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8.01 GENERAL PROVISIONS.

- (1) Purpose. The City has provided facilities for the collection and treatment of wastewater to promote the health, safety, and convenience of its people and to safeguard public water resources. In furtherance of these goals, this ordinance regulates the use of public and private sewers and drains, disposal of holding tank wastes into the public sewers, and the discharge of waters and wastes into the Sewerage System. It provides for Wastewater treatment service charges, sets uniform requirements for discharges into the Sewerage System, and sets requirements for connections to sanitary sewers within the City. This ordinance provides a means for determining Wastewater 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 Ordinance shall be used to defray the City's costs of operating and maintaining adequate Wastewater facilities and to provide sufficient funds for capital outlay, debt service costs, and capital improvements. It enables the City 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 and/or Federal law.
- (2) Right of Entry and Access.
 - (a) General Right of Entry. Any duly authorized employee or representative of the City bearing proper credentials and identification shall be allowed access to all property serviced by the City, for the purpose of inspection, observation, measurement, sampling, and testing of discharges to the Wastewater facilities and for the purpose of inspection, repair, or maintenance of any portion of the City's Wastewater facilities.

- (b) Right to Enter Easements. Any duly authorized employee or representative of the city, bearing proper credentials and identification, shall be permitted to enter all private properties through which the City holds an easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the Sewerage System lying within said easement, all subject to the terms, if any, of such easement.
 - (c) Safety. While performing the necessary work on private premises referred to in subs (1) and (2) above, the duly authorized employee or representative 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 employees or representatives. The city shall indemnify the User against loss or damage to its property by said duly authorized employees or 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.
- (3) Obstructions to City Facilities.
- (a) All persons, firms, or corporations lawfully having buildings, structures, works, conduits, mains, pipes, tracks, or other physical obstructions in, over or under the public lands, avenues, streets, alleys or highways which block or impede the progress of City facilities when in the course of construction, establishment, or repair shall upon reasonable notice by the City, promptly so shift, adjust, accommodate, or remove the same at the cost and expense of such persons, firms, or corporations, as fully to meet the exigency occurring such notice.
 - (b) Any person, firm, or corporation who shall fail to comply with the provisions of this section shall be subject to the penalties set forth in Section 8.18.
- (4) General Rules of Interpretation.
- (a) Superseding Previous Ordinances. This Ordinance supersedes all previous regulations and ordinances of the City which are in conflict herewith.
 - (b) 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.
 - (c) Amendment. The City reserves the right to amend this Ordinance in whole or in part whenever 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.
 - (d) The city shall be responsible for the interpretation and execution of the provisions of this ordinance.

8.02 DEFINITIONS.

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

- (1) Applicable Pretreatment Standard: shall mean the most restrictive provisions contained in any pretreatment limitations or prohibitive standards (enacted by any federal, state or local governmental entity) and incorporated in this Ordinance, which Applicable Pretreatment Standard shall be complied with by non-domestic Wastewater users of the Sewerage System.

- (2) Best Management Practices (BMPs): shall mean structural or non-structural measures, practices, operating procedures, schedules of activities, treatment requirements, techniques or devices employed to minimize or treat the discharge of pollutants into the Sewerage System; to implement prohibitions listed in Wis. Admin. Code § NR 211.10(1) or (2); or to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage areas. BMPs may be specified (i) by EPA and/or DNR categorical regulations, or (ii) by the City for Significant Industrial Users and non-significant industrial, institutional, and commercial users.
- (3) 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 point of disposal that conveys sanitary and/or industrial wastewater.
- (5) City: shall mean the governing authority of the City of Wisconsin Rapids, or their duly authorized deputies, agents, or representatives.
- (6) Clear Water: shall mean wastewater other than storm water, having no impurities or where impurities are below a minimum concentration considered harmful by the City, including but not limited to noncontact cooling water and potable water discharged to the Sewerage System to prevent freezing of underground pipes in the water system.
- (7) 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.
- (8) Contract Community. A city, village, town sanitary or utility district, or a county, state, or federal agency which is billed by the City for sewerage services.
- (9) 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.
- (10) Detrimental Effect: shall mean a discharge to the Sewerage System that either alone or in combination with other discharges would pass through or interfere with the operation of the Sewerage System, cause the City to violate its WPDES permit, or create or constitute a hazard to human health or the environment.
- (11) DNR: shall mean the State of Wisconsin Department of Natural Resources.
- (12) 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.
- (13) 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.
- (14) 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.
- (15) 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.
- (16) Governmental User: shall mean all federal, state, and local governmental facilities discharging waste water into the sewerage system.
- (17) Grant: shall mean Federal and/or State financial assistance for the construction of improvements to the sewerage system.
- (18) Hauled Waste: shall mean Wastewater or waste sludges transported to and discharged at the Sewage Treatment Plant. This includes but is not limited to Holding Tank Wastes and Septage.
- (19) Holding Tank Wastes: shall mean the liquid or solid contents of holding tanks or portable restrooms.
- (20) Industrial User: shall mean any person who engages in the manufacture or production of goods and discharges Wastewater other than sanitary sewage into the Sewage System.
- (21) Industrial Waste water: shall mean any trade or process waste water as distinct from domestic waste water.
- (22) 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.
- (23) 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.
- (24) 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.
- (25) 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.

- (26) Lateral: 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 point of disposal that conveys sanitary and/or industrial wastewater. The lateral is not part of the sewage collection system, as that term is defined in sub (48). See also “Building Sewer.”
- (27) Main: shall mean the principal pipe or conduit in the Sewerage System that collects and conveys sanitary and/or industrial sewage.
- (28) May: shall be permissive.
- (29) Municipal Code: shall mean the municipal code of the City of Wisconsin Rapids. Abbreviated in this ordinance as “MC # XXX”.
- (30) Natural Outlet: shall mean any outlet into a watercourse, pool, ditch, lake, or other body of surface or groundwater.
- (31) 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.
- (32) Ordinance: shall mean a statute or regulation enacted by a governing authority.
- (33) 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.
- (34) Person: shall mean any individual, firm, company, partnership, municipality, association, private or public, society, corporation, cooperative, institution, enterprise, government agency, group, or other entity.
- (35) 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.
- (36) 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.
- (37) 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.
- (38) Pretreatment Program: shall mean a program administered by the City that follows the criteria established in Chapter NR 211 of the Wisconsin Administrative Code.
- (39) 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.
- (40) 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.
- (41) 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.
 - (42) 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.
 - (43) 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.
 - (44) 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.
 - (45) Sanitary Sewer: shall mean the city sewers which carry sewage, and to which storm, surface, and ground waters are not intentionally admitted.
 - (46) 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.
 - (47) Sewage: shall mean any combination of the liquid and water-carried wastes from residential, commercial, institutional, governmental, and industrial users, together with unintentionally admitted infiltration/inflow..
 - (48) 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 and/or from private property, including laterals, to the public 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.
 - (49) Sewage Treatment Plant: shall mean any arrangement of devices and structures used by the City for treating sewage.
 - (50) Sewerage System: shall mean all city facilities for collecting, pumping, treating, and disposing of sewage. The Sewerage System does not include plumbing inside and in connection with building served, and laterals, from building to street main.
 - (51) 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 8.02 of this ordinance.
 - (52) Shall: shall mean mandatory. See also "May".
 - (53) Significant Industrial User: shall have the meaning provided in Section 8.11(1).
 - (54) Slugs: Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharges 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.

- (55) Standard Industrial Classification Manual: shall mean the reference document prepared by the Office of Management and Budget, latest edition.
- (56) 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.
- (57) 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.
- (58) Storm water: shall mean runoff from precipitation including rain, snow, ice melt or similar water that moves on the land surface via sheet or channelized flow.
- (59) 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.
- (60) 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.
- (61) 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.
- (62) 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.
- (63) User: shall mean a residential, commercial, institutional, governmental, or industrial establishment which discharges waste water to the sewerage system.
- (64) 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 8.02 of this ordinance, administrative costs associated with operation and maintenance of the sewerage system, and sewer service charge billing costs.
- (65) User Classes: shall mean residential, institutional, commercial, governmental, and industrial categories of users.
- (66) Unaltered Water: shall mean waters which are not changed chemically or physically as a result of use.
- (67) 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".

- (68) Watercourse: shall mean a channel in which a flow of water occurs, either continuously or intermittently.
- (69) Wisconsin Administrative Code: shall mean the published rules of executive agencies having rule-making authority for the State of Wisconsin, latest edition.
- (70) WPDES: shall mean Wisconsin Pollutant Discharge Elimination System permit as issued by the Wisconsin Department of Natural Resources.

8.03 SEWER SERVICE AREA

The service area of the City shall include those areas inside the corporate limits of the City and those areas contracting with the City for service. The sewer service area outside of the corporate limits of the City is limited to those areas being served by the City as of September 1, 2016, as shown on maps and/or descriptions of the areas maintained by the City Clerk.

8.04 OBLIGATIONS OF CONTRACT COMMUNITIES

- (1) All Contract Communities shall comply with the requirements of Wis. Admin. Code § NR 210.23 to establish and implement a capacity, management, operation and maintenance program (CMOM). Contract Communities shall prepare written documentation of the CMOM program components and provide a copy of such documentation to the City upon request. The CMOM program shall ensure that provisions of Wis. Admin. Code § NR 210.23.
- (2) In the event of a bypass or spill of wastewater from any sanitary sewer owned or operated by a Contract Community which results in a sanitary sewer overflow or building backup, the Contract Community shall notify the City and the Department of Natural Resources immediately upon becoming aware of the situation. The notification shall include the location of the bypass/spill, the reason for the bypass/spill, when the situation is expected to be corrected, and an estimate of the volume or rate of the bypass/spill in accordance with Wis. Admin. Code § NR 210.23. A corrective action plan and other necessary requirements to eliminate future sanitary sewer overflows at this location shall be developed by the Contract Community which complies with Wis. Admin. Code § NR 210.23.
- (3) Contract Communities shall submit applicable parts of the Compliance Maintenance Annual Report (CMAR) to the City for review upon request.
- (4) Contract Communities and their users shall follow Best Management Practices applicable to their particular discharge which may be developed or cited by the City for the discharge of any constituents, substances, materials, waters, or waste where the City determines that following these BMPs is necessary to meet the objectives of this Section or the conditions of the City's WPDES permit.
- (5) Contract Communities may be required to submit a system evaluation and capacity assurance plan should any of the conditions exist as defined in Wis. Admin. Code § NR 210.24.

8.05. CONNECTIONS TO CITY SEWAGE COLLECTION SYSTEM

- (1) Connections Required.
 - (a) 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.

- (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 charge against such property.
- (c) The person, or the person's contractor, shall obtain the necessary city permits prior to commencing work required to make said connection.
- (d) 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, intentional conduct, or an ordinance violation on the part of the User. All laterals from the mains, to and throughout the User's premises, must be maintained free of defective conditions, by and at the expense of the User.

(2) General Requirements for Sewer Connections.

- (a) New connections to the sewage collection system will be allowed only if there is available capacity in all of the downstream sewerage system.
- (b) 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.
- (c) 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 are 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.
- (d) 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.
 - (i) 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 Wis. Admin. Code ch. SPS 384.
 - (ii) 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 Wis. Admin. Code chs. SPS 382 and 384.
 - (iii) 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.

- (e) 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.
 - (f) 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.
 - (g) No user shall allow others or other services to connect to the sewage collection system through the user's building sewers and building drains.
- (3) New Building Sewer Connections.
- (a) 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.
 - (b) 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.
 - (c) 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 Wis. Admin. Code ch. SPS 382. 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.
 - (d) 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 Wis. Admin. Code ch. SPS 382.
 - (e) 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.
 - (f) The connection of the building sewer into the sanitary sewer shall conform to the requirements of this Section.
 - (g) 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.
 - (h) 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.

- (i) 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.
- (j) 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.

(4) Connection of New Sewers to Existing Sewerage System.

- (a) 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.

8.06 PRIVATE SEWAGE DISPOSAL.

- (1) Sewer Collection Unavailable. Where sewage collection is not available, the building sewer shall be connected to a private sewage system complying with the following provisions.
- (2) Permits Required. 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) Effective Date and Inspection. 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) Compliance with State Law. The type, capacity, location, and layout of a private sewage system shall comply with Wis. Admin. Code ch. SPS 383. The person shall operate and maintain the private sewage system in accordance with Wis. Admin. Code ch. SPS 383. No statement contained in this article shall be construed to interfere with, or contradict, any requirements that may be imposed by Wis. Admin. Code ch. 383.
- (5) Sewer Connections Available. At such time as the sewage collection system becomes available to a property served by a private sewage system, 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 Wis. Admin. Code ch. SPS 383.

8.07 LIMITATIONS ON DISCHARGES TO THE SEWERS APPLICABLE TO ALL USERS.

All Users shall comply with the requirements of this section.

(1) General Requirements.

- (a) 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.
- (b) Discharges to the public sewerage system of substances, materials, waters or waste shall be limited to concentrations or quantities that will not harm the sewers, Wastewater treatment process or equipment; will not have an adverse effect on receiving waters; will not have an adverse effect on the City's biosolids management program; will not endanger persons or property; will not cause adverse environmental effects; and will not constitute a public nuisance.
- (c) No Person shall discharge pollutants into the Sewerage System which pass through or interfere with the operation or performance of the City's Treatment Plant and thereby cause or significantly contribute to a violation of the City's WPDES permit and any modification or re-issuance thereof.
- (d) Users shall follow Best Management Practices (BMPs) developed or cited by the City for the discharge of any constituents, substances, materials, waters, or waste where the City determines that following these BMPs is necessary to meet the objectives of this Ordinance or the conditions of the City's WPDES permit.
- (e) 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.

(2) Prohibited Discharges.

- (a) General Prohibitions. No Person shall introduce or cause to be introduced any substances or wastes which cause, or are capable of causing either alone or in combination with other substances:
 - (i) Obstruction of flow or damage to the Wastewater facility;
 - (ii) Danger to life or safety or welfare of any persons;
 - (iii) Prevention of effective maintenance or operation of the Wastewater facility;
 - (iv) Any product of the City's treatment processes or any of the City's residues, biosolids, to be unsuitable for reclamation and reuse or to interfere with reclamation processes;
 - (v) A Detrimental Effect, a public nuisance, or any condition unacceptable to any public agency having regulatory jurisdiction over the District;

- (vi) Any sanitary sewer or the District's Wastewater facilities to be overloaded.
- (b) Specific Prohibitions. No person shall introduce or cause to be introduced in to the Sewerage System any of the following:
 - (i) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
 - (ii) 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.
 - (iii) 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.
 - (iv) Pollutants which result in the presence of gases, vapors, or fumes within the Sewerage System in a quantity which may cause acute worker health or safety problems.
 - (v) Solids or viscous substances which will cause or contribute to obstruction to the flow in the sewers or have a Detrimental Effect on the operation of the Treatment Plant. Such substances include, but are 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.
 - (vi) Wastewater that contains organo-sulfur or organo-phosphate pesticides, herbicides, or fertilizers.
 - (vii) Heat in amounts which will inhibit or contribute to the inhibition of biological activity in the Treatment Plant resulting in Interference or causing damage to the Treatment Plant but in no case heat in such quantities that the temperature exceeds 40°C (104°F) at the influent to the POTW Treatment Plant unless the DNR at the request of the City, has approved alternate temperature limits.
 - (viii) Radioactive wastes which, alone or with other wastes, result in releases which violate rules or regulations of any applicable state or federal agency.
 - (ix) Wastewater containing more than 50 milligrams per liter of non-polar petroleum oil, nonbiodegradable cutting oils, or products of mineral oil origin as measured by the silica gel treated hexane extractable material (SGT-HEM) analytical method.
 - (x) Wastewater containing more than 300 mg/l of polar oil or grease of animal or vegetable origin as determined by subtraction of non-polar (SGT-HEM) analytical results from hexane extractable material (HEM) analytical results.
 - (xi) Wastewater containing polychlorinated biphenyls.
 - (xii) Wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen

- (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.
- (xiii) Pollutants which create or contribute to a fire or explosion hazard at the POTW, including but not limited to wastestreams with a closed cup flashpoint of less than 140°F or 60°C using the test methods in Wis. Admin. Code § NR. 661.21.
 - (xiv) Any trucked or hauled pollutants, except at discharge points designated by the City.
- (c) Discharges Subject to Permission of the City. 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:
- (i) Waste water containing more than 25 mg/l of petroleum oil, non-biodegradable cutting oils, or products of mineral oil origin.
 - (ii) 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.
 - (iii) Waste water from an industrial user containing floatable excess fats, oils, or grease.
 - (iv) 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.
 - (v) Substances containing any toxic pollutant including, but not limited to, those toxic pollutants listed in Wis. Admin. Code ch. NR 215.
 - (vi) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by state or federal regulations.
 - (vii) 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 8.02.
 - (viii) 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.
 - (ix) 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.
- (3) Separators and Interceptors. 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.
- (4) Obligation to Report Discharges. 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 Treatment Plant, 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. Within fifteen (15) days of such discharge, a detailed written statement describing the cause of the discharge and the measures taken to prevent a future occurrence shall be submitted to the City. 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. Such reporting shall not relieve the Person causing the accidental discharge from any penalties imposed by this Ordinance. Where the City deems necessary, Industrial Users shall provide facilities to prevent accidental discharges or spills of wastes or Wastewaters prohibited under this Ordinance.
- (6) Dilution Prohibited. 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.
- (7) Response by the City. If any wastewater is discharged, or proposed to be discharged to the Sewerage System which contains the substances or possesses the characteristics enumerated in this Section 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 8.15.

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 this Section 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. 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.

8.08 ADDITIONAL PROHIBITIONS AND REQUIREMENTS FOR INDUSTRIAL USERS.

(1) Discharge Prohibitions. All Industrial Users shall be subject to the following prohibitions:

- (a) Wastewater which contains in excess of the specified concentrations of any of the following constituents in a twenty-four (24) hour flow proportionate sample made up of an aggregate of the total discharge from all of the outfalls of an Industrial User is prohibited.

- 0.25 mg/l cadmium
- 0.5 mg/l hexavalent chromium
- 10.0 mg/l total chromium
- 1.5 mg/l copper
- 5.0 mg/l lead
- 0.02 mg/l mercury
- 0.3 mg/l selenium
- 3.0 mg/l silver
- 8.0 mg/l zinc
- 2.0 mg/l nickel
- 0.1 mg/l cyanide

For the purposes of this subsection, samples shall be collected over the period of discharge if the discharge is less than twenty-four (24) hours in duration and in accordance with the requirements of this Ordinance and applicable state and federal law.

- (b) Dilution of an industrial discharge for purposes of reducing the pollutant characteristics or concentrations to meet the limitations established in this Section, any applicable Pretreatment Standards, or any other Section of this Ordinance or a local, state, or federal law, is prohibited.

(2) Monitoring Facilities.

- (a) The City may require an Industrial User to construct a sampling manhole or other monitoring facility to facilitate collection of a Representative Sample of

Wastewater being discharged to the Sewerage System. Construction of such facility must be completed within ninety (90) days after the User has been notified of the requirement, unless the City grants an extension of time. In the event that the Industrial User fails to construct such a facility, the City may do so and shall assess the cost to the Industrial User.

- (b) All monitoring facilities shall be constructed at the User's expense, in accordance with the plans approved by the City. The monitoring facility shall contain the necessary flow monitoring and sampling equipment to facilitate the observation, sampling, and measurement of wastes; and shall be maintained by the User so as to be safe and accessible at all times.
- (3) Industrial Request to Discharge Form. All new Industrial Users and all other Industrial Users shall upon request of the City submit to the City an Industrial Request to Discharge Form as established from time to time by the City's Wastewater Superintendent that provides information on volume and constituents of the Wastewater.
- (4) Change in Operations. All Industrial Users shall notify the City in advance of any change in industrial operations that may have an effect upon the waste and Wastewaters generated or of any substantial change in the volume or character of pollutants in their discharge.
- (5) Standard Methods. 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.

8.09 SPECIAL REQUIREMENTS FOR DENTAL CLINICS

- (1) Intent. 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.
- (2) Implementation of BMPs. Dental clinics that place or remove amalgam shall implement Best Management Practices for amalgam as established by the Wisconsin Dental Association.
- (3) Amalgam Separators. 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.
- (4) Reporting. Dental clinics will annually submit reporting information to the City using forms provided by the City. Reporting information may include:
 - (a) The date the amalgam separator was installed.
 - (b) The manufacturer name and model number for the separator.

- (c) Certification that the amalgam separator is 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) Any other information deemed relevant by the City.
- (5) Records. Dental clinics shall obtain recycling 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 clinics shall maintain these records for a minimum of three (3) years. Dental clinics shall make these records available to the City for inspection and copying upon request by the City.
- (6) Inspection. 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 during the normal operating hours of the dental clinic.

8.10 WASTEWATER DISCHARGE PERMITS.

- (1) Permits Required. The City may require a permit under this Section for Commercial or Industrial Users that discharge or have the potential to discharge wastes or wastewater containing toxic pollutants to the Sewerage System or whose discharges have the potential individually or cumulatively to adversely affect the Sewerage System or to impact the ability of the City to meet its WPDES Permit requirements. Such wastes and wastewaters include but are not limited to:
 - (a) Chloride.
 - (b) Stormwater, groundwater, rain water, street drainage, roof runoff, and subsurface drainage.
 - (c) Unpolluted water, including but not limited to, cooling water, process water or blow down from cooling towers or evaporative coolers, or swimming pool waters.
 - (d) Temperature or thermal loads.
 - (e) Pharmaceuticals.
 - (f) Mercury or other toxic chemicals.
- (2) Permit Process.
 - (a) The City shall notify a User if the City determines that a permit is necessary.
 - (b) The City shall specify the information required to be submitted to process the permit application and any applicable fees. The User shall provide such information within sixty (60) days of the information request.
 - (c) Proposed new users shall submit a permit application at least 90 days prior to connecting to and discharging to the Sewerage System.
- (3) Permit Content. Permits under this Section may require the following provisions:
 - (a) A written application containing the name, address, and telephone number of the User, and the identity of an authorized representative to act on its behalf.
 - (b) The imposition of average and/or maximum limits of various Wastewater constituents which may be discharged by such User.
 - (c) The requirement to use Best Management Practices, source reduction or treatment as appropriate.
 - (d) The description of any sampling, monitoring or reporting requirements.
 - (e) A compliance schedule for construction of pretreatment facilities if required.

- (f) A statement concerning the District's right to inspect the industry's facilities.
 - (g) Other terms and conditions deemed necessary by the District to effectively regulate the discharge of concern.
 - (h) A time limit for the permit not to exceed five (5) years.
- (4) Permit Implementation.
- (a) Any permit issued under this Section shall be effective for a period not to exceed five (5) years. Any User holding a permit shall apply for a permit reissuance or renewal at least one hundred eighty (180) days prior to the expiration date of the User's existing permit.
 - (b) Upon issuance of such permit, the User shall faithfully comply with all provisions of the permit and as contained in this Ordinance, and as amended from time to time.
 - (c) Any existing User shall notify the City in writing of the following changes at least ninety (90) days prior to initiating such a change:
 - (i) Any proposed discharge of pollutants previously not being discharged by the User;
 - (ii) Any proposed increase in existing discharges of pollutants, where the increase is greater than twenty-five percent (25%) of existing pollutant levels.
 - (d) The City reserves the right to amend from time to time any such permit so issued by adding or deleting therefrom such provisions, requirements, and conditions as it deems appropriate. The City shall notify the User of any changes in the permit at least thirty (30) days prior to the effective date of such change. Any change or new condition in the permit shall allow for a reasonable period of time for compliance by the User.
 - (e) Any permit issued under this Section shall be revocable by the City summarily for violation of its terms or conditions. In addition, any violation of the conditions of any such discharge permit or this Ordinance shall be subject to the enforcement provisions of Section 8.18.
 - (f) Permits issued under this Section are personal as to the User/holder and may not be subsequently assigned or transferred by operation of law or otherwise, to any successor or assignee, without the prior written approval of the City.
 - (g) The City may in its discretion impose mass limitations on Users or grant a request for a mass limitation by the User in accordance with Wis. Admin. Code § NR 211.11(3) where the City determines that imposition of mass limitations is appropriate.
 - (h) The City may convert mass limitations of categorical pretreatment standards in Wis. Admin. Code chs. NR 233, NR 235 and NR 279 into equivalent concentrations limits in accordance with Wis. Admin. Code § NR 211.11(3) where the City determines that imposition of concentration limitations is appropriate.
 - (i) The City in its discretion may impose concentration limitations on Users or grant a request for concentration limitations by the User in accordance with Wis. Admin. Code § NR 211.11(3) where the City determines the imposition of concentration limitations is appropriate. Dilution to meet a concentration limitation is prohibited.

- (j) When the limits in a categorical pretreatment standard are expressed only in terms of pollutant concentrations, the District may convert concentration limits to mass limits in accordance with Wis. Admin. Code § NR 211.11(3).
- (5) Expired Permit. An expired permit will continue to be effective and enforceable until reissued.
- (6) General Permit. The City may utilize a General Permit to address a category of dischargers with similar discharge characteristics. General Permits may include limitations on concentration and mass of pollutants, may specify Best Management Practices and include other conditions necessary to ensure compliance with applicable limits.

8.11 PRETREATMENT AND OTHER OBLIGATIONS FOR SIGNIFICANT INDUSTRIAL USERS

- (1) Determination of Significant Industrial Users. The following Industrial Users shall be considered a Significant Industrial User:
 - (a) Any Industrial User subject to categorical pretreatment standards in Chapters NR 221 to 297 of the Wisconsin Administrative Code, except as otherwise designated by the City under Wis. Admin. Code § NR 211.15(4)(d).
 - (b) Any Industrial User of the Sewerage System which discharges more than 25,000 gallons per day (gpd) of waste water to the Sewage Treatment Plant, excluding sanitary, non-contact cooling, and boiler blowdown waste waters;
 - (c) Any industrial user that discharges to the Sewage Treatment Plant 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;
 - (d) Any centralized waste treater;
 - (e) Any other Industrial User may be considered a Significant Industrial User under this Ordinance by the City on the basis that the Industrial User has a reasonable potential for adversely affecting the Sewage Treatment Plant's operation.
- (2) General Requirements. All Industrial Users shall notify the City in advance of any change in its industrial operations which may have an effect upon the waste and Wastewaters generated or of any substantial change in the volume or character of pollutants in their discharge that could affect their status as a Significant Industrial User.
- (3) Permit Requirements for Significant Industrial Users.
 - (a) Significant Industrial Users shall make written application to the City for the issuance of a Permit to Discharge.
 - (b) The City has the authority to issue a permit to the Significant Industrial User, and impose necessary conditions which shall include, but not be limited to:
 - (i) The name, address and telephone number of the Industrial User; and the identity of an authorized representative to act on its behalf.
 - (ii) A description of the Industrial User's permitted connection or connections to the public sewer system and its location.
 - (iii) The average and/or maximum limits of various Wastewater constituents which may be discharged by such user.
 - (iv) Any limit on the maximum rate of industrial discharge or the time of the discharge.

- (v) A requirement for a monitoring manhole or some other means to collect a Representative Sample of the Industrial User's discharge.
 - (vi) A description of both the frequency of self-monitoring that is required and of the method of sample collection.
 - (vii) Reports which must be submitted to the City and the frequency of report submittal.
 - (viii) A compliance schedule for construction of pretreatment facilities if required.
 - (ix) The requirements for records retention.
 - (x) The notification procedure to be followed if the Industrial User intends to change the characteristics of its Wastewater discharge.
 - (xi) A statement concerning the City's right to inspect the industry's facilities.
 - (xii) The agreement of the holders of the permit to indemnify the City from and against any and all liability for injury or damage arising out of or related to the activities of the holder in discharging Industrial Waste.
 - (xiii) A statement of the Applicable Pretreatment Standards or National Categorical Pretreatment Standards that the User must abide by.
 - (xiv) A statement that a violation of pretreatment requirements as specified in Chapter 6 shall be subject to various penalties as listed in this Ordinance.
 - (xv) A summary of BMPs required to be implemented if applicable. User maintained documentation of BMP activities that demonstrate the compliance status of the User shall be considered compliance records. Such records must be retained by the User in accordance with industrial pretreatment program requirements.
- (a) Permit Implementation for Significant Industrial Users.
- (i) Any permit issued under this Section shall be effective for a period not to exceed five (5) years. Any User holding a permit shall apply for a permit reissuance or renewal at least one hundred eighty (180) days prior to the expiration date of the User's existing permit.
 - (ii) Upon issuance of such permit, the Significant Industrial User shall faithfully comply with all provisions of the permit and as contained in this Ordinance, as amended from time to time.
 - (iii) Any existing Significant Industrial User shall notify the City in writing of the following changes at least ninety (90) days prior to initiating such a change: (i) any proposed discharge of pollutants, previously not being discharged by said User; or (ii) any proposed increase in existing discharges of pollutants, where the increase is greater than twenty-five percent (25%) of existing pollutant levels.
 - (iv) The City reserves the right to amend from time to time any such permit so issued by adding or deleting therefrom such provisions, requirements and conditions as it deems appropriate. The City shall notify the Industrial User of any changes in the permit at least thirty (30) days prior to the effective date of such change. Any change or new condition to the permit shall allow for a reasonable period of time for compliance by the User.

- (v) Any permit issued under this Chapter shall be revocable by the City summarily for violation of its terms or conditions. In addition, any violation of the conditions of any such discharge permit or this Ordinance shall be subject to the enforcement provisions of this Ordinance.
 - (vi) Permits issued under this Section are personal as to the User/holder; and may not be subsequently assigned or transferred by operation of law or otherwise, to any successor or assignee, without the prior written approval of the City.
 - (vii) Dilution of an industrial discharge for purposes of reducing the pollutant characteristics or concentrations to meet the limitations established in this Ordinance or meet or exceed the Applicable Pretreatment Standards, is prohibited.
 - (viii) The City in its discretion may impose mass limitations on Industrial Users or grant a request for mass limitations by the Industrial User in accordance with Wis. Admin. Code § NR 211.11(3) where the City determines the imposition of mass limitations is appropriate.
 - (ix) The City may convert mass limitations of categorical pretreatment standards in Wis. Admin. Code chs. NR 233, NR 235 and NR 279 into equivalent concentrations limits in accordance with Wis. Admin. Code § NR 211.11(3) where the City determines that imposition of concentration limitations is appropriate.
 - (x) The City in its discretion may impose concentration limitations on Industrial Users or grant a request for concentration limitations by the Industrial User in accordance with Wis. Admin. Code § NR 211.11(3) where the City determines the imposition of concentration limitations is appropriate. Dilution to meet a concentration limitation is prohibited.
 - (xi) When the limits in a categorical pretreatment standard are expressed only in terms of pollutant concentrations, the City may convert concentration limits to mass limits in accordance with Wis. Admin. Code § NR 211.11(3).
- (2) General Discharge Permit. The City may issue and utilize General Permits in accordance with the provisions in Wis. Admin. Code § NR 211.235(1). General Permits may include limitations on concentration and mass of pollutants, may specify Best Management Practices and include other conditions necessary to ensure compliance with applicable limits.
- (3) Effect of New National Standards. Upon promulgation of National Categorical Pretreatment Standards for a particular Industrial User subcategory, the Federal standards (if more stringent than the limitations imposed under this Ordinance) shall immediately supersede the limitations imposed under this Ordinance; and each Industrial User shall comply with the applicable Federal standards. The City shall notify all affected Users of the applicable requirements using the procedures specified in 40 C.F.R. § 403.12.
- (4) Pretreatment Facilities.
- (a) Users shall provide Wastewater treatment as necessary to comply with these rules and shall, at the User's expense, achieve and maintain compliance within the time limitations specified by the City. Detailed plans showing the

pretreatment facilities and operating procedures shall be submitted to the City. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an effluent that will not violate any provision of these rules.

- (b) Any subsequent modification in the pretreatment facilities or operating procedures shall be reported to the City prior to the User's proposed modification.

(5) Monitoring and Inspection.

(a) Monitoring Facilities.

- (i) The City may require a Significant Industrial User to construct a sampling manhole or other monitoring facility to facilitate collection of a Representative Sample of Wastewater being discharged to the public sewerage system. Construction of such facility must be completed within ninety (90) days after the User has been notified of the requirement, unless the City grants an extension of time. In the event that the Industrial User fails to construct such a facility, the City may do so and shall assess the cost to the Industrial User.
- (ii) All monitoring facilities shall be constructed at the User's expense, in accordance with the plans approved by the City. The monitoring facility shall contain the necessary flow monitoring and sampling equipment to facilitate the observation, sampling, and measurement of wastes; and shall be maintained by the User so as to be safe and accessible at all times.

(b) Sampling.

- (i) The City may require the Significant Industrial User to collect Representative Samples of its Wastewater discharge, to analyze the sample for parameters specified by the City, and to report the results to the City in a timely manner.
- (ii) The City may elect to independently monitor the discharge of any Industrial User to assess compliance with applicable standards.
- (iii) Upon finding a violation based on City sampling performed in lieu of the Industrial User, the City is notified of the violation and is required by the City to perform repeat sampling and analysis. Repeat sampling conducted by the Industrial User must be consistent with the requirements under Section 8.11(7).
- (vi) Any samples collected during such monitoring shall follow a strict chain of custody procedure to insure security of the samples and anonymity during analysis.
- (v) All measurements and test analyses of the characteristics of Wastewater shall be determined in accordance with methods established by the EPA and contained in 40 C.F.R. pt. 136 and amendments thereto or with any other test procedures approved by the EPA. Sampling shall be performed in accordance with the techniques approved by the EPA. Where 40 C.F.R. pt. 136 does not include a sampling or analytical technique for the pollutant in question, sampling and analysis shall be performed in accordance with the procedures set forth in the EPA publication, "Sampling and Analysis Procedures for

Screening of Industrial Effluents for Priority Pollutants, April 1977," and amendmSents thereto, or with any other sampling and analytical procedures approved by the EPA.

- (c) Inspection.
 - (i) Agents of the City shall be allowed access to all monitoring facilities at any time.
 - (ii) City inspectors bearing proper credentials and identification shall be allowed access to all property serviced by the City, for the purpose of inspection, observation, measurement, sampling, and testing of discharges to the Wastewater facilities; or for the purpose of inspection and copying of records kept by Industrial Users relating to pretreatment requirements or reporting.
- (6) Request for Information. The City may require a Significant Industrial User to provide additional information concerning, but not limited to:
 - (a) Volume, time and peak rate of discharges.
 - (b) Chemical analysis of discharges.
 - (c) Raw materials, processes and products relevant to discharge characteristics.
 - (d) Discharges of specific wastes such as sludge, oil, solvent, or incompatible pollutants.
 - (e) Plot plans of sewers on the User's property showing locations of sewers, monitoring facilities and pretreatment facilities.
 - (f) Details of pretreatment facilities.
 - (g) Details of systems to prevent losses of materials through spills to the municipal sewers.
 - (h) Documentation of Best Management Practices.
- (7) Reporting Requirements.
 - (a) General Reporting Obligations.
 - (i) Any Industrial User shall comply with the reporting requirements of a permit issued pursuant to this Ordinance.
 - (ii) All reports required by a permit shall be based upon data obtained through appropriate sampling and analysis performed during the period covered by the report, which data is representative of conditions occurring during the reporting period. Where the Industrial User is subject to standards that require compliance with BMP or pollution prevention alternatives, the User shall submit documentation that demonstrates its compliance status.
 - (iii) Reports pertaining to the compliance schedule for any required pretreatment facilities. The discharge permit will specify the type of reports required and the dates when they are due.
 - (iv) A responsible officer shall sign any reports required to be submitted by an Industrial User pursuant to the provisions of this Ordinance.
 - (v) All reports required by this Section shall include the following certification statement:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and

evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- (vi) Any effluent data submitted or supplied to the City by any Person or User is a public record within the meaning of Wis. Stat. § 19.21. All other information submitted to the City shall be a public record unless the information is entitled to confidential treatment pursuant to Wis. Stat. § 283.55(2)(c) and Wis. Admin. Code § NR 2.19 as a trade secret. The City may require any Industrial User to provide information about industrial processes which may have an effect on the nature or composition of the industrial discharge; and such information will be kept confidential if the requirements of the aforesaid statute and administrative rule are satisfied. Any information or data obtained by the City which is confidential or constitutes a trade secret shall not be disclosed to unauthorized persons.
- (b) Periodic Compliance Report. Any permittee shall comply with the requirements of its Industrial Discharge Permit for preparing a periodic report of compliance. The report requirements are provided in the permit and may contain outfall average and maximum flow rate data, the volume and fate of any regulated Wastewater hauled off-site, the signed certification statement, and any other certification statements contained in the permit.
- (c) Reporting Following National Pretreatment Standard Changes.
 - (i) 180-Day Baseline Monitoring Report. Industrial Users subject to National Categorical Pretreatment Standards shall submit to the City this report within one hundred eighty (180) days of the effective date of a National Categorical Pretreatment Standard.
 - (b) 90-Day Final Compliance Report. In accordance with Wis. Admin. Code § NR 211.15(3) existing Industrial Users subject to National Categorical Pretreatment Standards, must submit a final compliance report to the City within ninety (90) days following the date for final compliance with the applicable Categorical Pretreatment Standard. For new Industrial Users subject to National Categorical Pretreatment Standards, as well as for Industrial Users subject only to local standards, this report must be submitted within ninety (90) days following the introduction of Wastewater into the public sewer system.
- (d) Discharge Monitoring Report.
 - (i) Permittees with monitoring requirements shall submit Discharge Monitoring Reports (DMR) summarizing outfall analytical data within thirty (30) days of the receipt of the analytical data. Each report shall include the certification statement and the signature of the responsible officer or designee. The DMR shall include the Wastewater flow data from the sampling period. The DMR shall provide the laboratory analysis

- report. The discharge permit will indicate what parameters must be analyzed and what frequency of sample collection should be followed.
- (ii) If sampling performed by a permittee indicates a violation, the User shall notify the City within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis for the parameters showing violation and submit the results of the repeat analysis to the City within thirty (30) days.
 - (iii) If a permittee monitors any pollutant more frequently than required by the City, using analytical methods specified in the permit, the results of this monitoring shall be included in reports and submitted to the District.
 - (iv) As part of an SIU permit, the City may authorize a monitoring waiver for individual pollutants or reduce the frequency of reports for certain discharges in accordance with Wis. Admin. Code § NR 211.15(4).
- (e) **Reports of Upsets, Spills, Slugs, and Bypasses**
- (i) Each Industrial User shall notify the City, the EPA Regional Waste Management Division Director, and the Wisconsin Department of Natural Resources Bureau of Solid Waste Management in writing of any discharge into the City's treatment system of a substance which, if otherwise disposed of, would be a hazardous waste under 40 C.F.R. pt. 261. Notification is not complete until the City or its designee personally responds and acknowledges receipt of the notification. The initial notice of a hazardous waste discharge shall be followed by a written notice to the City from the Industrial User within five (5) business days.
 - (ii) In accordance with Wis. Admin. Code § NR 211.15, each Significant Industrial User shall notify the City immediately in the event of a slug discharge of waste, an upset of either the User's industrial process or its pretreatment facilities, or a period of noncompliance with general prohibitions. Such Significant Industrial User shall provide a written or oral notification within twenty-four (24) hours after the occurrence of such event, and shall provide the detailed written statement referred to in Section 8.07(4) to the City within the time period established therein.
- (8) **Slug Control.** The City may evaluate whether any Industrial User needs a plan to control slug discharges. If the City determines that a slug control plan is needed, requirements to prepare and implement a slug control plan will be included in a permit issued under this Ordinance.
- (a) **Slug Control Plan.** Where the City determines a slug control plan is necessary, the slug control plan may include the following elements:
 - (i) A description of discharge practices, including non-routine batch discharges.
 - (ii) A description of stored chemicals.
 - (iii) Procedures for immediately notifying the City of slug discharges, including any discharge that would violate a general prohibition or specific prohibited discharge standard, with procedures for followup written notification within five (5) days.
 - (iv) The necessary procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transferals, loading and unloading operations, control plant site

runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants including solvents, and/or measures and equipment of emergency response.

- (b) Changes in Slug Load Potential. In accordance with Wis. Admin. Code § NR 211.15, each Industrial User is required to notify the City immediately of any changed circumstances at its facility affecting the potential for a Slug Discharge. The permittee shall provide notification to the City at least forty-five (45) days prior to any planned changes to chemical storage facilities. Based on these changes, the City may determine that a slug control plan is needed. If so, the plan shall at a minimum contain the elements listed in Section 8.11(8)(a). The City, at any time, based on inspection or responses to events, may determine that a slug control plan shall be prepared by an Industrial User. The User's permit will be revised to contain requirements to control Slug Discharges.

(9) Bypass Provisions.

- (a) An Industrial User may allow a bypass of its pretreatment facilities to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Sections 8.11(9)(b), (c), and (d).
- (b) If an Industrial User knows in advance of the need for a bypass it shall submit prior notice to the City, if possible, at least ten (10) days before the date of the bypass.
- (c) An Industrial User shall submit oral notice of an unanticipated bypass that exceeds Applicable Pretreatment Standards to the City within twenty four (24) hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.
- (d) Bypass of pretreatment facilities is prohibited and the City may take enforcement action against an Industrial User for a bypass, unless:
 - (i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (ii) There was no feasible alternative to the bypass, such as the use of auxiliary treatment facilities retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (iii) The Industrial User submitted notices as required under Section 8.11(9)(b) or (c).

(10) Records Retention.

- (a) Significant Industrial Users shall retain and preserve for no less than three (3) years any records, books, documents, memoranda, reports, correspondence, and all summaries relating to monitoring, sampling, and chemical analyses made by, or on behalf of, a Significant Industrial User in connection with its discharge. Included in this requirement is the preservation of documentation of Best Management Practices employed as a result of Ordinance or permit requirements.
 - (b) Significant Industrial Users shall retain and preserve all records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the City until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.
- (11) Violations of Pretreatment Requirements.
- (a) Each Industrial User shall strictly comply with all provisions of this Ordinance. A violation of this Ordinance may lead to enforcement actions by the City.
 - (b) Without limiting the foregoing, the following events related to pretreatment shall constitute a violation of this Ordinance and may cause enforcement proceedings to be commenced by the City under Section 8.18.
 - (i) Failure to notify the City of a new or increased discharge.
 - (ii) Failure to submit any required reports including those required under 40 C.F.R. § 403.12 in a timely manner.
 - (iii) Failure to submit self-monitoring reports in a timely manner.
 - (iv) Failure to meet the dates specified in the compliance schedule for construction and operation of pretreatment facilities.
 - (v) Failure to meet applicable local (including, but not limited to the City), state or federal pretreatment standards for discharge quality.
 - (vi) Failure to notify the City of an accidental discharge or Slug Load.
 - (vii) Untruthfully reporting results on any report submitted to the City.
 - (viii) Any other failure to comply with the provisions of this Ordinance or of any conditions in a permit.

8.12 SPECIAL AGREEMENTS.

No statement contained in this Ordinance 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)

8.13 LIMITATIONS ON DISCHARGES OF HAULED WASTES

- (1) Discharges Prohibited. Except as provided in this Chapter, no Person, shall discharge Hauled Waste, including Septage or Holding Tank Wastes into the Sewage Collection System.
- (2) Discharges at the City's Receiving Facilities.
 - (a) Discharges of Hauled Wastes by a licensed disposer may be allowed at a City receiving station but only in such manner and at such place as may be designated by the City and subject to the provisions of this Section.
 - (b) The Hauler desiring to discharge such wastes shall first make application to the City for a permit to discharge under this Section.
 - (c) The Hauler making the discharge shall pay to the City all applicable fees and sewer service charges based on the characteristics of the discharge; and any additional costs or expenses associated with the provision of additional facilities or personnel necessary to accept such waste at the point of introduction into the City's Wastewater Treatment Plant.
 - (d) Payment of fees and charges will be on a monthly basis unless otherwise provided for by the City in the Hauler's permit. If payments are not received within 30 (thirty) days of the date they are due, the City may suspend disposal privileges and/or proceed with enforcement of any delinquent payment provisions in Section 8.17(2).
- (3) Permits to Discharge Hauled Wastes.
 - (a) No discharge of Hauled Wastes shall be made unless the Hauler making the discharge has been issued a permit under this Section.
 - (b) All applications for a permit shall be in writing and shall contain such information as the City deems appropriate. No permit once issued shall be assignable or transferable and no holder of any permit shall acquire any vested right or privilege in the permit.
 - (c) A Hauler seeking a permit shall apply to the City prior to September 1 for a permit. A permit shall be valid for a period of one (1) year, beginning on September 1, and expiring on August 31 of each year unless the District decides to issue a permit for a longer period not to exceed five (5) years.
 - (d) The City may require the applicant to pay an annual fee in such reasonable amount as it may determine as a condition precedent to the issuance of such.
 - (e) Any permit shall be revocable by the City summarily for violation of the terms or conditions the permit.
 - (f) Any Person discharging Hauled Waste in violation of this Section shall be subject to enforcement under Section 8.18.
- (4) Permit Requirements. If the City determines to issue a permit, such permit may be issued upon such terms and conditions including but not limited to the following:
 - (a) The City shall have the right to reject and refuse to accept Hauled Wastes from the Hauler if:
 - (i) Treatment of the waste would cause the City's Sewerage System to exceed its operating design capacity or to violate any applicable effluent limitations or standards, water quality standards or any other legally applicable requirements, including court orders or state or federal statutes, rules, regulations or orders;
 - (ii) The waste is not compatible with the City's Sewerage System or contains wastes otherwise prohibited under this Ordinance;

- (iii) The Hauler fails to comply with waste disposal rules promulgated by the City from time to time or fails to pay the appropriate sewer service charges in a timely manner.
- (b) The City may impose reasonable terms and conditions for Hauled Waste disposal into the Wastewater Treatment Plant relating to the following:
 - (i) Specific quantities, locations, times and methods for discharge of such wastes into the City's Sewerage System;
 - (b) Requirements to report the source and amount of such wastes placed in the City's Sewerage System; and
 - (c) Requirements that the Hauler analyze Representative Samples of the waste placed in the City Sewerage System in order to determine the characteristics of the waste and the compatibility of the waste with the City's Sewerage System.
- (d) If the City's Sewerage System can accept some, but not all, of the Hauled Wastes offered for disposal, the City may accept such waste which is generated within the geographic boundaries of the City before accepting such wastes which are generated outside of the boundaries of the City.
- (e) The City reserves the right to sample Hauled Waste loads and inspect truck log books at any time without prior notice. The City may request copies of the Hauler's invoices to its clients as documentation of the content of Hauled Waste loads.
- (f) The agreement of the Hauler to indemnify the City from and against any and all liability for injury or damage arising out of or related to the activities of Hauler in exercising the rights granted. The City may require the Hauler to post a bond written by a bonding company licensed to transact business in Wisconsin, to guarantee performance.
- (g) The agreement of the Hauler to have in full force and effect sufficient worker's compensation insurance, public liability and property damage insurance. With respect to public liability insurance, any person hauling septage or holding tank wastes agrees to carry public liability insurance in an amount not less than \$150,000.
- (h) The City may accept Exceptional Quality High Strength Waste of up to 12,000 gallons per day in total from all vendors/haulers. The acceptance of this waste may further limited or terminated at any time pursuant to (b) herein. (MC#1240)
- (5) Permit Exceptions.
 - (a) Upon notice and approval of the City, a permit under this Section is not required for the following:
 - (i) The temporary transfer of sewage from a Sewerage Collection System sewer to allow for maintenance or repair of a Sewerage Collection System sewer.
 - (ii) Emergency response actions as determined by the City.
 - (iii) Temporary actions resulting from analytical activities.
 - (b) The City may utilize a General Permit to address a category of waste haulers with similar discharge characteristics.

8.14 DETERMINATION OF SEWER SERVICE CHARGES IN GENERAL

- (1) Purpose. 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 8.02 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) Annual Review. 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) Determination of Charges.
 - (a) 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 8.02 for domestic waste water.
 - (b) 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.
 - (c) 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.
 - (d) Sampling of industrial waste waters may be made on a regular basis or as needed to verify sewer service charges.
 - (e) 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.
 - (f) 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.

8.15 SEWER SERVICE CHARGES AND RATES

- (1) Purpose. The purpose of this Section 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) Sewer Service Rates. The sewer service charge rate (S_T) shall be determined as follows:

$$S_T = C_T / V_T$$

Where:

S_T = Sewer Service Charge Rate for Treatment

C_T = Total Annual Cost of Treatment

V_T = Total Volume Treated

C_T shall include the costs associated with the user charge and the debt service charge as defined in Section 8.02 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) Sewer Service Charges.
- (a) The sewer service charge for all residential, institutional, commercial, and governmental Users, discharging domestic waste water, as defined in Section 8.02 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 both the calculated sewer service charge and the minimum sewer service monthly charge. The sewer service charge shall be paid monthly. (MC#1141)
- (b) 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 8.02 of this Ordinance, shall pay a charge determined by the formula in Section 8.15(4)(d). Using this formula, 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 8.02 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 both the calculated sewer service charge and the minimum sewer service monthly charge. The sewer service charge shall be paid quarterly. (MC#1141)

- (c) Minimum monthly sewer service charges shall be based on ensuring collection of sufficient funds for repayment of sewerage system debt retirement and other fixed 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)

(4) 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 defined in Table 1. The minimum monthly charge shall be based on water meter size defined in Table 1. The City reserves the right to impose higher minimum charges for commercial, industrial, governmental, or institutional users. (MC#1171)
- (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 8.02, 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 8.02 of this Ordinance shall be based on the schedule of unit costs as defined in Table 1,
- (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 8.02 of this ordinance shall be determined in accordance with the following formula:

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

Where:

- C_U = Sewer Service Charge to the user
- V_w = Waste water volume in million gallons
- B = Concentration of BOD₅ 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 BOD₅
- 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 8.15(4)(c).

- (e) The sewer charge for holding tank wastes and septic tank wastes will be based on the following assumptions: 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; septic tank wastes 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. Unit cost charges for holding tank and septic tank wastes shall be as indicated in Table 1.
- (f) The City reserves the right to measure the actual volume of wastewater and concentrations of BOD₅, total phosphorus, and TKN in any septic or holding tank wastes and calculate a sewer charge based on the following equation:

$$\begin{aligned}
 S_c &= [(V_s * C_{HT} \text{ or } C_{ST})] \\
 &+ [(B-300)*(V_s/1000)*C_B*8.34] \\
 &+ [(S-300)*(V_s/1000)*C_S*8.34] \\
 &+ [(P-8.0)*(V_s/1000)*C_P*8.34] \\
 &+ [(N-40)*(V_s/1000)*C_N*8.34] \\
 &+ AD \\
 S_c &= \text{Sewer Service Charge to the user.} \\
 V_s &= \text{Volume of septage or holding tank wastes in units of} \\
 &\quad \text{1,000 gallons} \\
 B &= \text{Concentration of BOD in milligrams per liter (mg/l) in the} \\
 &\quad \text{septage or holding tank wastes.} \\
 S &= \text{Concentration of TSS in milligrams per liter (mg/l) in the} \\
 &\quad \text{septage or holding tank wastes.} \\
 P &= \text{Concentration of total phosphorus, as P, in milligrams per} \\
 &\quad \text{liter (mg/l) in the septage or holding tank wastes.} \\
 N &= \text{Concentration of TKN, as N, in milligrams per liter (mg/l)} \\
 &\quad \text{in the septage or holding tank wastes.} \\
 C_{HT} &= \text{Cost per 1,000 gallons of holding tank volume.} \\
 C_{ST} &= \text{Cost per 1,000 gallons of septic tank waste.} \\
 C_B &= \text{Surcharge per pound of BOD}_5. \\
 C_S &= \text{Surcharge per pound of TSS.} \\
 C_P &= \text{Surcharge per pound of total phosphorus.} \\
 C_N &= \text{Surcharge per pound of TKN.} \\
 AD &= \text{Administrative Charge} = \$10.00 \text{ per invoice}
 \end{aligned}$$

Unit costs for BOD₅, TSS, TKN, and total phosphorus surcharge determinations shall be as indicated in Table 1.

- (g) The sewer charge for clear water shall be as indicated in Table 1.
- (h) The charge levied on hauled high strength waste discharged directly into the digester shall be determined using the following equation:

$$S_c = [\text{FLOW} + \text{BOD} + \text{TSS} + \text{P} + \text{N} - (.5 * \text{CNG}) + \text{AD}]$$

FLOW: $V_{HS}/1000 * C_{VHS}$
 + BOD: $V_{HS}/1,000.0000 * B * 8.34 * C_{BHS}$
 + TSS: $V_{HS}/1,000.0000 * S * 8.34 * C_{SHS}$
 +P: $V_{HS}/1,000.0000 * P * 8.34 * C_{PHS}$
 +N: $V_{HS}/1,000.0000 * N * 8.34 * C_{NHS}$
 CNG: $B * 12 * 650 / 1000000 * CNG * .5$
 +AD: Administrative Cost per Invoice

Where:

S_C = Sewer Service Charge to the user.
 V_{HS} = 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_{BHS} = Surcharge per pound of BOD₅.
 C_{SHS} = Surcharge per pound of TSS.
 C_{NG} = Value of BTU at current rates (See Table 1)
 C_{VHS} = Cost per 1,000 gallons of volume.
 C_{PHS} = Surcharge per pound of total phosphorus.
 C_{NHS} = Surcharge per pound of TKN.
 AD = Administrative Charge

For sewer service charge determinations, hauled high strength waste shall be certified laboratory tested for BOD, TSS, Phosphorus and TKN. If hauled high strength waste is to receive an average strength designation a minimum of three separate certified laboratory test samples will be required to receive the average designation. The hauler and their description of waste, test results and average designation will be placed on file at the POTW. The average strength designation, once determined, allows similar waste to be accepted at the POTW without continuously testing the waste parameters. (MC#1240)

- (i) 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)

- (j) This Section does not preclude the City from billing for the treatment of waste water as specified in intergovernmental sewer service agreements. (MC#639)
- (5) Emergency Lateral Repair Fund. In addition to the foregoing sewer service charges, each bill for sewer service shall include a charge of twenty-five cents (\$0.25) per month for an emergency lateral repair fund, which shall be placed in a segregated account. If there is an unplanned and emergency sanitary sewer lateral replacement in the right-of-way, this repair fund shall be used by the City for the costs associated with the restoration of surface infrastructure such as public sidewalk, curb, and the street. The costs for the private lateral shall be paid by the property owner. What constitutes an “emergency” and the use of such funds shall be as determined and administered at the sole discretion of the Wastewater Superintendent.(MC#1285)

8.16 SERVICE AGREEMENTS.

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.

8.17 BILLING AND COLLECTIONS.

- (1) Billing and Payment. Sewer service charges shall be billed on a quarterly basis, unless circumstances require a delayed billing. Such charges shall be payable to the City on or before the fifteenth (15) day of the month after the month of such billing, unless the City has extended the time for payment.
- (2) Delinquent Payments.
 - (a) Any person failing to pay the sewer charge 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.
 - (b) 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.
 - (c) All charges established by this ordinance shall be a lien against the property served pursuant to Wis. Stat. §§ 66.0809(1) to (4), 66.0813, and 66.0821.

8.18 ENFORCEMENT, ABATEMENT, AND PENALTIES.

- (1) Violations Prohibited.

- (a) No User shall violate any provision of this Ordinance, a wastewater discharge permit, an order issued under this Ordinance, or any pretreatment standard or requirement. Any person violating any provision of this Ordinance, a wastewater discharge permit, an order issued under this Ordinance, or any pretreatment standard or requirement shall be subject to the enforcement and penalty provisions of this Ordinance.
 - (b) No person shall knowingly make any false statement, representation, record, report, plan or other document filed with the City or falsify, tamper with, or knowingly render inaccurate any monitoring device or method required under this Ordinance.
 - (5) 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 will be subject to the penalty provisions of this Section and enforcement of any other applicable local, state, or federal law.
- (2) Notice of Noncompliance. When the City finds that a User has violated or continues to violate any provision of this Ordinance, a wastewater discharge permit, an order issued herein, or any pretreatment standard or requirement, the City or its designee may serve upon the User a written notice of noncompliance.
- (a) Any notice of noncompliance issued by the City shall:
 - (i) Be in writing, personally served or delivered by certified mail, return receipt requested;
 - (ii) State the nature of the violation, the approximate date and time of the violation, and the consequences of further violation; and
 - (iii) Describe the administrative procedures that are available to review the City's determination.
 - (b) As appropriate to the circumstances, a notice of noncompliance may require the User to take the following actions, within thirty (30) days of issuance of the notice of noncompliance:
 - (i) Identify in a written document to the City the nature and cause of the violation and provide a description and plan of the remedy action and compliance schedule;
 - (ii) Undertake any additional sampling, information, and corrective action required by the City.
 - (iii) Attend a meeting with the City.
 - (c) Nothing in this subsection shall limit the authority of the City to take any action, including emergency actions or other enforcement actions, without first issuing a notice of noncompliance.
 - (d) Submission of the requirements under this subsection in no way relieves the User of liability for any violations occurring before or after receipt of the notice of noncompliance.
- (3) Notice of Violation. When the City or its authorized designee finds that a User has violated or continues to violate any provision of this Ordinance, a wastewater discharge permit, an order issued herein, or any pretreatment standard or requirement, and has failed to provide an acceptable plan for corrective action as required in subsection (2), the City or its designee may serve upon that User a written notice of violation.
- (a) Any notice of noncompliance issued by the City shall:

- (i) Be in writing, personally served or delivered by certified mail, return receipt requested;
 - (ii) State the nature of the violation, the approximate date and time of the violation, and the consequences of further violation; and
 - (iii) Describe the administrative procedures that are available to review the City's determination.
 - (b) As appropriate to the circumstances, a notice of noncompliance may require the User to take the following actions, within thirty (30) days of issuance of the notice of noncompliance:
 - (i) Identify in a written document to the City the nature and cause of the violation and provide a description and plan of the remedy action and compliance schedule;
 - (ii) Undertake any additional sampling, information, and corrective action required by the City.
 - (iii) Attend a meeting with the City.
 - (c) Nothing in this subsection shall limit the authority of the City to take any action, including emergency actions or other enforcement actions, without first issuing a notice of violation.
 - (d) Submission of the requirements under this subsection in no way relieves the User of liability for any violations occurring before or after receipt of the notice of violation.
- (4) Orders. If the City has determined that a User has violated or is violating any provision of this Ordinance, a wastewater discharge permit, an order issued herein, or any pretreatment standard or requirement, the City may order the User to take certain action by a certain date to remedy or otherwise address the violation. The City need not proceed with notices under subsection (2) or (3) prior to issuing an order under this section. Orders shall:
- (a) Be in writing and personally served or delivered by certified mail, return receipt requested;
 - (b) State the reasons and actions required by the User to comply with the order;
 - (c) Describe the administrative procedures that are available to review the order.
- (5) Orders to Show Cause. When the City finds that a User has violated or continues to violate any order or enforcement action issued herein, the City may order the User to appear before the Sewer Utility Manager to show cause why the proposed enforcement action should not be taken.
- (a) Any order to show cause shall:
 - (i) Be in writing, personally served or delivered by certified mail, return receipt requested;
 - (ii) State the proposed enforcement action, the reasons for the proposed enforcement action, the time and place for the hearing, and a request that the User show cause why the enforcement action should not be taken.
 - (iii) Describe the administrative procedures that are available to review the City's determination.
 - (b) Hearing Process.
 - (i) The City will serve notice of the hearing on the User no less than 10 (ten) days before the hearing date.

- (ii) Service of the hearing notice may be made on any agent, officer, or authorized representative of the appellant User.
 - (iii) The hearing to show cause shall be before the Sewer Utility Manager or a hearing examiner as designated by the Sewer Utility Manager.
 - (iv) The Sewer Utility Manager or designated hearing examiner shall take evidence on the reasons why the enforcement action should not be taken.
 - (v) The User shall have the burden of proof as to why the enforcement action should not be taken.
 - (vi) Any testimony taken must be under oath. A transcript will be made available to any member of the public or any party to the hearing upon request and payment of the usual charges thereof. Such request must be made within ninety (90) days of the hearing.
- (c) Appeals.
- (i) A person aggrieved by a decision of the Sewer Utility Manager or designated hearing examiner in an order to show cause proceeding may seek review of the decision before the Wastewater Treatment Commission.
 - (ii) Review shall be limited to the record before the Sewer Utility Manager or hearing examiner at the order to show cause hearing.
- (d) The provisions regarding judicial review in Section 8.19(5) of this Ordinance shall be applicable to final determinations arising out of proceedings under this subsection (5).
- (6) Emergency Actions Regarding Industrial Dischargers. The City may suspend wastewater treatment service to an Industrial User whenever it appears to the City that an actual or threatened industrial discharge presents or threatens an imminent or substantial danger to the health or welfare of persons; a substantial danger to the environment; an interference with the operation of the City's Wastewater Treatment Plant; or violates any pretreatment limits imposed by state or federal law or this Ordinance.
- (a) The City shall notify such Industrial User in the event of a determination to suspend wastewater treatment service hereunder.
 - (b) Such User shall cease all such discharges immediately.
 - (c) The City may reinstate the wastewater treatment service pending proof by the User and judged sufficient by the City that the conditions creating threat of imminent or substantial danger have been eliminated.
- (7) Judicial Proceedings. Following entry of any order by the City with respect to the conduct of a User contrary to the provisions of this Ordinance, the City may commence an action for appropriate legal and/or equitable relief in the appropriate local court. The City may take further action pursuant to this Section or Section 8.19 or as otherwise allowed by law.
- (8) Penalties for Violations.
- (a) Any person who fails to comply with the provisions of this Ordinance or any order of the City shall forfeit an amount not less than \$100.00 nor more than \$1,000.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

- (b) Any person violating any of the provisions of this ordinance shall become liable to the city for any expense, loss or damage incurred 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.
- (c) 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 forfeiture, pay the amount to cover damage, both values to be established by the City.
- (d) The forgoing penalties are cumulative and not exclusive. Imposition of any penalty pursuant to this Section does not protect a violator from enforcement by any other unit of government.

8.19 APPEALS.

- (1) Notice of Appeal. Any User directly aggrieved by any decision of the City other than a decision arising out of a hearing to show cause under Section 8.18(5) may file a notice of appeal with the Wastewater Treatment Commission.
 - (a) The notice shall state the grounds upon which the aggrieved User contends the decision should be modified or reversed.
 - (b) The notice shall be received by the Wastewater Treatment Commission within thirty (30) days of the decision of the City.
 - (c) The filing of the notice of appeal shall stay enforcement of the decision pending resolution of the appeal.
 - (d) A fee of \$100 shall accompany any appeal. This fee may be refunded if the appeal is sustained in favor of the appellant.
- (2) Notice of Hearing. Upon receipt of a notice of appeal, the City will schedule a hearing before the Wastewater Treatment Commission and will serve notice of the hearing on the aggrieved User no less than ten (10) days before the hearing date.
 - (a) The hearing notice shall specify the time and place of the hearing.
 - (b) Service of the hearing notice may be made on any agent, officer, or authorized representative of the appellant User.
- (3) Authority of Wastewater Treatment Commission. The Wastewater Treatment Commission shall have the authority to:
 - (a) Issue notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in the hearings;
 - (b) Take evidence;
 - (c) Issue a decision based on its review of the hearing evidence provided. The Commission may set such terms and conditions in its decision as are necessary and appropriate to protect the City's Sewerage System.
- (4) Hearing Process.
 - (a) The Wastewater Treatment Commission shall preside over a hearing under this subsection and shall take evidence.
 - (b) The User shall have the burden of proof as to why the challenged decision should not be upheld.
 - (c) Any testimony taken must be under oath. A transcript will be made available to any member of the public or any party to the hearing upon request and payment

of the usual chargers thereof. Such request must be made within ninety (90) days of the hearing.

- (5) Judicial Review. Any party to a proceeding under this Section resulting in a final determination may seek review thereof by certiorari within 30 days of receipt of the final determination.
- (6) Relation to Wis. Stat. ch. 68. The City elects not to be governed by Wis. Stat. ch. 68 with respect to this Ordinance. Accordingly, the procedures set forth in this section apply in lieu of those in Wis. Stat. §§ 68.01 to 68.12.

8.20 Table 1 Schedule of Sewer Charges (eff. 01/01/21)

Minimum Monthly Charges

Meter Size	Min. Monthly Fee
5/8"	\$15.08
1"	\$27.21
1.5"	\$45.34
2"	\$52.90
3"	\$113.35
4"	\$169.27
6"	\$302.26
8"	\$405.92
Municipal Connection (each)	\$500.00

Domestic Wastewater Charges

Category	Rate	Units
Volume (Cv)	\$3.78	per 100 CF

Non-Domestic/Industrial Wastewater Surcharges

Category	Rate	Units
Volume (Cv)	\$3.78	per 100 CF
BOD5 (CB)	\$0.91	per pound
TSS (CS)	\$0.46	per pound
Nitrogen (CN)	\$0.95	per pound
Phosphorous (CP)	\$11.67	per pound
Clear Water Charge		
Volume (VCW)	\$2.55	per 100 CF

Hauled Waste Surcharges

	Rate	Units
Holding Tank (CHT)	\$17.20	per 1000 gal
Septage Tank (CST)	\$90.47	per 1000 gal
Hauled High Strength		
Volume (CVHS)	\$0.40	per 1000 gal
BOD5 (CBHS)	\$0.07	per pound
TSS (CNHS)	\$0.06	per pound
Nitrogen (CNHS)	\$0.07	per pound
Phosphorous (CPHS)	\$9.09	per pound
BTU value (CNG) (2016)	\$9.12	per 1,000,000 BTU
Clear Water		
Volume (VCW)	\$2.55	per 100 CF