

- 8.01 Definitions
- 8.02 Connection to Sewage Collection System
- 8.03 Private Sewage Disposal
- 8.04 Building Sewers and Connections
- 8.05 Use of the Sanitary Sewers
- 8.06 Sewage Service Charges
- 8.07 Service Charge Determination and Rate Ordinance
- 8.08 Service Agreements
- 8.09 Protection from Damage
- 8.10 Powers and Authority of Duly Authorized Representatives of the City
- 8.11 Penalties
- 8.12 Validity
- 8.13 Appeals and Interpretations

8.01 DEFINITIONS.

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- (1) City: shall mean the governing authority of the City of Wisconsin Rapids, or their duly authorized deputies, agents, or representatives.
- (2) Biochemical Oxygen Demand (BOD₅): shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions in five days at 20°C, expressed in milligrams per liter. Determination of BOD₅ shall be made in accordance with procedures set forth in Standard Methods. Acceptable test method(s) shall be as indicated in Chapter NR 219 of the Wisconsin Administrative Code.
- (3) Building Drain: shall mean that part of the lowest horizontal piping of a drainage system which received the discharge from all 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 building drain beginning at the immediate outside foundation wall to its connection with the sewage collection system or other place of disposal.
- (5) Commercial User: shall mean any user whose premises are used primarily for the conduct of profit-oriented enterprise in the fields of construction, wholesale or retail trade, finance, insurance, real estate, or services, and who discharges primarily domestic waste water. This definition shall include multi-family residences having three or more units served by a single water meter.
- (6) Debt Service Charge: shall mean the annual payment of principal and interest for the retirement of debt issued to finance the cost of capital improvements to the sewerage system. This shall include the administrative costs associated with the debt retirement.
- (7) DNR: shall mean the State of Wisconsin Department of Natural Resources.
- (8) Domestic Waste Water: shall mean the combination of liquid and water carried wastes discharged from toilets and other sanitary plumbing facilities in the amount of approximately 100 gallons per capita per day from residential users and 15 to 20 gallons per employee per day from a place of business or industry and in which five-day biochemical oxygen demand (BOD₅), total suspended solids (TSS), total kjeldahl nitrogen (TKN), and total phosphorus meet the following levels:
 - (a) A BOD₅ concentration less than or equal to 300 mg/l;
 - (b) A TSS concentration less than or equal to 300 mg/l;
 - (c) A TKN concentration less than or equal to 40 mg/l as N;
 - (d) A Total Phosphorus concentration less than or equal to 8 mg/l as P.
- (9) Fats, Oils, and Grease: shall mean a group of substances including fats, waxes, free fatty acids, calcium and magnesium soaps, mineral oils, and certain other non-fatty materials as analyzed in accordance with procedures set forth in Standard Methods. Acceptable test method(s) shall be as indicated in Chapter NR 219 of the Wisconsin Administrative Code.
- (10) Floatable Oil: shall mean fat, oil, or grease in a physical state such that it will separate by gravity from waste water by treatment in an approved pretreatment facility. A waste water shall be considered to be free of floatable oil if it is properly pretreated to the extent that it does not result in increased maintenance requirements for the sewerage system.
- (11) Garbage: shall mean solid wastes from the domestic and commercial preparation, cooling, and dispensing of food and from the handling, storage, and sale of produce.

- (12) Governmental User: shall mean all federal, state, and local governmental facilities discharging waste water into the sewerage system.
- (13) Grant: shall mean Federal and/or State financial assistance for the construction of improvements to the sewerage system.
- (14) Holding Tank Wastes: shall mean the liquid or solid contents of holding tanks or portable restrooms.
- (15) Industrial User: shall mean any non-governmental, non-residential user of the sewerage system which is identified in Division A, B, D, E, or I of the Standard Industrial Classification Manual. See also, "Significant Industrial User".
- (16) Industrial Waste water: shall mean any trade or process waste water as distinct from domestic waste water.
- (17) Infiltration: shall mean the water entering a sanitary sewer system and service connections from the ground through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls.
- (18) Inflow: shall mean the water discharged into a sanitary sewer system and service connections from such sources as, but not limited to, roof leaders, cellar, yard, and area drains, foundation drains, cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and combined sewers, catch basins, storm waters, surface runoff, street wash waters, or drainage.
- (19) Institutional User: shall mean all schools, hospitals, churches, religious facilities, nursing homes, clubs, fraternities, and similar facilities generally of non-profit nature, not engaged in retail trade or in manufacturing.
- (20) Interference: a discharge that alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the sewage treatment plant, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the City's WPDES permit or of the prevention of sewage sludge use or disposal in compliance with any and all applicable Federal, State and local regulations. (MC#1115)
- (21) May: shall be permissive.
- (22) Municipal Code: shall mean the municipal code of the City of Wisconsin Rapids. Abbreviated in this ordinance as "MC # XXX".
- (23) Natural Outlet: shall mean any outlet into a watercourse, pool, ditch, lake, or other body of surface or groundwater.
- (24) Operation and Maintenance (O&M) Cost: shall mean all cost associated with the operation and maintenance of the sewerage system, as well as the cost associated with periodic equipment replacement necessary for maintaining capacities and performance of the sewerage system .
- (25) Ordinance: shall mean a statute or regulation enacted by a governing authority.
- (26) Pass Through: A discharge which exits the sewage treatment plant into the waters of the state of Wisconsin 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 City's WPDES permit, including an increase in the magnitude or duration of a violation. (MC#1115)
- (27) Person: shall mean any individual, firm, company, association, society, corporation or group.
- (28) pH: shall mean the negative logarithm of the hydrogen ion concentration in moles per liter of solution. Determination of pH shall be made in accordance with procedures set forth in Standard Methods. Acceptable test method(s) shall be as indicated in Chapter NR 219 of the Wisconsin Administrative Code.
- (29) Pollutant: shall mean any dredged spoil, solid waste, incinerator residue, sewage, garbage, refuse, oil, sewage sludge, munitions, chemical wastes, biological materials, radioactive substance, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water.
- (30) Pretreatment: shall mean reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in waste water to a less harmful state prior to, or in lieu of, discharging such pollutants into the sewerage system.
- (31) Pretreatment Program: shall mean a program administered by the city that meets the criteria established in Chapter NR 211 of the Wisconsin Administrative Code and which has been approved by the DNR in accordance with the provisions of Chapter NR 211 of the Wisconsin Administrative Code.
- (32) Pretreatment Standard: shall mean any regulation which applies to industrial users and which contains pollutant discharge limits promulgated by the DNR in accordance with Section 283 of the Wisconsin Statutes. This term shall include both prohibited discharge standards set forth in or established under NR 211 and categorical pretreatment standards set forth in NR 211 and in NR 221 through NR 297 of the Wisconsin Administrative Code.
- (33) Properly Shredded Garbage: shall mean the wastes from the preparation, cooking, and dispensing of foods that have been shredded to such a degree that all particles will be carried freely with the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in dimension.
- (34) Private Sewage System: shall mean a system comprised of a septic tank and effluent absorption area designed for the purpose of on-site processing of sewage. This term shall also include holding tanks and other private sewage storage or disposal systems.

- (35) Replacement Costs: shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the service life of the sewerage system to maintain the capacity and performance for which the sewerage system facilities were designed and constructed.
- (36) Residential User: shall mean an individual household unit and includes single family, duplex, and apartment units. It includes each residential unit serviced by a separate water meter. Boarding houses or institutions having a common water meter serving several non-related occupants are not included.
- (37) Residential User Flow Equivalent: shall mean the domestic waste water flow, in gallons per day, representative of the average residential user. This value shall be calculated as the total metered water flow for all residential users divided by the number of residential users.
- (38) Sanitary Sewer: shall mean the city sewers which carry sewage, and to which, storm, surface, and ground waters are not intentionally admitted.
- (39) Septage: shall mean the liquid or solid contents of septic tanks, dosing chambers, seepage beds, seepage pits, seepage trenches, or privies. Septage does not include waste from a grease trap or grease interceptor. See also, "Holding Tank Wastes".
- (40) Sewage: shall mean any combination of the liquid and water-carried wastes from residential, commercial, institutional, governmental, and industrial users, together with such ground, surface, and storm waters as may be present.
- (41) Sewage Collection System: shall mean a system of sanitary sewers owned, maintained, operated, and controlled by the City. The facilities which convey waste water from individual structures, from private property to the public lateral sewer, or its equivalent, are specifically excluded from the definition, with the exception of pumping units, and pressurized lines, for individual structures or groups of structures when such units are owned and maintained by the City.
- (42) Sewage Treatment Plant: shall mean any arrangement of devices and structures used by the city for treating sewage.
- (43) Sewerage System: shall mean all city facilities for collecting, pumping, treating, and disposing of sewage, except plumbing inside and in connection with building served, and service pipes, from building to street main.
- (44) Sewer Service Charge: shall mean a service charge levied on users of the sewerage system and shall include the User Charge and the Debt Service Charge as defined in Section 8.01 of this ordinance.
- (45) Shall: shall mean mandatory. See also "May".
- (46) Significant Industrial User: shall mean an industrial user which meets one or more of the following conditions:
- (a) Any industrial user of the sewerage system which discharges more than 25,000 gallons per day (gpd) of waste water, excluding sanitary, non-contact cooling, and boiler blowdown waste waters, and which is identified in Division A, B, D, E, or I of the Standard Industrial Classification Manual;
 - (b) Any industrial user that discharges a process waste stream which makes up 5% or more of the average dry weather hydraulic capacity, or more than 5% of the BOD₅, TSS, TKN, or total phosphorus treating capacity, of the sewage treatment plant;
 - (c) Any centralized waste treater;
 - (d) Any industrial user subject to categorical pretreatment standards in Chapters NR 221 to 297 of the Wisconsin Administrative Code.
 - (e) Any non-governmental user of the sewerage system which discharges waste water to the sewerage system which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other wastes, to contaminate the sludge of the sewage treatment plant, or injure or interfere with any sewage treatment process, constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the sewerage system. This includes, but is not limited to, all toxic pollutants listed in Chapter NR 215 of the Wisconsin Administrative Code.
 - (f) Any industrial user that is required to file effluent reports for discharge to the sewerage system as required by Chapter NR 101 Wisconsin Administrative Code and Section 283 of the Wisconsin Statutes.
 - (g) Any other user designated as a significant industrial user by the city or the DNR.
- (47) Slugs: Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharges defined in Section 8.05 of this ordinance. Slugs are any discharges of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the City's WPDES Permit conditions. (MC#1115)
- (48) Standard Industrial Classification Manual: shall mean the reference document prepared by the Office of Management and Budget, latest edition.
- (49) Standard Methods: shall mean Standard Methods for the Examination of Water and Waste water as published by American Public Health Association, American Water Works Association, and the Water Environment Federation, latest edition.

- (50) Storm Drain (sometimes termed Storm Sewer): shall mean a city sewer which carries storm and surface waters and drainage but excludes domestic and industrial waste waters, other than unpolluted cooling water.
- (51) Total Kjeldahl Nitrogen (TKN): shall mean the total of organic and ammonia nitrogen present in a waste water sample. Determination of TKN shall be made in accordance with procedures set forth in Standard Methods. Acceptable test method(s) shall be as indicated in Chapter NR 219 of the Wisconsin Administrative Code.
- (52) Total Phosphorus: shall mean total phosphorus in waste water which may be present in any of three principle forms: orthophosphate, polyphosphate, and organic phosphate. Determination of total phosphorus shall be made in accordance with procedures set forth in Standard Methods. Acceptable test method(s) shall be as indicated in Chapter NR 219 of the Wisconsin Administrative Code.
- (53) Total Suspended Solids (TSS): shall mean solids that either float on the surface of, or are in suspension in, water, waste water, or other liquids, and that are removable by laboratory filtering. Determination of TSS shall be made in accordance with procedures set forth in Standard Methods. Acceptable test method(s) shall be as indicated in Chapter NR 219 of the Wisconsin Administrative Code.
- (54) Toxic Pollutant: shall mean those pollutants or combination of pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will, on the basis of information available to the DNR, cause death, disease, behavioral abnormalities, cancer, genetic mutations, or physiological malfunctions in such organisms or their offspring.
- (55) User: shall mean those residential, commercial, institutional, governmental, and industrial establishments which discharge waste water to the sewerage system.
- (56) User Charge: shall mean a charge levied on users of the sewerage system for the cost of operation and maintenance of the sewerage system as defined in Section 35.905-26, Title 40 USC. The user charge shall be contained within the Sewer Service Charge as created by this ordinance. The User Charge shall also include Replacement Costs as defined in Section 8.01 of this ordinance, administrative costs associated with operation and maintenance of the sewerage system, and sewer service charge billing costs.
- (57) User Classes: shall mean residential, institutional, commercial, governmental, and industrial categories of users.
- (58) Unaltered Water: shall mean waters which are not changed chemically or physically as a result of use.
- (59) Waste water: shall mean any discharge from any residential, commercial, governmental, institutional, or industrial user into the sewerage system. See also "Domestic Waste water" and "Industrial Waste water".
- (60) Watercourse: shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- (61) Wisconsin Administrative Code: shall mean the published rules of executive agencies having rule-making authority for the State of Wisconsin, latest edition.
- (62) WPDES: shall mean Wisconsin Pollutant Discharge Elimination System permit as issued by the Wisconsin Department of Natural Resources.

8.02 CONNECTION TO SEWAGE COLLECTION SYSTEM.

- (1) It shall be unlawful for any person to place, deposit, or permit to be deposited any sewage on the ground surface of any public or private property within the jurisdiction of the City.
- (2) It shall be unlawful to discharge any sewage to any natural outlet within the jurisdiction of the city except where authorized by the DNR.
- (3) Except as provided for in Section 8.03 of this ordinance, it shall be unlawful to construct or maintain any privy, vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.
- (4)
 - (a) Connections are required where available. Persons owning dwellings or other buildings used for manufacturing or trade within the jurisdiction of the City, that generate domestic and/or industrial waste water, shall cause such buildings to be connected to the sewage collection system within 30 days after the sewage collection system is accessible thereto. The city shall make investigations and determine whether such connection is necessary to assure the preservation of the public health, comfort, and safety. (MC#813)
 - (b) Upon determination of non-compliance, the city shall issue an order requiring such person to connect to the sewage collection system. Such an order shall be delivered to the person by registered mail. The person shall report the day of the completion thereof to the City. In the event the person does not comply with such order, the city may bring an action for the violation of this ordinance or proceed to have such connections made by a licensed plumber, under the direction of the City, and charge the cost of such work as a special tax against such property. (MC#813)
 - (c) The person, or the person's contractor, shall obtain the necessary city permits prior to commencing work required to make said connection.

8.03 PRIVATE SEWAGE DISPOSAL.

- (1) Where sewage collection is not available, the building sewer shall be connected to a private sewage system complying with the following provisions.
- (2) Before commencement of construction of a private sewage system, persons shall first obtain a written permit signed by the City. The application for such permit shall be made on a form furnished by the city which the person shall supplement by any plans, specifications, and/or other information as is deemed necessary by the City.
- (3) A permit for a private sewage system shall not become effective until the installation is completed and approved by the City. The city shall be allowed to inspect the work at any stage of construction, and in any event, the person applying for the permit shall notify the city when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the City.
- (4) The type, capacity, location, and layout of a private sewage system shall comply with Chapter Comm 83 of the Wisconsin Administrative Code.
- (5) At such time as the sewage collection system becomes available to a property served by a private sewage system, as provided in Section 8.02.02(4), a direct connection shall be made to such sewage collection system in compliance with this ordinance, and any septic tanks, cesspools, and similar private sewage systems shall be abandoned in accordance with Chapter Comm 83 of the Wisconsin Administrative Code.
- (6) The person shall operate and maintain the private sewage system in accordance with Chapter Comm 83 of the Wisconsin Administrative Code.
- (7) No statement contained in this article shall be construed to interfere with, or contradict, any requirements that may be imposed by Chapter Comm 83 of the Wisconsin Administrative Code.
- (8) Septage or holding tank wastes may be discharged to approved locations in the sewerage system with written approval from the city.
 - (a) No person in the business of gathering and disposing of septage or holding tank wastes shall transfer such material into any disposal area or manhole located within the city jurisdiction unless a permit for disposal has been first obtained from the City. Written application for this permit shall be made to the city and shall state the name and address of the person; the number of its disposal units; and the make, model and license number of each unit. The application must state truly and fully the type, frequency, quantity, quality, and location of generated septage to be disposed of at the sewage treatment plant. Permits shall be non-transferable except in case of replacement of the disposal unit for which a permit shall have been originally issued. The permit may be obtained upon payment of a fee. Annual fees shall be established by the City. Any person applying for a permit shall furnish a bond to the city in an amount specified by the city to guarantee performance. The bond shall be provided prior to the permit being issued. The time and place of disposal will be designated by the City. The city may impose such conditions as it deems necessary on any permit granted. Bills shall be mailed on a monthly basis and if payments are not received in 30 days thereof, disposal privileges shall be suspended.
 - (b) Any person hauling septage or holding tank wastes agrees to carry public liability insurance in an amount not less than \$150,000 and to protect any and all persons or property from injury and/or damage caused in any way or manner by any act, or failure to act, by any of the person's employees. A certificate certifying such insurance to be in full force and effect shall be furnished to the City.
 - (c) Any septage or holding tank wastes discharged into the sewerage system shall be of domestic origin and will comply with the provisions of this ordinance. A discharger shall not deposit or drain any gasoline, oil, acid, alkali, grease, rags, waste, volatile, or inflammable liquids or other deleterious substances into the sewerage system nor allow any earth, sand or solid material to pass into any part of the sewerage system.
 - (d) Any persons disposing of septage or holding tank wastes agrees to indemnify and save harmless the city from any and all liability and claims for damage arising out of or resulting from work and labor performed.
 - (e) Septage or holding tank waste disposal to the sewerage system shall be in strict accordance with times and locations indicated by the City.
 - (f) All city approvals for septage or holding tank waste disposal shall have the conditions that any time the sewage treatment plant has operational problems, maintenance problems, or threat of WPDES permit violations that are directly or indirectly related to septage disposal, the city may immediately restrict disposal of septage or holding tank waste until such time as corrective action or mitigative measures have been taken.

8.04 BUILDING SEWERS AND CONNECTIONS.

- (1) New connections to the sewage collection system will be allowed only if there is available capacity in all of the downstream sewerage system.

- (2) No unauthorized person shall alter, disturb, or uncover any connections with or opening into any sewerage system facility without first obtaining written permission from the City.
- (3) Each separate cut or opening in any street, alley, or public thoroughfare shall require payment of a minimum fee as specified by the City. Fees to be paid upon application for permit. An excavating permit shall be applied for and received before excavating in any street, alley, or other public way to repair, alter, or make any installation below the surface, or whenever opening surfaces are necessitated to accommodate surface installations.
- (4) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the user. The user shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- (5) Every house or building must be separately and independently connected with the sanitary sewer, except in cases where a house or building stands in the rear of another or an interior lot. See also State of Wisconsin Plumbing Code.
 - (a) All house sanitary and storm sewer piping extending from the service lateral or other disposal terminal to within three to five feet of the outside foundation walls or any building must consist of cast iron soil pipe or schedule 40 PVC pipe with a minimum coverage of four feet and conforming to the standards established in Comm 84 of the Wisconsin Administrative Code.
 - (b) All sanitary and storm drains inside the building and to a point three to five feet of the outside foundation walls of any building must consist of cast iron soil pipe or schedule 40 PVC Pipe with adequately sealed joints and conforming to the standards established in Comm 84 of the Wisconsin Administrative Code.
 - (c) No master plumber or other authorized person shall lay and connect with any sanitary and/or storm sewer pipe that is cracked, damaged, or of an inferior grade or quality, under penalty as is herein provided.
- (6) Old building sewers may be used in connection with new buildings only when they are found on examination and test by the city to meet all requirements of this ordinance.
- (7) The size, slope, alignment, materials for construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of Chapter Comm 82 Wisconsin Administrative Code. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in Gravity Sanitary Sewer Design and Construction (MOP FD5), as published by the American Society of Civil Engineers (ASCE) and Water Environment Federation (WEF), latest edition, shall apply.
- (8) 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 sanitary sewer, waste water carried by such a building drain shall be lifted and discharged to the building sewer by facilities conforming to Comm 82 Wisconsin Administrative Code.
- (9) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, basement sump pumps, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a sanitary sewer.
- (10) The connection of the building sewer into the sanitary sewer shall conform to the requirements of Section 8.04(7).
- (11) The person applying for the building sewer permit shall notify the city when the building sewer is ready for inspection and connection to the sanitary sewer. The connection shall be made under the supervision of the City.
- (12) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to minimize the hazard to the public welfare and safety. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.
- (13) Except upon application made with written permission of the City, ample width of roadway shall be maintained at all times for the continuous safe use and passage of one lane of traffic. Flagpersons shall be provided when the amount of traffic on the street requires it as determined by the City. The traveled portion of the street shall be kept free from machinery, tools, excavated materials, or other obstruction at all times. All hot mixed bituminous and concrete surfaces shall be machine cut. Balling of concrete and hot mix bituminous is prohibited. (MC#813)
- (14) No plumber, pipe fitter, or other person will be permitted to do any plumbing or pipe fitting work in connection with the sewage collection system without first receiving a license from the State of Wisconsin, and posting an appropriate bond as specified by the City, except in cases where State Law permits persons owning buildings to do their own work without being licensed.
- (15) The city shall maintain sewer service within the boundaries of the sanitary sewer service area for the sanitary sewer mains without expense to the users, except when they are damaged as a result of negligence or carelessness on the part of the user. All sewer services from the point of maintenance by the City, to and

throughout the user's premises, must be maintained free of defective conditions, by and at the expense of the user.

- (16) All users shall keep their own building sewers and building drains in good repair and protected from frost, at their own risk and expense, and shall prevent any unnecessary overburdening of those facilities.
- (17) The city and its duly authorized representatives shall not be liable for damages occasioned by reason of the breaking, clogging, stoppage, or freezing of any building sewers or building drains; nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary. The city reserves the right to cut off the sanitary sewer service at any time for the purpose of repairs, or any other necessary purpose, and permit granted or regulation to the contrary notwithstanding. Whenever it shall become necessary to shut off the sanitary sewer service, the city shall, if practicable, give notice to each and every consumer affected.
- (18) No user shall allow others or other services to connect to the sewage collection system through the user's building sewers and building drains.
- (19) Any person located within the sanitary sewer service area desiring to connect a proposed new sanitary sewer extension to the sewerage system shall make a written application to the city for permission to make such connection or use. The application shall include a statement of the location or locations at which it is desired to connect, and a statement of the character of the waste water to be transmitted.
 - (a) The city shall be responsible for review and approval of all proposed sanitary sewer extensions. All costs and expenses incident to the design and bidding including engineering, permits and other fees associated with the connection or hookup to the sewerage system shall be borne by the person requesting the extension. Prior to the design of a sanitary sewer extension, the person requesting the extension shall secure and furnish proof of an escrow account for the estimated amount of the design costs, the amount to be determined by the City. The account shall be so arranged and an escrow agreement executed between the person, the financial institution and the city to allow the latter to withdraw amounts from the account. The account shall be sufficient to cover payments to all parties under contract with the city for the design of the sanitary sewer extension. This money will not be refunded if the project does not proceed to construction.
 - (b) The person requesting the sanitary sewer extension shall assist in securing all required utility easements, the location and width of which shall be determined by the City. The city will furnish blank easement forms to the person who will be responsible for the proper legal description of the easement parcel and for the proper execution of the easement by the grantor. All completed easements shall be submitted to the City, designated as the grantee for its review, and shall be recorded at the County Register of Deeds office by the City.
 - (c) The person requesting the sanitary sewer extension shall also execute any other special agreements deemed necessary by the City.
 - (d) Prior to permitting such connection or use, the city may investigate, or cause to be investigated, the sanitary sewer extension for which such connection or use is requested. If the city finds such system to be in a satisfactory condition, it will grant a permit for such connection or use. If the city finds such system to be defective in operation, construction, design, or maintenance, the city will so notify the person and will advise the person that upon completion of specified alterations, new construction, or changes in supervision or operation, a permit will be granted. Should the plans or specifications not be approved, one copy will be returned to the applicant who will be informed as to the reason for non-approval.
 - (e) During the construction of any sanitary sewer extension which the city has approved, the city may, from time to time, observe construction of the same to see that said work is being done in accordance with the approved plans and specifications. Failure to make such observations shall not nullify the rights of the city to require reconstruction should non-adherence to approved plans and specifications be subsequently discovered. Every person in the construction of laterals or sanitary sewer extensions, within its jurisdiction, shall require that such construction be under the direction of a Wisconsin Registered Professional Engineer or Licensed Master Plumber, as applicable, if plan approval was obtained under their license. The Professional Engineer or Master Plumber shall keep accurate records of the location, depth, and length of the sewers as built, and of the location of the Y-branches or slants.
 - (f) All proposed sanitary sewer connections shall be made at a manhole with the flow lines of the connecting sewer being at or below the manhole shelf or the connection shall be made through an approved drop. At least 24 hours before connection is to be made, notice of such intent must be given to the City. When the actual connection is made, it must be done in the presence of a construction observer representing the City.

8.05 USE OF THE SANITARY SEWERS.

- (1) No person shall discharge or cause to be discharged any storm water or clear water drains of any kind, including subsoil and building drain tile drains, into a sewer designed or designated as a sanitary sewer. If storm water or clear water is being discharged into a sanitary sewer, the city shall give the person offending 15 days' notice to disconnect. Failure to disconnect after such notice shall authorize the city to disconnect and assess the costs of such disconnection against the property involved. The city shall have the alternative right at the end of such notice to institute action for violation of this ordinance.
- (2) The city reserves the right to refuse or accept any and all industrial waste waters from an industry or combination of industries as may be necessary to insure proper operation of the sewerage system.
- (3) No person shall introduce or cause to be introduced into the sewage treatment plant any pollutant or waste water which causes Pass Through or Interference. These general prohibitions apply to all users of the sewage treatment plant whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment standards or requirements, or whether or not they have entered into a service agreement with the City. (MC#1115)
- (4) No person shall introduce or cause to be introduced any of the following described substances into the sewerage system: (MC#1115)
 - (a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive fluid or solid.
 - (b) Any substances containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant.
 - (c) Any substance having a pH lower than 6.0 or higher than 10.0 or having other corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel operating the sewage system. (MC#1120)
 - (d) Any substances in quantities or of such size as to cause obstruction to the flow in sanitary sewers, and other interference with the proper operation of the sewage treatment plant such as, but not limited to, ashes, cinders, clay, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, disposable dishes, cups, milk containers, and similar materials, either whole or ground by garbage grinders.
- (5) No person shall discharge or cause to be discharged any of the following described substances, without the specific written permission of the City. Such permission is subject to termination at any time upon written notice. In forming its opinion as to the acceptability of these wastes, the city will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sanitary sewers, materials or construction of the sanitary sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, and other pertinent factors. The substances prohibited are:
 - (a) Any fluid having a temperature higher than 150°F.
 - (b) Waste water containing more than 25 mg/l of petroleum oil, non-biodegradable cutting oils, or products of mineral oil origin.
 - (c) Any liquid containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F.
 - (d) Waste water from an industrial user containing floatable excess fats, oils, or grease.
 - (e) Any garbage that has not been properly shredded or solid material having any dimension greater than one-half inch. The installation and operation of any garbage grinder equipped with a motor of three-fourth (3/4) horsepower or greater shall be subject to the review and approval of the City.
 - (f) Substances containing any toxic pollutant including, but not limited to, those toxic pollutants listed in Chapter NR 215 of the Wisconsin Administrative Code.
 - (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by state or federal regulations.
 - (h) Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as but not limited to, fullers earth, clay, lime slurries, and lime residues) or of dissolved solids detrimental to the treatment process.
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions.)
 - (3) Unusual BOD₅, chemical oxygen demand or disinfection requirements in such quantities in excess of that found in domestic waste water .
 - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined in Section 8.01.

- (i) Substances which are not treatable by the sewage treatment processes employed, or are untreatable to such a degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction.
 - (j) Any substance containing odor-producing compounds, in excess of that associated with domestic waste water, and exceeding limits which may be established by the City.
 - (k) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately notify the City by telephone and email of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described above. Users shall ensure that all of its employees who could cause such a discharge to occur are advised of the emergency notification procedure. (MC#1115)
- (6) No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The City may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate. (MC#1115)
- (7) If any waste water, septage, or holding tank waste is discharged, or proposed to be discharged to the sewerage system which contains the substances or possesses the characteristics enumerated in Section 8.05 and which in the judgment of the City, may have a deleterious effect upon the sewerage system, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the city may in writing:
- (a) Reject the wastes;
 - (b) Require pretreatment to an acceptable condition prior to discharge to the sewerage system;
 - (c) Require control over quantities and rate of discharge;
 - (d) Require flow equalization of rate of discharge, and/or
 - (e) Require payment to cover the added cost of handling and treating the waste not covered by sewer charges under the provisions of Section 8.06.
- The cost for the city to evaluate the potential effects of a proposed waste water discharge on the sewerage system, in which one or more of the substances or characteristics enumerated in Section 8.05 have a reasonable probability of being present in the proposed discharge, shall be born in entirety by the proposed discharger. If the city permits the pretreatment or equalization of waste flows, plans and specifications shall be submitted to the DNR for review and approval.
- (8) Grease and oil separators and sand interceptors shall be provided when, in the opinion of the city they are necessary for the proper handling of liquids containing grease in excessive amounts, or any flammable fluid, sand, or other harmful ingredients; except that such interceptors and separators shall not be required for private living quarters or dwelling units. All separators and interceptors shall be of the type and capacity approved by the DNR and/or Wisconsin Department of Commerce, and shall be located as to be readily and easily accessible for cleaning and inspection. The introduction of grease or fat emulsifiers into a grease interceptor is prohibited.
- (9) Where pre-treatment, or flow-equalizing facilities are provided they shall be maintained continuously in satisfactory condition and effectively operated by the user at the user's expense.
- (10) All industrial users, as defined in Section 8.01 of this ordinance, discharging industrial waste water to the sewerage system, shall install a control manhole in accordance with Chapter Comm 82 of the Wisconsin Administrative Code. The control manhole shall be installed at the most representative location of the waste water flow for the industrial user. The control manhole shall be installed and maintained by the industrial user at the user's expense. The control manhole shall be maintained by the industrial user so as to be safe and accessible at all times. The industrial user may be required to install temporary or permanent flow sampling and metering equipment at the discretion of the City. If so required, the cost for installation, operation, and maintenance of such equipment will be at the expense of the industrial user.
- (11) All significant industrial users, as defined in Section 8.01 of this ordinance, discharging industrial waste water to the sewerage system, shall install a control manhole in accordance with Chapter Comm 82 of the Wisconsin Administrative Code. The control manhole shall be installed at the most representative location of the waste water flow for the significant industrial user. The control manhole shall consist of a manhole on the industrial users discharge line with a volume measuring device and a separate structure housing volume recording instruments and an automatic proportional sampler. The sampler shall automatically (in proportion to discharge volume) collect samples of the waste water. The control manhole, including the manhole structure, volume measuring devices, and waste sampling devices, shall be approved by the DNR and the city prior to installation. The significant industrial user shall install, operate, and maintain the control manhole, metering facilities, and sampling facilities at it's own expense. The significant industrial user shall record volume its own

expense. The significant industrial user shall record, sample, test, and analyze waste water flow and character at its own expense. The city shall determine the level of waste water analysis, including the frequency thereof, which will be required for each significant industrial user on a case by case basis. Sample collection, preservation, and analysis shall be in accordance with Chapters NR 218 and NR 219 of the Wisconsin Administrative Code. The significant industrial user shall grant access, to the City, to the control manhole, and all associated metering and sampling equipment, at all times.

- (12) All measurements, tests, and analysis of the characteristics of fluids and solids to which reference is made in this ordinance shall be determined in accordance with the latest edition of Standard Methods. Acceptable methods for waste water analysis shall be in accordance with Chapter NR 219 of the Wisconsin Administrative Code.
- (13) No statement contained in this section shall be construed as preventing any special agreement or arrangement between the city and any industrial users whereby an industrial waste of unusual strength or character may be accepted by the city for treatment, subject to payment, therefore, by the industrial user provided the agreement is not in conflict with the intent or rates established by this ordinance or in conflict with State or Federal regulations. Such discharges, if permitted, shall be limited to concentrations or quantities which will not cause interference, pass through, contamination of sewage treatment plant sludge, injure or interfere with any sewage treatment process, or constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the sewerage system. Determination of such limits shall comply with the requirements of the Federal Water Pollution Control Act, 33 USC 1251 to 1387, and regulations adopted under that act. (MC#1115)
- (14) Amalgam Management at Dental Offices; Discharges from Dental Clinics (MC#1082)
- (a) This section applies to discharges from dental clinics where amalgam is placed or removed. This section does not apply to the specialties orthodontics, periodontics, oral and maxillo-facial surgery, endodontics, prosthodontics or to other clinics that do not place or remove amalgam, or which are identified by the City as de-minimus contributors. For the purpose of this section, a dental clinic is defined as a non-mobile facility dedicated to the examination and treatment of patients by healthcare professionals specializing in the care of teeth, gums, and oral tissues.
- (b) Within the shortest reasonable time, but no later than December 31, 2009, dental clinics that place or remove amalgam shall implement best management practices for amalgam as established by the Wisconsin Dental Association.
- (c) Within the shortest reasonable time, but no later than December 31, 2009, dental clinics shall install, operate and maintain an amalgam separator meeting the criteria of the International Standards Organization (ISO 11143) for every vacuum system receiving amalgam waste. Amalgam separators shall be installed, operated, and maintained according to instructions provided by the manufacturer. The amalgam separator shall have a design and capacity appropriate for the size and type of vacuum system.
- (d) On or before January 31, 2010, dental clinics will submit reporting information that includes:
- (1) If installation of the amalgam separator is complete, then the report shall identify:
- (a) The date the amalgam separator was installed.
- (b) The manufacturer name and model number of the separator.
- (c) Certification that the amalgam separator was installed and is being operated and maintained in accordance with instructions provided by the manufacturer.
- (d) Certification that best management practices for amalgam as established by the Wisconsin Dental Association are being implemented.
- (e) The person responsible for assuring compliance with the Amalgam Separator requirements in the City's Sewerage Use Ordinance.
- (2) If installation of the amalgam separator is incomplete, then the report shall briefly explain:
- (a) The reason for the delay in the installation of the amalgam separator
- (b) An installation schedule.
- (c) Identify the manufacturer and the model name of the amalgam separator that will be installed.
- (e) Starting January 31, 2010, and annually thereafter, each dental office shall submit a report that certifies the implementation of the management practices required by b) above. The report shall include the following information:
- (1) The date the amalgam separator was installed.
- (2) The manufacturer name and model number of the separator.
- (3) Certification that the amalgam separator was installed and is being operated and maintained in accordance with instructions provided by the manufacturer.
- (4) Certification that best management practices for amalgam as established by the Wisconsin Dental Association are being implemented.

- (5) The person responsible for assuring compliance with the Amalgam Separator requirements in the District's Sewer Use Ordinance.
- (f) If a dental office has provided a report according to 8.05(13)(d)(2) above, then the dental office shall notify the City of the completion of installation within five days after completion.
- (g) From the contractors used to remove amalgam waste, dental offices shall obtain records for each shipment showing: the volume or mass of amalgam waste shipped; the name and address of the destination; and the name and address of the contractor. Dental offices shall maintain these records for a minimum of five years. Dental offices shall make these records available to the City for inspection and copying upon request from the City.
- (h) Dental clinics shall allow the City to inspect the vacuum system, amalgam separator, amalgam waste storage areas, and other areas deemed necessary by the City to determine compliance with this section. Inspections shall occur by appointment during the normal operating hours of the dental clinic as long as advance notice does not impede enforcement of this section.
- (i) If a dental office is implementing the management practices required by Section 8.05(13)(b) above and is operating and maintaining the amalgam separator required by Section 8.05(13)(c) above, then any numerical discharge limit for mercury established in any other section of this chapter does not apply.

8.06 SEWER SERVICE CHARGES

- (1) The purpose of this section is to establish the basis for reasonable charges for the cost of collecting and treating domestic waste water and industrial waste water. All revenues raised by the sewer service charges shall be utilized for payment of the user charges and debt service charges as defined in section 8.01 of this ordinance. Any revenue not spent in any budget year shall be placed in a non-lapsing account and carried forward to pay the next year's expenses and to defer the need for rate increases.
- (2) Sewer service charges shall be reviewed annually to determine their adequacy to offset user charge and debt service charge costs. Accordingly, the city reserves the right to adjust the sewer service use charges annually to assure their continued adequacy.
- (3) Sewer service charges to all users will be based on metered water volume from the city water meter when city water is the only source of waste water discharged from the user's premises into the sewerage system. In addition, there will be a surcharge for BOD₅, TSS, TKN, and total phosphorus in excess of the concentrations defined in Section 8.01 for domestic waste water.
- (4) When a user discharging waste water into the sewerage system is a user of water not supplied by the City, the amount of water used shall be measured by a meter acceptable to the city or determined by the city in such manner and by such method as it may find practicable under the conditions and attendant circumstances of the case, in order to determine the sewer service charge. Such determination may be appealed to the City. As an alternative, the city may establish a flat rate for sewer service, or authorize the installation, at the user's expense, of a control manhole with metering facilities.
- (5) When a user utilizes metered water in an industrial process or for other purposes which prevents the discharge of all water purchased into the city sewerage system, the user may be eligible for a proportionate sewer service charge reduction. It shall be the responsibility of the user to install adequate metering facilities to properly identify all water not discharged into the sewerage system. The city reserves the right to inspect all installations of this nature and may require the user to monitor the waste water discharge volume to verify actual discharge rates.
- (6) Sampling of industrial waste waters may be made on a regular basis or as needed to verify sewer service charges.
- (7) Each new industrial user shall file with the city an initial written statement for each separate connection to the sewerage system giving the daily volume, surge rate, peak rate, pounds of TSS, pounds of BOD₅, pounds of total phosphorus, and pounds of TKN of the waste water. Initial sewer service charges shall be developed on the basis of this statement. Changes in operations or use shall be reported by the industrial user and it shall be the industrial user's sole responsibility to have such changes made to the original statement to remain in compliance with this ordinance.
- (8) The city may sample and test, at any time, any industrial waste water discharge to verify the accuracy of any statement filed by an industrial user. If the results of the waste water tests indicate waste water with measured parameters less than, or equal to, the values listed in the industrial user's statement, then the cost of the testing shall be at the City's expense. If the results of the waste water tests indicate waste water with measured parameters more than 5% greater than the values listed in the industrial user's statement, then the cost of the testing shall be at the industrial user's expense.

8.07 SEWER SERVICE CHARGE DETERMINATION.

- (1) The intent of this article is to establish the method of setting sewer service charges and rates for users of the sewerage system. Rates shall be set annually by the city with the city budget, not later than January 1 of each year. The new rate shall become effective on the date set forth in the ordinance establishing the rate change.
- (2) The sewer service charge rate (S_T) shall be determined by dividing the total annual cost of treatment (C_T) by the total waste water volume treated (V_T) during the year. C_T shall include the costs associated with the user charge and the debt service charge as defined in Section 8.01 of this ordinance. V_T shall include the total volume of water which was invoiced by the water utility during the preceding year as well as any additional waste water discharged to the sewerage system measured by alternate means approved by the city in accordance with this ordinance.
- (3) The sewer service charge for all residential, institutional, commercial, and governmental users, discharging domestic waste water, as defined in Section 8.01 of this ordinance, shall be determined by multiplying the metered water volume by S_T . There shall be a minimum monthly sewer service charge. The user shall pay the greater of the calculated sewer service charge or the minimum sewer service monthly charge. The sewer service charge shall be paid monthly. ~~(MC#639)~~ (MC#1141)
- (4) The sewer service charge for all industrial users, discharging waste water with BOD₅, TSS, TKN, or total phosphorus concentrations in excess of those values defined for domestic waste water, as defined in Section 8.01 of this ordinance, shall pay a charge determined by multiplying the metered water volume by S_T as well as surcharges for BOD₅, TSS, TKN, and/or total phosphorus. The surcharges for BOD₅, TSS, TKN, and total phosphorus shall be determined by the following method: 30% of the cost of the total annual cost of treatment (C_T) shall be attributed to BOD₅, 26% shall be attributed to TSS, 2% shall be attributed to TKN, and 6% shall be attributed to total phosphorus. Using this cost base, the average annual cost per pound of treatment of BOD₅, TSS, TKN, and total phosphorus shall be determined. These costs per pound shall be the surcharge rates per pound of BOD₅, TSS, TKN and total phosphorus in excess of domestic waste water strength as defined in Section 8.01 of this ordinance. Users will be sampled monthly by the city to determine BOD₅, TSS, TKN, and total phosphorus for surcharge purposes. For any users required under this ordinance to install waste water flow measuring facilities, waste water flows for the purposes of calculating the sewer service charge, shall be based on readings from the installed waste water flow meter. There shall be a minimum monthly sewer service charge for all industrial users. The industrial user shall pay the greater of the calculated sewer service charge or the minimum sewer service monthly charge. The sewer service charge shall be paid quarterly. ~~(MC #639)~~ (MC#1141)
- (5) Minimum monthly sewer service charges shall be based on ensuring collection of sufficient funds for repayment of sewerage system debt retirement costs. The minimum monthly sewer service charge shall be calculated based on the debt retirement payment for the year divided by the number of residential user flow equivalents as defined in this ordinance. At the discretion of the City, the minimum charge for commercial, institutional, governmental, and industrial users may be determined based on yearly metered flow for the said user divided by the residential user flow equivalent value. (MC#1141)
- (6) Rate Determination
 - (a) Charges levied on residential, industrial, commercial, institutional, and governmental users which discharge waste water of strength equal to, or less than, domestic waste water will be billed at the rate of \$4.75 per 1,000 gallons (S_T) (also equal to \$3.56 per 100 cubic feet). The minimum monthly charge shall be \$13.15. Billing for usage (consumption) shall commence after 748 gallons (100 cubic feet) has been used and shall continue at the \$4.75 per 1,000 gallon rate. The city reserves the right to impose higher minimum charges for commercial, industrial, governmental, or institutional users. ~~(MC#1112)~~ ~~(MC#1141)~~ (MC#1154)
 - (b) Charges levied on all users discharging wastes into the sewerage system at concentrations in excess of domestic waste water strength, as defined in Section 8.01, shall be computed in accordance with the formula in paragraph (d) below.
 - (c) The sewer charge for users discharging waste water with BOD₅, TSS, TKN or total phosphorus concentrations in excess of the values for domestic waste water as defined in Section 8.01 of this ordinance shall be based on the schedule of unit costs as follows. (MC#1154)

(1)	Volume (C_V)	\$4.75 per 1,000 gallons
(2)	BOD ₅ Surcharge (C_B)	\$0.648 per pound
(3)	TSS Surcharge (C_S)	\$0.508 per pound
(4)	Total Phosphorus Surcharge (C_P)	\$5.617 per pound
(5)	TKN Surcharge (C_N)	\$0.185 per pound
 - (d) The sewer service charge for users discharging waste water with BOD₅, TSS, TKN, or total phosphorus concentrations exceeding the values for domestic waste water strength as defined in Section 8.01 of this ordinance shall be determined in accordance with the following formula:

$$C_U = [(V_w * 1000) * C_V] + [(B-300) * V_w * C_B * 8.34]$$

$$\begin{aligned}
 &+ [(S-300)*V_W*C_S*8.34] \\
 &+ [(P-8.0)*V_W*C_P*8.34] \\
 &+ [(N-40)*V_W*C_N*8.34]
 \end{aligned}$$

Where:

C _U	=	Sewer Service Charge to the user
V _W	=	Waste water volume in million gallons
B	=	Concentration of BOD ₅ in milligrams per liter (mg/l)
S	=	Concentration of TSS in milligrams per liter (mg/l)
P	=	Concentration of total phosphorus, as P, in milligrams per liter (mg/l)
N	=	Concentration of TKN, as N, in milligrams per liter (mg/l)
C _V	=	Cost per 1,000 gallons of flow
C _B	=	Surcharge per pound of BOD ₅
C _S	=	Surcharge per pound of TSS
C _P	=	Surcharge per pound of total phosphorus
C _N	=	Surcharge per pound of TKN

Unit costs for BOD₅, TSS, TKN, and total phosphorus surcharge determination shall be as indicated in Section 8.07.

~~(e) The charge levied on septage and holding tank wastes shall be determined using the following equation:~~

~~$$\begin{aligned}
 S_c &= [(V_s*C_v)] \\
 &+ [(B-300)*(V_s/1000)*C_B*8.34] \\
 &+ [(S-300)*(V_s/1000)*C_S*8.34] \\
 &+ [(P-8.0)*(V_s/1000)*C_P*8.34] \\
 &+ [(N-40)*(V_s/1000)*C_N*8.34] \\
 &+ AD
 \end{aligned}$$~~

~~| | | |
|----------------|---|--|
| S _c | = | Sewer Service Charge to the user. |
| V _s | = | Volume of septage or holding tank wastes in units of 1,000 gallons |
| B | = | Concentration of BOD in milligrams per liter (mg/l) in the septage or holding tank wastes. |
| S | = | Concentration of TSS in milligrams per liter (mg/l) in the septage or holding tank wastes. |
| P | = | Concentration of total phosphorus, as P, in milligrams per liter (mg/l) in the septage or holding tank wastes. |
| N | = | Concentration of TKN, as N, in milligrams per liter (mg/l) in the septage or holding tank wastes. |
| C _V | = | Cost per 1,000 gallons of volume. |
| C _B | = | Surcharge per pound of BOD ₅ . |
| C _S | = | Surcharge per pound of TSS. |
| C _P | = | Surcharge per pound of total phosphorus. |
| C _N | = | Surcharge per pound of TKN. |
| AD | = | Administrative Charge = \$10.00 per load |~~

~~Unit costs for BOD₅, TSS, TKN, and total phosphorus surcharge determinations shall be as indicated in Section 8.07. Surcharge costs shall only apply for septage or holding tank wastes which have BOD₅, TSS, TKN, or phosphorus concentrations in excess of the values for domestic waste water strength as defined in Section 8.01 of this ordinance.~~

~~For sewer service charge determinations, it will be assumed that holding tank wastes have a BOD₅ concentration of 600 mg/l, a TSS concentration of 1,800 mg/l, a total phosphorus concentration of 30 mg/l, and a TKN concentration of 84 mg/l. For sewer service charge determinations, it will be assumed that septage will have a BOD₅ concentration of 5,000 of mg/l, a TSS concentration of 15,000 mg/l, a total phosphorus concentration of 250 mg/l, and a TKN concentration of 700 mg/l. Values indicated are EPA mean average values for holding tank wastes and septage.(MC#1167)~~

(e) The charge levied on septage and holding tank wastes shall be determined using the following equation: (MC#1167)

$$\begin{aligned}
 S_c &= [(V_s*C_v)] \\
 &+ [(B-300)*(V_s/1000)*C_B*8.34] \\
 &+ [(S-300)*(V_s/1000)*C_S*8.34] \\
 &+ [(P-8.0)*(V_s/1000)*C_P*8.34] \\
 &+ [(N-40)*(V_s/1000)*C_N*8.34] \\
 &+ AD
 \end{aligned}$$

S _c	=	Sewer Service Charge to the user.
V _s	=	Volume of septage or holding tank wastes in units of 1,000 gallons
B	=	Concentration of BOD in milligrams per liter (mg/l) in the septage or holding tank wastes.
S	=	Concentration of TSS in milligrams per liter (mg/l) in the septage or holding tank wastes.
P	=	Concentration of total phosphorus, as P, in milligrams per liter (mg/l) in the septage or holding tank wastes.
N	=	Concentration of TKN, as N, in milligrams per liter (mg/l) in the septage or holding tank wastes.
C _v	=	Cost per 1,000 gallons of volume.
C _B	=	Surcharge per pound of BOD ₅ .
C _S	=	Surcharge per pound of TSS.
C _P	=	Surcharge per pound of total phosphorus.
C _N	=	Surcharge per pound of TKN.
AD	=	Administrative Charge = \$10.00 per load-invoice

Unit costs for BOD₅, TSS, TKN, and total phosphorus surcharge determinations shall be as indicated in Section 8.07. Surcharge costs shall only apply for septage or holding tank wastes which have BOD₅, TSS, TKN, or phosphorus concentrations in excess of the values for domestic waste water strength as defined in Section 8.01 of this ordinance.

For sewer service charge determinations, it will be assumed that holding tank wastes have a BOD₅ concentration of 875 mg/l, a TSS concentration of 1,055 mg/l, a total phosphorus concentration of 30 mg/l, and a TKN concentration of 84 mg/l. For sewer service charge determinations, it will be assumed that septage will have a BOD₅ concentration of 3,030 of mg/l, a TSS concentration of 8,900 mg/l, a total phosphorus concentration of 250 mg/l, and a TKN concentration of 700 mg/l. Values indicated for BOD and TSS are based upon Wisconsin Rapids' Waste Water Treatment Plant lab testing whereas values for TKN and total phosphorous are EPA mean average values for holding tank wastes and septage.

(f) The charge levied on hauled high strength waste discharged directly into the digester shall be determined using the following equation: (MC#1166)

$$\begin{aligned}
 S_c &= [(V_{HS} * C_v * 50\% \text{ credit})] \\
 &+ [(B-300)*(V_{HS}/1000)*8.34*Price \text{ per pound of BOD discharged to digester}] \\
 &+ [(S-300)*(V_{HS}/1000)*8.34*Price \text{ per pound of TSS discharged directly to digester}] \\
 &+ [(P-8.0)*(V_s/1000)*C_p*8.34] \\
 &+ [(N-40)*(V_s/1000)*C_n*8.34] \\
 &+ AD
 \end{aligned}$$

BOD

$$\text{Pounds of BOD discharged to digester} = (B-300)*(V_{HS}/1000)*8.34$$

$$\text{Cost to Treat BOD} = \text{Pounds of BOD discharged to digester} * 15\% \text{ remaining after digesting} * C_B$$

$$\text{Value of Natural Gas per day} = \text{Pounds of BOD discharged to digester} * 85\% \text{ removed in digestion} * 12(\text{ft}^3 \text{ gas/lb BOD removed}) * 650(\text{BTU/ft}^3 \text{ gas}) * C_{NG} * 50\% \text{ credit}$$

$$\text{Price per pound of BOD discharged to digester} = [(\text{Cost to Treat BOD} - \text{Value of Natural Gas per day}) / \text{Pounds of BOD discharged to digester}] + [(\text{Cost to Treat TSS} / \text{Pounds of BOD discharge to digester})]$$

TSS

$$\text{Pounds of TSS generated by BOD removal} = (\text{Pounds of BOD} * 85\% \text{ removed in digestion}) * 10\% \text{ TSS generation from BOD removal}$$

$$\text{Cost to Treat TSS generated by BOD removal} = \text{Pounds of TSS generated by BOD removal} * (50\% \text{ credit} * C_s)$$

$$\text{Pounds of TSS discharged to digester} = (S-300)*(V_{HS}/1000)*8.34$$

$$\text{Cost to Treat TSS} = \text{Pounds of TSS discharged to digester} * 44\% \text{ TSS not destroyed in process} * C_s * 50\% \text{ credit}$$

$$\text{Price per pound of TSS discharged to digester} = \text{Cost to Treat TSS} / \text{Pounds of TSS discharged to digester}$$

FLOW

$$\text{Price of volume discharged to digester} = V_{HS} * C_v * 50\% \text{ credit}$$

$$S_c = \text{Sewer Service Charge to the user.}$$

$$V_{HS} = \text{Volume of high strength wastes in units of 1,000 gallons}$$

B	=	Concentration of BOD in milligrams per liter (mg/l) in the high strength wastes.
S	=	Concentration of TSS in milligrams per liter (mg/l) in the high strength wastes.
P	=	Concentration of total phosphorus, as P, in milligrams per liter (mg/l) in the high strength wastes.
N	=	Concentration of TKN, as N, in milligrams per liter (mg/l) in the high strength wastes.
C _B	=	Surcharge per pound of BOD ₅ .
C _S	=	Surcharge per pound of TSS.
C _{NG}	=	Value of BTU at 2013 rates = \$7/1,000,000 BTU
C _V	=	Cost per 1,000 gallons of volume.
C _P	=	Surcharge per pound of total phosphorus.
C _N	=	Surcharge per pound of TKN.
AD	=	Administrative Charge = \$10.00 per invoice

For sewer service charge determinations, it will be assumed that hauled high strength wastes have a BOD₅ concentration of 86,000 mg/l, a TSS concentration of 4,600 mg/l, a total phosphorus concentration of less than 8.0 mg/l, and a TKN concentration of less than 40 mg/l. Values indicated are based upon the averages from the Wisconsin Rapids' Waste Water Treatment Plant lab testing of high strength samples delivered to the plant.

- (f) (g) The city has approved providing sanitary sewer service to specific users outside the city limits. The sewer service charge for users outside city limits shall be an additional 25% to rates as set forth in this ordinance. Service shall not be given to any users outside of the city boundaries without specific approval of the City. (MC#1166)
- (g) (h) This section does not preclude the city from billing for the treatment of waste water as specified in intergovernmental sewer service agreements. (MC#639)

8.08 SERVICE AGREEMENTS.

- (1) In the event an industrial user discharges industrial waste water constituting a substantial portion of either the design flow capacity or the BOD₅, TSS, or phosphorus capacity of the sewage treatment plant, as defined in the Compliance Maintenance Annual Report (CMAR) filed by the city with the DNR, then a service agreement between the industrial user and the city shall be executed. Service agreements shall be required when an industrial user discharges industrial waste water that comprises 10% or more of the average day design flow, or 10% or more of the average day design BOD₅, TSS, or total phosphorus load for the sewage treatment plant. The service agreement shall assure continued participation in capital cost recovery by the industrial user over the life of the agreement. Should the industrial user eliminate its discharge, the City, at its option, may elect to assign to another user that portion of the design capacity of the sewage treatment plant and associated capital costs thereby relieving the industrial user of continued financial participation.

8.09 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 sewerage system. Any person violating this provision shall be subject to immediate arrest under the charge of disorderly conduct.

8.10 POWERS AND AUTHORITY OF DULY AUTHORIZED REPRESENTATIVES OF THE CITY.

- (1) Any duly authorized representative of the city bearing proper credentials and identification shall be permitted to enter a user's premises for the purpose of observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. Duly authorized representatives shall have no authority to inquire into any process including metallurgical, chemical, oil, refining, ceramic, paper, or other processes beyond that point having a direct bearing on the kind and source of substances being discharged to the sewerage system. All entry and subsequent work, if any, shall be done in full accordance with the terms of this ordinance.
- (2) While performing the necessary work on private properties referred to in Section 8.10, the duly authorized representatives of the city shall observe all safety rules applicable to the premises established by the user. The user shall be held harmless for injury or death to the City's duly authorized representatives. The city shall indemnify the user against loss or damage to its property by said duly authorized representatives and against liability claims and demands for personal injury or property damage asserted against the user and growing out of the flow metering and sampling operation, except as such may be caused by negligence or failure of the user to maintain safe conditions.

8.11 PENALTIES.

- (1) Any person found to be violating any provision of this ordinance shall be served by the city with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within a period of time stated in such notice, permanently cease all violations.
- (2) Any person who shall continue any violations beyond the time limit provided for in Section 8.11 shall be fined in the amount not less than \$1,000.00 nor more than \$10,000.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. (MC#1115)
- (3) Any person violating any of the provisions of this ordinance shall become liable to the city for any expense, loss or damage occasioned by the city by reason of such violation. The city shall be held harmless as a result of any expense, loss or damage incurred as a result of a violation to this ordinance.
- (4) Any person failing to pay the sewer service charge ~~one month after due date shall pay an interest charge of 1% per month on the unpaid balance. Interest, at 1% per month, will be collected in one month increments beginning one month after the due date.~~ Within 20 days of the billing date will be subject to a late payment charge of three (3) percent of the most recent past due charges. (MC#1135)
- (5) All charges established by this ordinance shall be a lien against the property served pursuant to Sections 66.0809(1) to (4), 66.0811, 66.0813, and 66.0821 of the Wisconsin Statutes.
- (6) Any person found to be responsible for allowing discharge of a deleterious substance into the sewerage system which causes damage to the sewerage system and/or receiving body of water shall, in addition to a fine, pay the amount to cover damage, both values to be established by the City. Additionally, such person shall be subject to Federal and State fines and penalties as applicable.

8.12 VALIDITY.

- (1) Other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.
- (2) The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.
- (3) This ordinance shall not invalidate any more restrictive state or federal regulations.
- (4) The city reserves the right to amend this ordinance in part or in whole wherever it may deem necessary, but such right will be exercised only after due notice to all persons concerned and proper hearing on the proposed amendment.

8.13 APPEALS AND INTERPRETATIONS.

- (1) Any person affected by any decision, action, or determination, including cease and desist orders, made by the city interpreting or implementing the provisions of the ordinance or in any permit issued herein, may file with the city a written request for reconsideration within 10 days setting forth in detail the facts supporting the person's request for reconsideration. The city shall render a decision on the request for reconsideration to the person in writing within 30 days of receipt of request. A fee of \$100 shall accompany any appeal to the city for a ruling. This fee may be refunded if the appeal is sustained in favor of the appellant.
- (2) The city shall be responsible for the interpretation and execution of the provisions of this ordinance. (MC#1115)