system through hydrants or other connections shall be metered or estimated by the utility. Utility personnel or a party approved by the utility shall supervise the delivery of water.

Bulk water sales are:

- (1) Water supplied by tank trucks or from hydrants for the purpose of extinguishing fires outside the utility's service area;
 - (2) Water supplied by tank trucks or from hydrants for purposes other than extinguishing fires, such as water used for irrigation or filling swimming pools; or,
 - (3) Water supplied from hydrants or other temporary connections for general service type applications, except that Schedule Ug-1 (Section 9-1-4 above) applies for water supplied for construction purposes.
- (b) A service charge of \$40.00 and a charge for the volume of water used shall be billed to the party using the water. The volumetric charge shall be calculated using the highest volumetric rate for residential customers under Schedule Mg-1 (Section 9-1-3 above). In addition, for meters that are assigned to bulk water customers for more than 7 days, the applicable service charge in Schedule Mg-1 (Section 9-1-3 above) will apply after the first 7 days.

The water utility may require a reasonable deposit for the temporary use of its equipment under this and other rate schedules. The deposit(s) collected shall be refunded upon return of the utility's equipment. Damaged or lost equipment shall be repaired or replaced at the customer's expense.

- (c) **Billing.** Same as Schedule Mg-1 (Section 9-1-3 above).

SEC. 9-1-8 RECONNECTION CHARGES - R-1

- (a) The utility shall assess a charge to reconnect a customer, which includes reinstalling a meter and turning on the valve at the curb stop, if necessary. A utility may not assess a charge for disconnecting a customer.

During normal business hours: \$40.00
After normal business hours: \$60.00

- (b) **Billing.** Same as Schedule Mg-1 (Section 9-1-3 above).

SEC. 9-1-9 SEASONAL SERVICE - Sg-1

- (a) Seasonal customers are general service customers who voluntarily request disconnection of water service and who resume service at the same location within 12 months of the disconnection, unless service has been provided to another customer at that location in the intervening period. The utility shall bill seasonal customers the applicable service charges under Schedule Mg-1 (Section 9-1-3 above) year round, including the period of temporary disconnection.
- (b) Seasonal service shall include customers taking service under Schedule Mg-1 (Section 9-1-3 above), Schedule Ug-1 (Section 9-1-4 above), or Schedule Am-1 (Section 9-1-6 above).
- (c) Upon reconnection, the utility shall apply a charge under Schedule R-1 (Section 9-1-8 above) and require payment of any unpaid charges under this schedule.
- (d) **Billing.** Same as Schedule Mg-1 (Section 9-1-3 above), unless the utility and customer agree to an alternative payment schedule for the period of voluntary disconnection.

SEC. 9-1-10 OTHER CHARGES - OC-1

- (a) **Non-Sufficient Funds Charge.** The utility shall assess a \$35.00 charge when a payment rendered for utility service is returned for non-sufficient funds. This charge may not be in addition to, but may be inclusive of, other non-sufficient funds charges when the payment was for multiple services.
- (b) **Billing.** Same as Schedule Mg-1 (Section 9-1-3 above).

SEC. 9-1-11 THROUGH 9-1-13 DELETED

SEC. 9-1-14 THROUGH 9-1-19 RESERVED FOR FUTURE USE.

ARTICLE B

Rules and Regulations

SEC. 9-1-20 COMPLIANCE WITH RULES.

The City of Green Lake hereby incorporates the operating rules and regulations for municipal water utilities as provided and set forth by the Wisconsin Public Service Commission. All such rules and regulations are incorporated and made a part of this Ordinance.

SEC. 9-1-21 WATER LATERAL INSTALLATION CHARGE - Cz-1

- (a) The utility shall charge a customer for the actual cost of installing a water service lateral from the main through curb stop and box if these costs are not contributed as part of a subdivision development or otherwise recovered under Wis. Stats. Chapter 66.
- (b) **Billing.** Same as Schedule Mg-1 (Section 9-1-3 above).

SEC. 9-1-22 WATER MAIN EXTENSION RULE - X-2

- (a) Water mains will be extended for new customers on the following basis:
 - (1) Where the cost of the extension is to immediately be collected through assessment by the municipality against the abutting property, the procedure set forth under Wis. Stat. §66.0703 will apply, and no additional customer contribution to the utility will be required.
 - (2) Where the municipality is unwilling or unable to make a special assessment, the extension will be made on a customer-financed basis as follows:
 - a. The applicant(s) will advance as a contribution in aid of construction the total amount equivalent to that which would have been assessed for all property under Paragraph (1).
 - b. Part of the contribution required in Paragraph (a)(2)a. will be refundable. When additional customers are connected to the extended main within 10 years of the date of completion, contributions in aid of construction will be collected equal to the amount which would have been assessed under Paragraph (1) for the abutting property being served. This amount will be refunded to the original contributor(s). In no case will the contributions received from additional customers exceed the proportionate amount which would have been required under Paragraph (1), nor will it exceed the total assessable cost of the original extension.
 - (3) When a customer connects to a transmission main or connecting loop installed at utility expense within 10

years of the date of completion, there will be a contribution required of an amount equivalent to that which would have been assessed under Paragraph (1).

SEC. 9-1-23 WATER MAIN INSTALLATION IN PLATTED SUBDIVISIONS - X-3

Application for installation of water mains in regularly platted real estate development subdivisions shall be filed with the utility.

If the developer, or a contractor employed by the developer, is to install the water mains (with the approval of the utility), the developer shall be responsible for the total cost of construction.

If the utility or its contractor is to install the water mains, the developer shall be required to advance to the utility, prior to the beginning of the construction, the total estimated cost of the extension. If the final costs exceed estimated costs, an additional billing will be made for the balance of the cost due. This balance is to be paid within 30 days. If final costs are less than estimated, a refund of the overpayment will be made by the water utility.

SEC. 9-1-24 COLLECTION OF OVERDUE BILLS

An amount owed by the customer(s) may be levied as a tax provided in Section 66.0809, Wis. Stats.

SEC. 9-1-25 DELETED

SEC. 9-1-26 PRIVATE WELL ABANDONMENT.

- (a) **Purpose.** The purpose of this Section is to prevent contamination of groundwater and to protect public health, safety and welfare by assuring that unused, unsafe or non-complying wells, or wells which may serve as conduits for contamination, or wells which may be illegally cross-connected to the municipal water system, are properly abandoned. This section specifically prohibits the drilling of private wells within the City when public water service is available, as determined by the Common Council.
- (b) **Applicability.** The Section applies to all wells located on premises served by the Green Lake Municipal Water System.
- (c) **Definitions.** The following definitions shall be applicable in this Section:
 - (1) Municipal Water System. A system for the provision to the public of piped water for human consumption when such system has at least fifteen (15) service connections or regularly serves at least twenty-five (25), year-round residents owned or operated by a city, village, county, town, town sanitary district, utility district or public institution as defined in Section

196.01(5), Wis. Stats., or a privately owned water utility serving any of the above.

- (2) Non-complying. A well or pump installation which does not comply with the provisions of Ch. NR 812, Wis. Adm. Code, in effect at the time the well was constructed, a contamination source was installed, the pump was installed or work was done on either the well or pump installation.
 - (3) Pump Installation. The pump and related equipment used for withdrawing water from a well including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.
 - (4) Unsafe. A well or pump installation which produces water which is bacteriologically contaminated or contaminated with substances in exceedance of the standards of applicable chapters of the Wisconsin Administrative Code, or for which a Health Advisory has been issued by the Department of Natural Resources.
 - (5) Unused. A well or pump installation which is not in use or does not have a functional pumping system.
 - (6) Well. An excavation or opening into the ground made by digging, boring, drilling, driving, or other methods for the purpose of obtaining groundwater for consumption or other use.
 - (7) Well Abandonment. The filling and sealing of a well according to the provisions of Ch. NR 812.26, Wis. Adm. Code, or as hereinafter amended.
- (d) **Abandonment Required.** All wells located on premises served by the municipal water system shall be abandoned in accordance with the terms of this Section and Ch. NR 812.26, Wis. Adm. Code, by July 1, 1988, or no later than one (1) year from the date of connection to the municipal water system, whichever occurs last, unless a well operation permit has been obtained by the well owner from the Director of Public Works.
- (e) **Well Operation Permits.** Owners of wells on premises served by the municipal water system wishing to retain their wells for any use shall make application for a well operation permit for each well no later than one (1) year after connection to the municipal water system. The municipality shall grant a permit to a well owner to operate a well for a period not to exceed 5(5)years providing all conditions of this section are met. A well operations permit may be renewed by submitting an application verifying that the conditions of this section are met. The municipality or its' agent, may conduct inspections and water quality tests or require inspections and water quality tests to be conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the Clerk. All initial and renewal applications must be accompanied by a fee of \$20.00.

The following conditions must be met for issuance or renewal of a well operation permit:

- (1) The well and pump installation meet or are upgraded to meet the requirements of Ch. NR 812, Wis. Adm. Code;
- (2) The well construction and pump installation have a history of producing bacteriologically safe water as evidenced by at least two (2) samplings taken a minimum of two (2) weeks apart. No exception to this condition may be made for unsafe wells, unless the Department of Natural Resources approves, in writing, the continued use of the well;
- (3) There are no cross-connections between the well and pump installation and the municipal water system;
- (4) The proposed use of the well and pump installation can be justified as being necessary in addition to water provided by the municipal water system;
- (5) The water from the private well shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the sewer utility; and
- (6) The private well shall have a functional pumping system.

(f) **Abandonment Procedures.**

- (1) All wells abandoned under the jurisdiction of this Section or rule shall be abandoned according to the procedures and methods of Ch. NR 812.26, Wis. Adm. Code. All debris, pumps, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.
- (2) The owner of the well, or the owner's agent, shall notify the Director of Public Works at least forty-eight (48) hours prior to commencement of any well abandonment activities. The abandonment of the well shall be observed by representatives of the municipal water utility.
- (3) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Director of Public Works and the Department of Natural Resources within ten (10) days of the completion of the well abandonment.

(g) **Penalties.** Any well owner violating any provision of this Section shall, upon conviction, be punished by forfeiture pursuant to Section 1-1-7 of the City of Green Lake Code of Ordinances and the cost of prosecution. Each day of violation is a separate offense. If any person fails to comply with this Section for more than ten (10) days after receiving written notice of the violation, the municipality may impose a penalty and cause the well abandonment to be performed and the expense to be assessed as a special tax against the property.

SEC. 9-1-27 CROSS CONNECTION CONTROL

- (a) **Purpose.** Chapters NR 810 and SPS 382, Wisconsin Administrative Code, require protection for the public water system from contamination due to backflow of contaminants through the water service connection. The Wisconsin Department of Natural Resources requires the development and implementation of a comprehensive cross connection control program to effectively prevent the contamination of potable water systems.
- (b) **Definition of Cross Connection.** A cross connection is defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the City of Green Lake's public water system, and the other of which contains water from a private source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one system to the other, with the direction of flow depending on the pressure differential between the two systems.
- (c) **Unprotected Cross Connections Prohibited.** No person, firm, or corporation may establish or maintain, or permit to be established or maintained, any unprotected cross connection. Cross connections shall be protected as required in ch. SPS 382, Wisconsin Administrative Code.
- (d) **Inspection.** The water utility may inspect, or arrange for an inspection of, property served by the public water system for cross connections. As an alternative, the water utility may require a person, firm, or corporation who owns, leases, or occupies property to have their plumbing inspected, at their own expense by a State of Wisconsin Certified Cross Connection Inspector/Surveyor. The frequency of inspections shall be established by the water utility in accordance with Wisconsin Administrative Code. Any unprotected cross connections identified by the inspection shall be promptly corrected. Failure to promptly correct an unprotected cross connection shall be sufficient cause for the water utility to discontinue water service to the property, as provided under paragraph (g) of this ordinance.
- (e) **Right of Entry.** Upon presentation of credentials, a representative of the water utility shall have the right to request entry, at any reasonable time, to a property served by a connection to the public water system for the purpose of inspecting the property for cross connections. Refusing entry to such utility representative shall be sufficient cause for the water utility to discontinue water service to the property, as provided under paragraph (g) of this ordinance. If entry is refused, a special inspection warrant under Section 66.0119 of the Wisconsin Statutes may be obtained.
- (f) **Provision of Requested Information.** The water utility may request an owner, lessee, or occupant of property served by a connection to the public water system to furnish the water utility with pertinent information regarding the piping

systems on the property. Refusing to provide requested information shall be sufficient cause for the water utility to discontinue water service to the property, as provided under paragraph (g) of this ordinance.

(g) **Discontinuation of Water for Violation.** The water utility may discontinue water service to any property wherein any unprotected connection in violation of this ordinance exists, and take other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service may be discontinued, however, only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in paragraph (h) of this ordinance. Water service to such property shall not be restored until the unprotected cross connection has been eliminated.

(h) **Emergency Discontinuance.** If it is determined by the water utility that an unprotected cross connection or emergency endangers public health, safety, or welfare, and requires immediate action, and if a written finding to that effect is filed with the City Clerk and delivered to the customer's premises, water service may be immediately discontinued. The customer shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes, within 10 days of such emergency discontinuance. Water service to such property shall not be restored until the unprotected cross connection has been eliminated.

SEC. 9-1-28 THROUGH 9-1-50 RESERVED FOR FUTURE USE.

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ARTICLE A

Introduction

SEC. 9-2-1 GENERAL PROVISIONS.

- (a) This Chapter regulates the use of public and private sewers and drains, disposal of septage wastes into the public sewers and the discharge of waters and wastes into the public sewerage systems within the City of Green Lake. It provides for and explains the method used for levying and collecting wastewater treatment service charges, sets uniform requirements for discharges into the wastewater collection and treatment systems and enables the City of Green Lake to comply with administrative provisions, water quality requirements, toxic and pretreatment effluent standards and other discharge criteria which are required or authorized by the State of Wisconsin or federal law. Its intent is to derive the maximum public benefit by regulating the characteristics of wastewater discharged into the City of Green Lake sewer system.
- (b) This Chapter provides a means for determining wastewater and septage volumes, constituents and characteristics, the setting of charges and fees, and the issuing of permits to certain users. Revenues derived from the application of this Chapter shall be used to defray the City of Green Lake's costs of operating and maintaining adequate wastewater collection and treatment systems and to provide sufficient funds for capital outlay, debt service costs and capital improvements. The charges and fees herein have been established pursuant to requirements of the Wisconsin Statutes. This Chapter shall supersede any previous City of Green Lake Ordinance, rule or regulation and shall repeal all parts thereof that may be inconsistent with this Chapter. If there is any conflict between this Chapter and any applicable Statute, the State Statute shall be controlling.

SEC. 9-2-2 DEFINITIONS.

- (a) Unless the context specifically indicates otherwise, the meaning of terms used in this Chapter shall be as follows:
 - (1) "Approving Authority" shall mean the Common Council or its duly authorized committee, agent or representative.
 - (2) "Biochemical Oxygen Demand (BOD)" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at twenty (20) degrees Centigrade, expressed as milligrams per

liter (mg/l).

Quantitative determination of BOD shall be made in accordance with procedures set forth in the most recent edition of "Standard Methods."

(3) "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer.

(4) "Building Sewer" shall mean the extension from the public sewer or other place of disposal beginning outside the inner face of the building wall.

(5) "Compatible Pollutants" shall mean biochemical oxygen demand, suspended solids, phosphorus or pH, plus additional pollutants identified in the WPDES permit for the publicly owned treatment works receiving the pollutants if such works were designed to treat such additional pollutants to a substantial degree.

(6) "Floatable Oil" is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater or septage shall be considered free of floatable fat if it is properly pretreated and the waste-water does not interfere with the collection system.

(7) "Garbage" shall mean the residue from the preparation of cooking and dispensing of food and from the handling, storage and sale of food products and produce.

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

(9) "Incompatible Pollutants" shall mean wastewater or septage with pollutants that will adversely affect or disrupt the wastewater treatment processes or effluent quality or sludge quality if discharged to a wastewater treatment facility.

(10) "Industrial Waste" shall mean the wastewater from industrial process, trade or business, as distinct from sanitary sewage, including cooling water and the discharge from sewage pretreatment facilities.

(11) "Licensed Disposer" shall mean a person holding a license under Sec. 146.20(3)(a), Wis. Stats.

(12) "Municipal Wastewater" shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and

institutions, together with any groundwater, surface water and stormwater that may be present.

(13) "Natural Outlet" shall mean any outlet, including storm sewers, into a water course, pond, ditch, lake or other body of surface water or groundwater.

(14) "Parts Per Million" shall be a weight-to-weight ratio, the parts per million value multiplied by the factor 8.34 shall be equivalent to pounds-per-million gallons of water.

(15) "Person" shall mean any and all persons, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, government agency or other entity.

(16) "pH" shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution.

Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10^{-7} .

(17) "Public Sewer" shall mean any sewer provided by or subject to the jurisdiction of the City of Green Lake.

It shall also include sewers within or outside the corporate boundaries that serve one (1) or more persons and ultimately discharge into the Green Lake sanitary sewer system, even though those sewers may not have been constructed with City of Green Lake funds.

(18) "Sanitary Sewage" shall mean a combination of liquid and water-carried wastes discharged from toilets and/or sanitary plumbing facilities, together with such ground, surface and storm waters as may be present.

(19) "Sanitary Sewer" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with small quantities of ground, storm and surface waters that are not admitted intentionally.

(20) "Septage" shall mean scum, liquid, sludge or other waste from a septic tank, soil absorption field, holding tank, vault toilet or privy. This does not include the waste from a grease trap.

(21) "Sewage" is the spent water of a community. The preferred term is "municipal wastewater."

(22) "Sewer Service Areas" are the areas presently served and anticipated to be served by a sewage collection system.

State regulations (NR 121.05) require that water quality management plans delineate sewer service areas for urban areas with a population of over ten thousand (10,000).

Approved facility plans contain less detailed sewer service areas for communities under ten thousand (10,000) population.

(23) "Sewer Service Charge" is a service charge levied on users of the wastewater collection and treatment facilities for payment of use-related capital expenses as well as the operation and maintenance costs, including replacement of said facilities.

(24) "Sewer System" means the common sanitary sewers within a sewerage system which are primarily installed to receive wastewaters 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 sanitary sewer, or its equivalent, are specifically excluded from the definition of "sewerage collection system" except that pumping units and pressurized lines for individual structures or groups of structures may be included as part of a "sewer system" when such suits are cost effective and are owned and maintained by the sewerage system owner.

(25) "Sewer System" means all structures, conduits and pipes by which sewage is collected, treated and disposed of, except plumbing inside and in connection with buildings served and service pipes from building to street main.

(26) "Shall" is mandatory. "May" is permissible.

(27) "Slug Load" shall mean any substance released at a discharge rate and/or concentration which causes interference to wastewater treatment processes.

(28) "Standard Methods" shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes," published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

(29) "Storm Drain" (sometimes termed "storm sewer") shall mean drain or sewer for conveying water, groundwater, subsurface water or unpolluted water from any source.

(30) "Stormwater Runoff" shall mean that portion of the rainfall that is drained into the sewers.

(31) "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in, water, wastewater, septage or other liquids and that is removable by laboratory filtering as prescribed in "Standard Methods" and is referred to as nonfilterable residue.

(32) "Unpolluted Water" is water of quality equal or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities

provided.

(33) "Wastewater Facilities" shall mean the structures, equipment and processes required to collect, carry away, store and treat domestic and industrial wastes and septage and dispose of the effluent.

(34) "Wastewater Treatment Works" shall mean an arrangement of devices and structures for treating wastewater, septage, industrial wastes and sludge. Sometimes used as synonymous with waste treatment.

(35) "Watercourse" shall mean a natural or artificial channel for the passage of water, either continuously or intermittently.

(36) "Wisconsin Pollutant Discharge Elimination System (WPDES) Permit" is a document issued by the Wisconsin State Department of Natural Resources which establishes effluent limitations and monitoring requirements for the municipal wastewater treatment facility.

SEC. 9-2-3 THROUGH SEC. 9-2-9 RESERVED FOR FUTURE USE.

ARTICLE B

Management, Operation and Control

SEC. 9-2-10 MANAGEMENT AND CONTROL.

The management, operation and control of the sewer system for the City is vested in the Common Council; all records, minutes and all written proceedings thereof shall be kept by the City Clerk; the City Clerk shall keep all the financial records.

SEC. 9-2-11 CONSTRUCTION OF SYSTEM.

The Common Council shall have the power to construct sewer lines for public use and shall have the power to lay sewer pipes in and through the alleys, streets, and public grounds of the City of Green and, generally, to do all such work as may be found necessary or convenient in the management of the sewer system. The Common Council shall have power by itself, its officers, agents and servants, to enter upon any land for the purpose of making examination or supervise in the performance of its duties under this Chapter, without liability therefor; and the Common Council shall have power to purchase and acquire for the City of Green Lake all real and personal property which may be necessary for construction of the sewer system, or for any repair, remodeling or additions thereto.

SEC. 9-2-12 MAINTENANCE OF SERVICES.

The owner shall maintain sewer service from the street main to the house and including all controls between the same without expense to the City of Green Lake, except when they are damaged as a result of negligence or carelessness on the part of the City of Green Lake. All sewer services must be maintained free of defective conditions by and at the expense of the owner or occupant of the property. When any sewer service is to be relaid and there are two (2) or more buildings on such service, each building shall be disconnected from such service, and a new sewer service shall be installed for each building.

SEC. 9-2-13 CONDEMNATION OF REAL ESTATE.

Whenever any real estate or any easement therein, or use thereof, shall, in the judgment of the Common Council, be necessary to the

sewer system and whenever, for any cause, an agreement for the purchase thereof cannot be made with the owner thereof, the Common Council shall proceed with all necessary steps to take such real estate easement or use by condemnation in accordance with the Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if federal funds are used.

SEC. 9-2-14 TITLE TO REAL ESTATE AND PERSONALTY.

All property, real, personal and mixed, acquired for the construction of the sewer system and all plans, specifications, diagrams, papers, books and records connected therewith said sewer system and all buildings, machinery and fixtures pertaining hereto shall be the property of the City of Green Lake.

SEC. 9-2-15 THROUGH SEC. 9-2-19 RESERVED FOR FUTURE USE.

ARTICLE C

User Rules and Regulations

SEC. 9-2-20 USER REGULATIONS IN GENERAL.

The rules, regulations and sewer rates of the City of Green Lake hereinafter set forth shall be considered a part of the contract with every person, company or corporation who is connected to or uses the City of Green Lake sewer system or wastewater treatment facility; and every such person, company or corporation by connecting with the sewer system or wastewater treatment facility shall be considered as expressing his or their assent to be bound thereby. Whenever any of said rules and regulations, or such others as the Common Council may hereafter adopt, are violated, the use or service shall be shut off from the building or place of such violation [even though two (2) or more parties are receiving service through the same connection] and shall not be re-established except by order of the City Clerk and on payment of all arrears, the expenses and established charges of shutting off and putting on, and such other terms as the City Clerk may determine and a satisfactory understanding with the party that no further cause for complaint shall arise. In case of such violation, the City Clerk, furthermore, may declare any payment made for the service by the party or parties committing such violation to be forfeited, and the same shall thereupon be forfeited. The right is reserved to the Common Council to change the said rules, regulations and sewer rates from time to time as it may deem advisable and to make special rates and contracts in all proper cases. The following rules and regulations for the government of licensed plumbers, sewer users and others are hereby adopted and established.

SEC. 9-2-21 REGULATION OF PLUMBERS.

No plumber, pipe fitter or other person will be permitted to do any plumbing or pipe fitting work in connection with the sewer system without first receiving a license from the State of Wisconsin and obtaining permission from the Director of Public Works. All service connections to the sewer main shall comply with the State Plumbing Code.

SEC. 9-2-22 MANDATORY HOOK-UP

- (a) The owner of each parcel of land adjacent to a sewer main on which there exists a building usable for human habitation or in a block through which such system is extended shall connect to such system within thirty (30) days of notice in writing from the City Clerk. Upon failure to do so, the City Clerk may cause such connection to be made and bill the property owner for such costs. If such costs are not paid within thirty (30) days, such notice shall be assessed as a special tax lien against the property; however, the owner may, within thirty (30) days after the completion of the work, file a written option with the City Clerk stating that he cannot pay such amount in one (1) sum and ask that there be levied in not to exceed ten (10) annual equal installments and that the amount shall be so collected with interest at the rate of the current bank rate available to the City, plus one percent (1%) for administration, per annum from the completion of the work, the unpaid balance being a special tax lien, all pursuant to Sec. 144.06, Wis. Stats. In lieu of the above, the Common Council, at its option, may impose a penalty for the period that the violation continues, after ten (10) days' written notice to any owner failing to make a connection to the sewer system of an amount equal to one hundred fifty percent (150%) of the minimum quarterly charge for sewer service payable quarterly for the period in which the failure to connect continues; and upon failure to make such payment, said charge shall be assessed as a special tax lien against the property, all pursuant to Sec. 144.06.
- (b) This Section ordains that the failure to connect to the sewer system is contrary to the minimum health standards of the City of Green Lake and fails to assure preservation of public health, comfort and safety of the citizens of the City.

SEC. 9-2-23 SEPTIC TANKS PROHIBITED.

The maintenance and use of septic tanks and other private sewage disposal systems within the area of the City serviced by its sewer system are hereby declared to be a public nuisance and a health hazard. From and after August 12, 1985, the use of septic tanks or any private sewage disposal system within the area of the City serviced by the sewerage system shall be prohibited.

SEC. 9-2-24 APPLICATION FOR SEWER SERVICE.

Every person connecting with the sewer system shall file an application in writing to the City Clerk-Treasurer in such form as is prescribed for that purpose. Blanks for such applications will be furnished at the office of the City Clerk-Treasurer. The application must state fully and truly all the uses which will be allowed except upon further application and permission regularly obtained from the City Clerk-Treasurer. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. Persons connected to the sewer system of the City Utility are referred to herein as "Users." If it appears that the service applied for will not provide adequate service for the contemplated use, the Common Council may reject the application. If the Common Council approves the application, it shall issue a permit for services as shown on the application. Each such application filed with the City Clerk for the period September 1, 1992 to January 1, 1993 shall be accompanied by a connection fee in the amount of five hundred dollars (\$500.00). Commencing with the calendar year 1993, the fee required shall increase by ten percent (10%) to five hundred fifty dollars (\$550.00) with a like ten percent (10%) increase each and every year thereafter. Commencing with the calendar year 2001 and for future years, the fee required shall not exceed \$950.00.

SEC. 9-2-25 APPLICATION FOR SEPTAGE DISPOSAL.

- (a) Between August 1 and September 1 of each year, every licensed disposer wishing to discharge septage to the City of Green Lake wastewater treatment works shall file a nonrefundable filing fee and an application in writing to the City Clerk-Treasurer in such a form as is prescribed for that purpose.

During the months of July and August, forms for such application will be furnished at the office of the City Clerk-Treasurer of the City of Green Lake. The application must state fully and truly the type, frequency, quantity, quality and location of generated septage to be disposed at the City of Green Lake wastewater treatment works.

- (b) During the month of September, the City Utility will evaluate the applications and make a determination as to the amount and conditions of septage disposal at the City of Green Lake wastewater treatment facility. The Common Council shall approve or reject all applications by October 1 of each year.

If the City of Green Lake cannot accept all the proposed septage disposal, then consideration shall be given first to those generators of septage that are within the sewer service area.

- (c) All Common Council approvals for septage disposal shall have the conditions that any time the wastewater treatment works has operational problems, maintenance problems, or threats of **WPDES** permit violation that are indirectly or directly related to septage disposal, the Common Council may immediately restrict septage disposal until such time as corrective action or mitigative measures have been taken.

SEC. 9-2-26 CONNECTION CHARGE.

Persons attaching to a sewer main shall have the lateral from the sewer main installed at his or her own expense.

SEC. 9-2-27 TAP PERMITS.

After sewer connections have been introduced into any building or upon any premises, no plumber shall make any alterations, extensions or attachments, unless the party ordering such tapping or other work exhibits the proper permit for the same from the Common Council.

SEC. 9-2-28 USER TO KEEP IN REPAIR.

All users shall keep their own service pipes in good repair and protected from frost, at their own risk and expense, and shall prevent any unnecessary overburdening of the sewer system.

SEC. 9-2-29 BACKFLOW PREVENTOR.

All floor drains shall have a backflow prevention valve installed at the owner's expense.

SEC. 9-2-30 USER USE ONLY.

No user shall allow others or other services to connect to the sewer system through his or her lateral.

SEC. 9-2-31 VACATING OF PREMISES AND DISCONTINUANCE OF SERVICE.

- (a) Whenever premises served by the system are to be vacated or whenever any person desires to discontinue service from the system, the City Clerk-Treasurer must be notified in writing.

Whenever a building is destroyed, torn down or removed and replacement structure is not provided forthwith, any open end of a sewer lateral connecting to the sewer system shall be filled with concrete to a distance of two (2) feet from the open end thereof and otherwise covered or protected to prevent introduction of groundwater or other extraneous materials into the system. The owner of the premises shall be liable for any damages to the property of the system occurring other than through the fault of the system or its employees, representatives or agents.

- (b) When a building is to be demolished, razed or otherwise removed, the owner of the property, or his agent, shall notify all utilities having service connections to the building, such as water, sewer, electric, gas and other connections. No building shall be demolished, razed, or otherwise removed until the appropriate City utilities or their representatives, have ascertained that service connections, sewer and water laterals, and appurtenant equipment such as meters and regulators have been removed and/or properly sealed in an approved manner. The cost of such work shall be the responsibility of the property owner. If the property owner shall fail to meet the requirements of this Section, the appropriate utility shall make the proper repairs and the City Clerk-Treasurer shall enter the total cost thereof upon the tax roll as a special charge against the property pursuant to Sec. 66.60(16), Wis. Stats.

SEC. 9-2-32 USER TO PERMIT INSPECTION.

Every user shall permit the City Utility or its duly authorized agent, at all reasonable hours of the day, to enter their premises or building to examine the pipes and fixtures and the manner in which the drains and sewer connections operate; and they must, at

all times, frankly and without concealment, answer all question put to them relative to its use, all in accordance with this Chapter and Sec. 196.71, Wis. Stats.

SEC. 9-2-33 UTILITY RESPONSIBILITY.

It is expressly stipulated that no claim shall be made against the City of Green Lake or acting representative by reason of the breaking, clogging, stoppage or freezing of any service pipes nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary. The right is hereby reserved to cut off the service at any time for the purpose of repairs or any other necessary purpose, any permit granted or regulations to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer within any district of the City Utility, the City Utility shall, if practicable, give notice to each and every consumer within the City of Green Lake of the time when such service will be shut off.

SEC. 9-2-34 EXCAVATIONS.

- (a) In making excavations in streets or highways for laying service pipe or making repairs, the paving and the earth removed must be deposited in a manner that will occasion the least inconvenience to the public.
- (b) No person shall leave any such excavation made in any street or highway open at any time without barricades; and during the night, warning lights must be maintained at such excavations.
- (c) In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than nine (9) inches in depth and each layer thoroughly compacted to prevent settling. This work, together with the replacing of sidewalks, ballast and paving, must be done so as to make the street as good, at least, as before it was disturbed and satisfactory to the City Utility. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.

Cross Reference: Sections 6-2-3 and 6-2-4.

SEC. 9-2-35 TAPPING THE MAINS.

- (a) No person, except those having special permission from the City Utility or persons in its service and approved by it will be permitted, under any circumstances, to tap the mains or collection pipes. The kind and size of the connection with the pipe shall be that specified in the permits or order from the City Utility to ensure that new sewers and connections to the sewer system are properly designed and constructed.
- (b) Pipes should always be tapped on top and not within six (6)

inches [fifteen (15) cm] of the joint or within twenty-four (24) inches [sixty (60) cm] of another lateral connection. All service connections to mains must comply with the State Plumbing Code. Service connections to an existing sewer main shall be made by means of a saddled wye or specially adapted tee. Connections to existing tees or wyes shall be made with an approved bonded rubber.

- (c) In the event a new sewer lateral and/or sewer main connection is requested for any reason, which replaces an existing lateral/main, the old sewer connection shall be properly abandoned at the sewer main by the best available technology determined by the Public Works Director or other agent of the City. Street opening permits may be required with proper slurry backfill in the road right-of-way as well as total reconstruction of right-of-way structures will be required.

SEC. 9-2-36 INSTALLATION OF HOUSE LATERALS.

- (a) All service pipes (laterals) on private property will be installed in accordance with State of Wisconsin Administrative Code Chapter **ILHR 82**, "Design, Construction, Installation, Supervision and Inspection of Plumbing," especially Section **ILHR 82.21**, "Testing and Maintenance" and Section **ILHR 82.30** "Sanitary Drain System."
- (b) Per Wis. Adm. Code, Chapter **ILHR 82**, all laterals will be inspected: "The building sewer and/or private interceptor main sewer shall be inspected upon completion of placement of the pipe and before backfilling and tested before or after backfilling."
- (c) All below grade sewer laterals connected to the Municipal System are required to have as a component part a self-contained grinder pump.

SEC. 9-2-37 EXTENSIONS.

- (a) The City Utility shall extend sewer mains to a new person(s) in accordance with the following charges and the following conditions:
- (b) When an extension main is required by the prospective user, said person shall make an application for such an extension in writing to the City Utility by filing a written application for the same with the City Clerk. After the filing of such an application, the City Utility shall first determine the logical location of the next manhole or manholes. Next, the City Utility shall determine the length and location of the extension, taking into consideration the prospective demands for service, the capacity of downstream facilities and the orderly development of the particular area. No extension shall be made for a distance less than to the next manhole. All sewer extensions shall be constructed in compliance with local and state laws, ordinances and regulations.
- (c) The person who requests the extension shall pay the entire

cost of said extension, including the manhole or manholes that are part of the extension. If more than one (1) user is involved, the entire cost shall be divided among these users.

- (d) After making the decision as to the length and location of the extension and prior to the time of making the charge to the person(s), the Common Council shall determine the benefits to be received by any parcel that can be served by said extension. Before making a determination as to benefits received, the Common Council shall first divide the area to be served into logical building lots. Such Common Council may consider the recommendations of the landowner in determining said building lots if the landowner, as a part of his application, accompanies said application with a proposed division of said land into lots for sale or use. In determining the amount to be paid by the original users if more than one (1) user is involved, the division of the charge shall be made by considering each building lot owned by one (1) of the original applicants as a separate user.
- (e) Payments are to be considered contributions to construction; and after the original contribution in any future connection by a user other than to a lot owned by a party making a previous contribution, such user shall be required to pay to the City Utility his or her pro rata share of the lot or lots owned by the new attaching user in the entire extension cost as if said user had been one (1) of the original contributors.
- (f) When the City Utility receives a future contribution, it shall, after receiving the money, pay said money to the previous contributors by paying to each of the previous contributors equal amounts by counting each previous contributing lot as a separate contributor. The Common Council shall not make payments to a previous contributor if ten (10) years have expired from the date of the original contribution. Said money paid shall be retained by the City Utility.
- (g) It is hereby provided that the right to contribution shall follow the land and not the contributor with the reimbursement to go to the person who is the owner of the receiving lot at the time of the reimbursement. If a contributor owns more than one (1) lot at the time of contribution, he shall be required to designate one (1) of the lots as the lot entitled to contribution; and the owner of such a lot at the time of any contribution shall receive the reimbursements for all of the lot(s) owned by the original contributor at the time of the original contribution. Such lot designation shall be filed with the City Clerk and may be filed in the Office of the Register of Deeds for Green Lake County, Wisconsin. The owner of such designated lot may, by filing a corrective designation, change said designation to another lot owned by him as long as such new lot is one (1) of the lots to be served by said extension. The total amount of reimbursement shall be the total payment made by him less the benefits conferred upon

the lot or lots owned by him at the time of his contribution.

- (h) In addition to the charge made as above provided to each lot, each user shall pay the full cost of the lateral from the main to his or her building.

SEC. 9-2-38 SEPTAGE ACCEPTANCE LOCATION.

- (a) Septage shall only be discharged to the City's sewerage system by City-approved and State of Wisconsin licensed disposers and at locations, times and conditions as specified by the City Utility.
- (b) Septage discharges to City-specified manholes may, under special circumstances, be allowed provided discharge rates are restricted as necessary to facilitate mixing, prevent a backup in the receiving sewer and prevent a slug load to the wastewater treatment facility. Discharges may be limited to the normal working hours of the City Utility and require written documentation of the discharge to be submitted to the City Utility within one (1) working day of the discharge to the City of Green Lake sewers or wastewater treatment facility.
- (c) Septage discharges to the City Utility septage holding facility at the wastewater treatment facility may be limited to the posted normal working hours of the facility. As with discharges to a manhole, documentation of the discharge shall be submitted to the City Utility within one (1) working day of the discharge to the City of Green Lake septage holding facility.
- (d) Blanks for documentation of the discharge will be furnished at the City Clerk's office of the City of Green Lake and will include the following:
 - (1) Name, address and telephone number of the hauler.
 - (2) License number.
 - (3) Type of septage.
 - (4) Quantity of septage.
 - (5) Estimated quality of septage.
 - (6) Location, date, time and feed rate of discharge to the sewerage system.
 - (7) Source of septage.
 - (8) Name and address of septage generator.
 - (9) Other information.

SEC. 9-2-39 ADDITIONAL AUTHORITY.

The Common Council may, at any time, establish specific connection and lateral charges for any main not covered by any other provisions in this Chapter or when the City Utility has made an extension and the City Utility has failed to provide lateral or connection charges. It is further provided that the Common Council may amend or alter any connection or lateral charge after

its establishment under the terms of this chapter or previous Ordinance or Resolutions.

SEC. 9-2-40 CHARGE FOR DISPOSING OF RECREATIONAL VEHICLE EFFLUENT.

- (a) The following charges shall be made for effluent discharge to any designated manholes in the sewage treatment system by recreational vehicle operators:
 - (1) Twenty-five Dollars (\$25.00) Monday through Friday between the hours of 7:00 a.m. and 3:30 p.m.;
 - (2) Forty Dollars (\$40.00) on evenings and Saturdays other than Sundays or holidays;
 - (3) Fifty Dollars (\$50.00) on Sundays and holidays.
- (b) There shall be a Five Dollar (\$5.00) fee for recreational vehicle operators for effluent discharge into the dumping station at the Hattie Sherwood Campground for noncampers. This fee of Five Dollars (\$5.00) does not apply to campers staying at the Hattie Sherwood Park.
- (c) No effluent discharge shall be so disposed of without the supervision of City employees.

SEC. 9-2-41 THROUGH SEC. 9-2-49 RESERVED FOR FUTURE USE.

ARTICLE D

Use of the Public Sewerage System

SEC. 9-2-50 PROHIBITIONS AGAINST DISCHARGE.

- (a) No person shall discharge or cause to be discharged any of the following described liquids or solid wastes to any sanitary sewer or to the wastewater treatment facility.
- (b) Any stormwater, surface water, groundwater, roof run-off or surface drainage or any other connections from inflow sources to the sanitary sewer. Such waters may be discharged to a storm sewer or other waterway with permission of the Director of Public Works.
- (c) Any gasoline, benzene in any solution to the extent of in excess of 5.3 parts per million, naphtha, fuel oil, lubricating oil or other flammable or explosive liquid, solid or gas or other substances which, by themselves or by interaction with other substances, may cause fire or explosion hazards or in any other way be injurious to persons, property or the operation of the wastewater facilities.
- (d) Any waters or waste containing toxic or poisonous substances in sufficient quantity either singly or by interaction with other wastes, which will injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance in the receiving waters of the wastewater treatment plant or interfere with the disposal of sludge.
- (e) Any waters or wastes having a pH lower than five (5) or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel or the wastewater facility.
- (f) Any waters or wastes having a pH in excess of ten (10).
- (g) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, cinders, sand, rocks, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair or fleshings, entrails and paper dishes, cups, milk containers, etc. either whole or ground by garbage grinders.
- (h) Any discharge into the sanitary sewerage system that is in violation of the requirements of the **WPDES** permit and the modifications thereof.
- (i) Wastewater having a temperature higher than one hundred fifty (150) degrees Fahrenheit or causing the wastewater at

the treatment facility to exceed one hundred four (104) degrees Fahrenheit.

- (j) Any water or wastes which may contain more than one hundred (100) parts per million by weight of oils, fat or grease.
- (k) Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- (l) Any waters or waste containing iron, chromium, copper, zinc, mercury and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment facility exceeds the limits established by the City Utility for such materials.
- (m) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the City Utility.
- (n) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the City Utility in compliance with applicable state or federal regulations.
- (o) Quantities of flow, concentrations, or both, which constitute a slug load as defined herein.
- (p) Incompatible pollutants 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 facility effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (q) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system or create a condition deleterious to structures and treatment processes.
- (r) Materials which exert or cause:
 1. Unusually high **BOD5**, chemical oxygen demand or chlorine requirements, such as, but not limited to, whey in such quantities as to constitute a significant load on the wastewater treatment facility.
 2. Unusual flow or concentrated wastes constituting a slug load as defined therein.
 3. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium sulfate).
 4. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

SEC. 9-2-51 SEPTAGE DISPOSAL.

No person or licensed disposer shall dispose of septage into any

storage area or sewer manhole located within the City of Green Lake without written approval of the City Utility.

SEC. 9-2-52 SPECIAL AGREEMENTS.

No statement contained in this Article shall be construed as prohibiting any special agreement between the City Utility and any person whereby an industrial waste of unusual strength or character may be admitted to the wastewater treatment facility, either before or after pretreatment, provided that there is no impairment of the functioning of the wastewater treatment facility by reason of the admission of such wastes and no extra costs are incurred by the City Utility without recompense by the person, provided that all rates and provisions set forth herein are complied with.

SEC. 9-2-53 PERMIT REQUIRED.

It shall be unlawful to discharge to any natural waterway within the City of Green Lake or in any area under the jurisdiction of the City Utility any sewage or other polluted waters without first obtaining a Wisconsin Pollutant Discharge Elimination System Permit (**WPDES** Permit).

SEC. 9-2-54 GREASE INTERCEPTOR PERMIT REQUIRED FOR COMMERCIAL ESTABLISHMENTS.

Any property owner, or property owner's agent or lessee, who is required by Wisconsin Administrative Code Section COMM 82.34, or any amendment thereto, to install and maintain a grease interceptor, shall obtain a grease interceptor permit from the City.

- A. **Application.** Application for a permit shall be made on forms provided by the City, disclosing therein the following:
1. The name(s) and telephone number(s) of the person(s) responsible for the maintenance of the grease interceptor.
 2. The means by which the captured material is to be disposed.
 3. The name of any currently licensed waste disposal firm contracted to dispose of the captured materials; and
 4. The record of dated and means of disposal of all captured material during the previous permit years.
- B. **Inspection.** Upon receipt of an application, the City Building Inspector shall make, or shall cause to be made, an inspection of the grease interceptor to assure that the permitted premises and the grease interceptor are in compliance with Wisconsin Administrative Code Section COMM 82.34. Inspections shall be made at least twice a year, and at such times as the City Building Inspector shall deem necessary. Furthermore, a permit holder is required to, on a monthly basis, clean the grease trap interceptor and baffles of said device. Said monthly cleaning shall be reported to

the City of Green Lake by way of quarterly reports to the City with forms provided by the City to said permit holder.

- C. **Fee.** The applicant shall pay an investigation and compliance fee to cover the City's cost of administrating this compliance program. This fee relates solely to the inspection and monitoring described in this section and is separate from all other fees charged by the Public Works/Utilities Committee. The fee, which shall be established by the Common Council by resolution from time to time, shall be paid at the time the applicant makes application. The initial fee shall be \$100.00 for a 2 year time period.
- D. **Expiration; Renewal; Transfer.** Grease interceptor permits shall expire on June 30 of every other year. The permit is good for a 2 year time period. Renewals shall be handled in the same manner as original applications. Permits issued under this section are personal and may not be transferred.
- E. **Revocation Of Permit.** Permits issued under this section may be revoked, or withheld, by the City Building Inspector whenever the City Building Inspector determines that the permit holder has violated any provision of Wisconsin Administrative Code Section COMM 82.34, including but not limited to allowing deleterious waste materials to be introduced into the City sewer. Continued operation under a revoked permit shall constitute a violation of this chapter.
- F. **Appeals.** Appeals from any order or decision of the City Building Inspector under this section shall be made pursuant to Section 13-1-200 of the City of Green Lake Municipal Code to the Zoning Board of Appeals.
- G. The penalty provision contained in Section 9-2-116 shall be applicable to any violation of this section.

SEC. 9-2-55 THROUGH SEC. 9-2-59 RESERVED FOR FUTURE USE.

ARTICLE E

Sewer User Charge System

SEC. 9-2-60 DEFINITIONS.

The following terms shall have the following meanings under this Article:

- (a) "Debt Service Charges" shall include all costs associated with repayment of debts incurred for the construction and/or

rehabilitation of the wastewater collection system and treatment facility.

- (b) "Normal Domestic Strength Wastewater" shall mean wastewater with concentrations than two hundred twelve (212) milligrams per liter - BOD; one hundred ninety-one (191) milligrams per liter - TSS; twenty-five milligrams per liter - Ammonia Nitrogen; and six (6) milligrams per liter - Phosphorus.
- (c) "Normal User: shall be a user whose contributions to the wastewater treatment facility consist only of normal domestic-strength waste originating from a house, apartment, flat or other living quarters occupied by a person or persons constituting a distinct household, business or commercial enterprise.
- (d) "Operation and Maintenance Costs" shall include all costs associated with the operation and maintenance of the wastewater collection and treatment facilities. These costs, including costs associated with extraneous (clear water)flows, shall be divided proportionately among the various sewer users according to their equivalent user factors.
- (e) "Replacement Costs" shall include costs associated with establishing a fund to accumulate the necessary resource to replace equipment as required to maintain capacity and performance during the design life of the facility.
- (f) "Sewer Service Charge" is a service charge levied on users of the wastewater collection and treatment facilities for payment of capital expenses as well as the operation and maintenance costs, including replacement of said facilities.
- (g) "Policy" shall be the policy of the City of Green Lake to obtain sufficient revenues to pay the costs of the operation and maintenance of the sewerage facilities, including a replacement fund (i.e., a cash account to be used for future expenditures for obtaining or installing equipment, accessories or appurtenances which are necessary to maintain the capacity and performance of the sewerage facilities during the service life for which such facilities were designed and constructed) through a system of sewer service charges as defined in this Section. The system shall assure that each user of the sewerage facilities pays a proportionate share of the cost of such facilities

- (h) "Basis for Service Charge." The minimum quarterly billing shall be sufficient to pay the billing and customer-related administration expenses. A portion of the debt service may

be budgeted by levying an ad valorem tax in accordance with State Statutes. The unit price per volume shall be sufficient to pay the remaining annual cost of operation and maintenance, including any replacement fund, of the sewerage facilities. The method for determining the user charges is given in the User Charge System. The City Utility shall provide the initial estimates of number of users, costs, etc., to calculate the first year's user charges.

- (i) The rates in this Chapter shall be reviewed not less than biennially. Such review shall be performed by the City Utility and the City Council. Rates shall be adjusted, as required, to reflect actual number and size of users and actual costs. Users will be notified annually of the portion of the service charges attributable to operation and maintenance.

SEC. 9-2-61 SEWER SERVICE CHARGES.

A sewer service is hereby imposed upon each lot, parcel or land, building or premise served by the public sewer and wastewater facilities or otherwise discharging sewage, including industrial wastes, into the public sewer and wastewater facilities. Quarterly connection charges will be charged to each water meter connection or unmetered sewer connection. Such sewer service charge shall be payable as hereinafter provided and in amount determinable as follows:

- (a) **Quarterly Connection Charge.**

<u>Meter Size In Inches</u>	<u>Quarterly Connection Charge</u>
5/8 & 3/4	\$ 58.70
1	\$ 92.00
1-1/2	\$139.00
2	\$218.00
3	\$318.00
4	\$453.00

- (b) **Volume Charge.** Nine and 18/100 Dollars (\$9.18) per one thousand (1,000) gallons.

- (c) **Industrial Strength Surcharge.**

- (1) BOD. \$ 1.03/pound exceeding 212 mg/l
- (2) SS. \$ 1.20/pound exceeding 191 mg/l
- (3) U.V.T. As adopted by Green Lake Common Council Annually
- (4) P \$20.43/pound exceeding 6 mg/l
- (5) NH3-N \$ 4.24/pound exceeding 25 mg/l

- (d) **Quarterly Service Charge for Seasonal Purposes.**

A sewer service charge as provided in Section 9-2-61(a) shall apply to any customer regardless if service is disconnected for any reason.

- (e) **Sewer Use Rate Reduction For Lost Water.**

- (1) Clear Water Entering Sewer System: In the event a Sewer Utility Customer has excessively high water consumption

in any given quarter and can demonstrate or prove that a plumbing or fixture problem occurred, the Clerk will estimate the number of gallons of clear water that has entered the sewer system. An adjusted rate of \$3.54 per 1,000 gallons will be applied on the sewer usage charge on the estimated gallons lost.

- (2) Water Lost That Has Not Entered The Sewer System: In the event a Sewer Utility Customer has excessively high water consumption in any given quarter and can demonstrate or prove that water was lost without entering the sewer system, the Clerk will estimate the number of gallons of water lost. There will be no sewer usage charge for the estimated number of gallons of water lost.

SEC. 9-2-62 SEWER SERVICE CHARGES FOR UNMETERED WATER USERS.

- (a) A temporary sewer service charge for un-metered water users is hereby imposed upon each lot, parcel or land building or premise served by the public sewer and waste water facilities or otherwise discharging sewage, including industrial waste, into the public sewer and waste water facilities, and upon such sources which by state statute or Municipal Code mandatorily should have been so connected to the sewage facility.
- (b) Such charge shall be in the amount of Forty-five Dollars (\$45.00) as a fixed charge, together with a flowage charge computed at a rate of Six and 70/100 (\$6.70) Dollars per 1,000 gallons. For the purpose of this Section, Temporary Sewer Service shall mean not more than one (1) quarter (3 months).

SEC. 9-2-63 THROUGH SEC. 9-2-69 RESERVED FOR FUTURE USE.

ARTICLE F

Control of Industrial and Septage Wastes

SEC. 9-2-70 INDUSTRIAL DISCHARGES.

If any waters, wastes or septage are discharged or proposed to be discharged to the public sewers or at the wastewater treatment facility, which waters, wastes or septage contain substances or possess the characteristics enumerated in Article D and which, in the judgment of the City Utility, may have deleterious effects upon the wastewater treatment facility, processes, equipment or receiving waters or which otherwise create a hazard to life, health or constitute a public nuisance, the Common Council may:

- (a) Reject the wastes.
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers.
- (c) Require a control over the quantities and rates of discharge.
- (d) Require a payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Article C.

SEC. 9-2-71 CONTROL MANHOLES.

- (a) Each person discharging industrial wastes into a public sewer shall construct and maintain one (1) or more control manholes or access points to facilitate observation, measurement, and sampling of his or her wastes, including domestic sewage.
- (b) Control manholes or access facilities shall be located and built in a manner acceptable to the Common Council. If measuring devices are to be permanently installed, they shall be of a type acceptable to the Common Council.
- (c) Control manholes, access facilities and related equipment shall be installed by the person discharging the industrial waste at his or her expense and shall be maintained by the person discharging the waste so as to be in safe condition, accessible and in proper operating condition at all times.

Plans for installation of the control manholes or access facilities and related equipment shall be approved by the Common Council prior to the beginning of construction.

SEC. 9-2-72 MEASUREMENT OF FLOW.

The volume of flow used for computing the sewer service and the cost recovery charges for nonseptage disposal shall be based upon the water consumption of the person as shown in the records of meter readings maintained by the City of Green Lake Utility.

SEC. 9-2-73 PROVISION FOR DEDUCTIONS.

In the event that a person discharging industrial waste into the public sewers produces evidence satisfactory to the City Council of the City of Green Lake that more than ten percent (10%) of the total annual volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the Common Council and the industrial waste discharger.

SEC. 9-2-74 METERING OF WASTE.

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

SEC. 9-2-75 WASTE SAMPLING.

- (a) Industrial wastes and septage discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said wastes. The determinations shall be made by the industry or the licensed disposer as often as may be deemed necessary by the Common Council.
- (b) Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the City Utility.
- (c) Testing facilities shall be the responsibility of the person discharging the waste or septage and shall be subject to the approval of the City Utility. Access to sampling locations shall be granted to the City Utility or its duly authorized representatives at all times. Every care shall be exercised in the collection of samples to ensure their preservation in

a state comparable to that at the time the sample was taken.

SEC. 9-2-76 PRETREATMENT.

When required, in the opinion of the Common Council, to modify or eliminate wastes that are harmful to the structures, processes or operation of the wastewater treatment facility, the discharger shall provide at his or her expense such preliminary treatment or processing facilities as may be required to render his wastes acceptable for admission to the public sewers.

SEC. 9-2-77 GREASE AND/OR SAND INTERCEPTORS.

Grease, oil and sand interceptors shall be provided by the industrial discharger and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the discharger 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 City Utility. Any removal and hauling of the collected materials not performed by the discharger's personnel must be performed by currently licensed disposal firms.

SEC. 9-2-78 ANALYSIS.

- (a) All measurements, tests and analysis of the characteristics of waters, waste and septage to which reference is made in this Chapter shall be determined in accordance with "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," (1978, 40 **C.F.R.** 136). Sampling methods, locations, times, durations and frequencies are to be determined on an individual basis subject to approval by the City Utility.
- (b) Determination of the character and concentration of the industrial wastes shall be made by the person discharging them or his or her agent, as designated and required by the Common Council. The City Utility may also make its own analysis of the wastes, and these determinations shall be used as a basis for charges. If the person discharging the waste contests the determination, the City Utility may elect to have an independent laboratory determine the character and concentration of the waste. Said independent laboratory shall be acceptable to both the City Utility and the person discharging the waste. All costs incurred by the independent laboratory in making the determination shall be assumed by the discharger.

SEC. 9-2-79 SUBMISSION OF INFORMATION.

Plans, specifications and any other pertinent information relating to proposed flow equalization, pretreatment or processing facilities shall be submitted for review of the City Utility prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

SEC. 9-2-80 SUBMISSION OF BASIC DATA.

- (a) Within three (3) months after passage of this Chapter, each person who discharges industrial wastes to a public sewer shall prepare and file with the City Utility a report that shall include pertinent data relating to the quantity and characteristics of the waste discharged to the wastewater facility.
- (b) Similarly, each person desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and file with the City Utility a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.

SEC. 9-2-81 EXTENSION OF TIME.

When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person proposing to discharge a waste to comply with the time schedule imposed herein, a request for an extension of the time may be presented for consideration by the Common Council.

SEC. 9-2-82 THROUGH SEC. 9-2-89 RESERVED FOR FUTURE USE.

ARTICLE G

Payment of Charges

SEC. 9-2-90 PAYMENT AND PENALTY.

The sewerage service charge shall be for the corresponding period of the water bills and shall be payable to the City Treasurer of the City of Green Lake not later than twenty (20) days after the end of each period. A penalty of one and percent (1%) per month shall be added to all bills not paid by the due date.

SEC. 9-2-91 CHARGES A LIEN.

All sewage charges shall be a lien upon the property pursuant to Sec. 66.076(7), Wis. Stats., and shall be collected in the manner therein provided.

SEC. 9-2-92 DISPOSITION OF REVENUE.

The amounts received from the collection of charges authorized by this Chapter shall be credited to a sanitary sewerage account which shall show all receipts and expenditures of the sewerage system. Charges collected for replacement expenses shall be credited to a segregated nonlapsing replacement account. These funds are to be used exclusively for replacement. When appropriated by the Common Council, the credits to the sanitary sewerage account shall be available for the payment of the

requirements for operation, maintenance, repairs and depreciation of the sewerage system consistent with 40 C.F.R. Sec. 35.929. Any surplus outside the purview of 40 C.F.R. 35.929 in said account shall be available for the payment of principal and interest of bonds issued and outstanding or which may be issued to provide funds for said sewerage system, or part thereof, and all or a part of the expenses for additions and improvements and other necessary disbursements or indebtedness, and the Common Council may resolve to pledge each surplus or any part thereof for any such purpose. All present outstanding sewer system general obligation bonds, including the refunding bonds, shall be paid from this fund as to both principal and interest.

SEC. 9-2-93 ADDITIONAL CHARGES.

Additional charges shall be imposed upon each lot, parcel of land, building or premises served by public sewer and wastewater facilities located outside the boundaries of the City of Green Lake to equalize local capital costs. Such additional charges shall result in a minimum charge for each user according to the schedule for debt repayment from utility revenues. Such additional charges shall be added to the sewer bill for each billing period.

SEC. 9-2-94 EXCESS REVENUES.

Excess revenues collected from a user class will be applied to operation and maintenance costs attributable to that class for the next year.

SEC. 9-2-95 THROUGH SEC. 9-2-99 RESERVED FOR FUTURE USE.

ARTICLE H

Audit

SEC. 9-2-100 ANNUAL AUDIT.

The City Utility shall conduct an annual audit, the purpose of which shall be to maintain the proportionality between users and user classes of the user charge system and to ensure that adequate revenues are available relative to increasing operation, maintenance and replacement costs.

SEC. 9-2-101 THROUGH SEC. 9-2-109 RESERVED FOR FUTURE USE.

ARTICLE I

Violations and Penalties

SEC. 9-2-110 DAMAGES.

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure of pertinence or equipment which is a part of the sewerage system. Any person violating this provision shall be subjected to immediate arrest under charge of disorderly conduct.

SEC. 9-2-111 WRITTEN NOTICE OF VIOLATION.

- (a) Any person connected to the sewerage system found to be violating a provision of this Chapter shall be served by the City Utility with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice permanently cease all violations.
- (b) Any licensed disposer discharging to the wastewater treatment facility or to a public sewer found to be violating a provision of this Chapter or of any conditions of the City Utility approval for septage disposal may have

their approval immediately revoked. This revocation shall be done in writing and state the reason for revoking the septage disposal approval.

SEC. 9-2-112 ACCIDENTAL DISCHARGE.

Any person found to be responsible for accidentally allowing a deleterious discharge into the sewer system which causes damage to the treatment facility and/or receiving body of water shall, in addition to a fine, pay the amount to cover damages, both values to be established by the Common Council.

SEC. 9-2-113 CONTINUED VIOLATIONS.

Any person, partnership or corporation or any officer, agent or employee thereof who shall continue any violation beyond the aforesaid notice time limit provided shall, upon conviction thereof, forfeit not less than One Hundred Dollars (\$100.00), together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the County Jail for a period not to exceed five (5) days. Each day in which any violation is continued beyond the aforesaid notice time shall be deemed a separate offense.

SEC. 9-2-114 LIABILITY TO CITY FOR LOSSES.

Any person violating any provision of this Chapter shall become liable to the City of Green Lake for any expense, loss or damage occasioned by reason of such violation which the City of Green Lake may suffer as a result thereof. Further, any person violating any provision of this Chapter and after receiving notice by the City of the violation as set forth in Section 9-2-111(a) of the Municipal Code fails to correct said violation in the stated time period as set forth in the notice shall be responsible in full for any expense, cost or damage the City incurs to rectify, repair or correct the violation so it is in compliance with this Chapter.

SEC. 9-2-115 DAMAGE RECOVERY.

The system shall have the right of recovery from all persons any expense incurred by said system for the repair or replacement of any sewer pipe damaged in any manner by any person by the performance of any work under its control or by any negligent acts.

SEC. 9-2-116 PENALTIES.

Any person who shall violate any of the provisions of this Chapter

or rules or regulations of the City Utility or who shall connect a service pipe or discharge without first having obtained a permit therefor or who shall violate any provisions of the Wisconsin Statutes, Wisconsin Administrative Code or any other materials which are incorporated by reference shall, upon conviction thereof, forfeit not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) and the costs of prosecution. This, however, shall not bar the City of Green Lake from enforcing the connection duties set out in this Chapter for mandatory hookup.

CHAPTER 3

Cable Communication System Franchise

9-3-1 City Of Green Lake Cable Television

SEC. 9-3-1 CITY OF GREEN LAKE CABLE TELEVISION.

- A. No person, firm, company, corporation or association shall erect, construct, operate and maintain in, upon,

along, across, above, over, and under the streets, now in existence and as may be created or established or within any other public property of the City, any poles, wires, cable, underground conduits, manholes, and other conductors and fixtures necessary for the maintenance and operation of a cable television system for the distribution of television signals, closed circuit television programs, digital transmission or data transmission capable of being carried on a fiber or coaxial network unless a franchise agreement authorizing the use of the streets or properties or areas has been obtained from the City.

- B. The City of Green Lake may from time to time, upon approval of the City of Green Lake Common Council, under conditions the Common Council determines to be appropriate, enter into franchise agreements with third parties to provide cable television services for the distribution of television signals, closed circuit television programs, digital transmission or data transmission capable of being carried on a fiber or coaxial network to the residents of the City of Green Lake.