

ORDINANCE NO. 2025-005

AN ORDINANCE AMENDING CH. 62, UTILITY CODE

WHEREAS, the Village of Sister Bay periodically reviews their ordinances to ensure they comply with the Wisconsin State Statutes and Administrative Code, the intent of adopted village plans, they have a regulatory framework to best protect the environment, they are easy and effective to understand and implement, and they support planning policies and trends; and,

WHEREAS, on February 11, 2025, the Sewer and Water Utility Committee recommended to approve various amendments to the Village of Sister Bay Municipal Code, Chapter 62, *Utility Code*, that were necessary to comply with state statutes, further protect natural resources, make for a more understandable code that can more effectively be administered, and have a more efficient code.

NOW, THEREFORE, after consideration of the code amendments recommended by the Sewer and Water Utility Committee, on March 25, 2025, the Village Board of the Village of Sister Bay voted to amend Ch. 62, *Utility Code*, as shown below.

SECTION 1. Adoption of Code Amendments. Shown below are the code sections amended, with deletions shown with a strikethrough and additions shown in red font. [Amendments may require amendments to the Table of Contents and other areas in Ch. 62 where formatting would be affected.]

SECTION 100 – INTENT

Sec. 62.0101 General Intent of These Regulations

The general intent of this chapter is to establish rules for the ~~the~~Village's **sanitary** sewer **collection** system, its water **distribution** system, and the operation of private wells within the ~~the~~Village limits.

SECTION 500 – SEWER & WATER SYSTEM REQUIREMENTS & RULES

Section 62.0501 Management, Operation & Control of the Village's **Sanitary Sewer & Water Systems**

The management operation and control of the **sanitary** sewer and water systems of the ~~the~~Village are vested in the Village Board. All records, minutes, financial records and all written proceedings of the Village Board shall be kept by the Village Administrator. The **sanitary** sewer and water systems are further regulated by the State Department of Natural Resources. The water system is a separate utility established in accord with the rules and regulations of the Public Service Commission of the State of Wisconsin, and, therefore, is subject to the rules and established rate file of the Commission. A copy of the current rate file is available at the Administrator's ~~Office~~ and the ~~Sewer and Water Utility~~**ies** **Department** Office. In addition to the rules established by this chapter, all applicable ~~county, state and federal~~ **federal, state and local** rules that pertain to **sanitary** sewer and water systems must also be adhered to.

Section 62.0502 Construction

The ~~Village Board~~**Utilities Department** has the power to construct **sanitary** sewer and water **mains and service lines**~~laterals~~ for public use, to lay **sanitary** sewer and water pipes in and through the alleys, streets and public grounds of the ~~the~~Village; and generally, to do all such work as may be found to be necessary or convenient in the management of the **sanitary** sewer and water systems. The **Village** Board has the power by itself, and through its officers, agents and servants to enter upon any land to

1 make examinations of the sanitary sewer & and water systems or supervise the performance of its
2 duties under this chapter without liability therefore; and also has the power to purchase and acquire
3 for the Village all real and personal property that may be necessary for construction of the sanitary
4 sewer and water systems, or for any repair, remodeling or additions thereto.

5 (1) Water system construction general requirements

- 6 (a) Each dwelling or other building within the Village limits used for human habitation, or
7 other buildings where humans are in need of water facilities, which are located upon or
8 adjacent to any street in and along which public water mains have been installed, or which
9 has reasonable access to a public water main, shall be connected with an individual water
10 service lateral to said water main.
- 11 (b) No person shall install any water service lateral or make any attachment to any old pipe or
12 fixture which has been shut off by the Utilities Department or make any new connection to
13 the water main or do any kind of plumbing work in or about any water main or fixture
14 belonging to the Utility without written permission from the Utilities Director or their
15 authorized representative(s) for that purpose.
- 16 (c) The owner of a multiunit dwelling has the option of having a metered water service to each
17 unit from a single lateral service connection to a water main. The owner, by selecting this
18 option, is required to provide interior plumbing and meter settings to enable the individual
19 supply to each unit and also individual disconnection without affecting water service to
20 other units. Each meter and meter connection will be a separate Utility customer for the
21 purpose of the filed rates, rules and regulations. No more than one building shall be
22 supplied from each individual water service lateral.
- 23 (d) A domestic water service shall not be used as a supply for a fire protection system, nor shall
24 a fire protection service be used for domestic purposes except where a four (4) inch or
25 larger connection is made to the water main. The domestic water service shall be metered
26 ahead of intended use.
- 27 (e) The installation of any pipe, valve, or conduit in any manner connected to the public water
28 system so as to result in connection of a private water supply, sanitary sewer, storm sewer,
29 or any other fluid or substance which might result in the introduction of a foreign
30 substance into the municipal water system is prohibited.

31 (2) Pipe requirements

- 32 (a) The water service lateral shall be of sufficient size to furnish water to the property in
33 quantities and at the pressure required in Ch. SPS 382, Wis. Adm. Code. The minimum inside
34 diameter of any water service lateral shall be three-quarter ($\frac{3}{4}$) inch.
- 35 (b) The water service lateral from the water main to any property shall be high-density
36 polyethylene for services ranging from three-quarter ($\frac{3}{4}$) inch to two (2) inches, polyvinyl
37 chloride (PVC), ductile iron, high-density polyethylene (HDPE) pressure pipe, or other
38 materials approved by the Utilities Director for services larger than two (2) inches. All
39 materials used within bounds of or beneath an area subject to easement for highway or
40 street purposes or public right-of-way shall be subject to acceptance by the Utilities Director.
41 Additionally, installation of a tracer wire is required with all construction materials.

42 (3) Service lateral valve requirements

- 43 (a) Water service laterals shall include an approved corporation stop to be located and tapped
44 into the water main, a curb stop or valve between the property line and the street, and
45 valves inside the building, one on the supply side and one on the building side of the meter.

1 Fire protection services shall include an approved valve in the right-of-way and a valve inside
2 the building followed by an approved check valve.

- 3 (b) Curb stop valves for water service laterals the size of two (2) inches and under shall be the
4 adjustable screw-type cast iron service boxes consisting of a lid, top section, extension
5 section, bottom section and base. Services three (3) to twelve (12) inches shall be an
6 approved resilient-seated gate valve and box. Valves required on fourteen (14) inch or larger
7 water mains shall have an approved butterfly valve and box.

8 (4) Connection to water main

- 9 (a) Any service lateral connection to a water main shall be of sufficient size to furnish water to
10 the property in the quantities and at the pressures required by Ch. SPS 382, Wis. Adm. Code.
11 All connectors shall be made with an approved corporation stop, service saddle, tapping
12 water valve and sleeve, or other approved connection depending on the connection and the
13 available water main size. Only one tap or connection to the water main will be permitted
14 foreach water service lateral. Corporation stops shall be the ball valve type. All fittings for
15 water services up to two (2) inches shall be cast brass containing no more than 0.25% lead.
16 Fittings shall have a uniform wall thickness and strength and be free of defects. Service
17 saddles shall be used on all one-and-one half (1 ½) inch and two (2) inch water services and
18 shall be stainless steel strap type. Insulation used for frost protection shall be expanded or
19 extruded polystyrene foam insulation with a minimum thickness of two (2) inches with a
20 minimum R value of 8.7 and have a minimum compressive strength of forty (40) psi.

21 (5) Water service lateral construction

- 22 (a) To prevent highly chlorinated water from entering the municipal water system, water
23 service laterals shall only be connected to a new water main after final flushing has been
24 completed and a safe bacteriological sample has been obtained. The minimum size of
25 water service laterals shall be three-quarter (3/4) inch, unless otherwise noted and
26 approved by the Utilities Director. A copper or polyethylene water service lateral shall
27 consist of a corporation stop and curb stop that shall be the same size as the water service
28 lateral. The water service lateral will extend from the corporation stop to the curb stop
29 without additional joints or couplings.
- 30 (b) Unless otherwise approved by the Utilities Director, water service laterals shall have Class
31 B bedding.
- 32 (c) Unless otherwise approved by the Utilities Director, the water service lateral shall be
33 constructed at a right angle to the roadway or parallel to the sanitary sewer lateral. New
34 water service laterals shall be constructed with a minimum cover of six and a half (6 ½)
35 feet and a minimum of two (2) feet vertical separation between any storm sewer. Curb
36 stops shall be placed at a depth between six (6) and seven (7) feet below established or
37 proposed grade. Where six and a half (6 ½) feet of cover or the two (2) foot separation
38 from a storm sewer cannot be maintained, the water service lateral shall be insulated.
- 39 (d) The water service lateral installation shall be tested for leaks prior to the placement of
40 backfill and before the curb box is installed. The corporation stop at the water main shall
41 be turned on and the curb stop opened until full flow of water is obtained. The curb stop
42 shall then be turned off and all joints and couplings checked for leaks. Upon acceptance of
43 the water service lateral by the Utilities Director or their authorized representative(s), the
44 remainder of the installation work shall be completed.

1 (6) Inspection

- 2 (a) No plumber shall cover or permit the covering of any water service lateral until the
3 installation has been inspected and approved by a representative of the Utilities
4 Department.

5 (7) Sanitary sewer laterals

- 6 (a) All sanitary sewer service laterals on private property shall be installed in accordance with
7 Ch. SPS 382, Wis. Adm. Code. As required by Ch. SPS 382, Wis. Adm. Code, all laterals shall
8 be inspected as follows: The lateral and private interceptor main sanitary sewer shall be
9 inspected upon completion of placement of the lateral and before backfilling and tested
10 before backfilling.

11 (8) Sanitary sewer construction

- 12 (a) Whenever possible, the sanitary sewer lateral shall be brought to the building at an elevation
13 below the basement floor. In all buildings in which any building drain is too low to permit
14 gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted
15 by a means which is approved by the Utilities Director or their authorized representative.
16 (b) No person shall make connection of roof downspouts, foundation drains, areaway drains, or
17 other sources of surface runoff or groundwater to a sanitary sewer lateral or building drain
18 which in turn is connected directly or indirectly to a public sanitary sewer main.
19 (c) The applicant for the sanitary sewer lateral permit shall notify the Village when the service
20 lateral is ready for inspection and connection to the public sewer system. The connection
21 shall be made under the supervision of the Utilities Department or their authorized
22 representative(s).
23 (d) All excavations for service lateral installation shall be adequately guarded with barricades
24 and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other
25 public property disturbed in the course of the work shall be restored in a manner satisfactory
26 to the Village.

27
28 **Section 62.0503 Responsibility For Maintenance of Sanitary Sewer & Water Services**

29 All owners or occupants of property that is serviced by the ~~Sister Bay~~ Utilities Department shall
30 maintain all sanitary sewer and water services from the street main to the house building including all
31 controls between the street main and the house building, without expense to the Village, unless those
32 items are damaged by the Village. All claims for damage by the Village must be made by the owner
33 of the property to the Village according to applicable law. Further, all sanitary sewer and water
34 services laterals must be maintained free of defective conditions by and at the expense of the owners
35 or occupants of the property. When any sanitary sewer and water services laterals are to be re-laid
36 and there are two or more buildings on such service lateral, each building shall be disconnected from
37 such service lateral and a new sanitary sewer and water services lateral shall be installed for each
38 building. Whenever street improvements are made and conditions contrary to the provisions of this
39 section exist, they shall be corrected.

40 **Section 62.0504 Condemnation of Real Estate**

41 Whenever any real estate or any easement thereon, or use of it, shall in the judgment of the Village
42 Board be necessary to the sanitary sewer and water systems, and whenever, for any cause, an
43 agreement for the purchase of it cannot be made with a property owner, the Village Board may
44 proceed with all necessary steps to take such real estate, easement or use by condemnation according

to statute and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if federal funds are used.

Section 62.0505 Title to Real Estate & Personalty

All property, real, personal and mixed, acquired for the construction of the sanitary sewer and water systems, and all plans, specifications, diagrams, papers, books and records connected with such sanitary sewer and water systems, and all buildings, machinery and fixtures pertaining thereto, shall be the property of the Village.

Section 62.0506 Sewer and Water User Rules and Regulations.

(1) Purpose

The Village of Sister Bay is committed to providing clean drinking water and sanitary sewer services to all of its residents; in particular to the customers of the Village's Water Utility and customers of the Village's Sanitary Sewer and Wastewater Treatment Utility, including customers in the Liberty Grove Sanitary District No. 1. To that end the Village Board finds and determines that:

(a) Improperly constructed, unused or improperly abandoned private wells are a known pathway for the entrance of contaminants into groundwater aquifers, which aquifers also supply the municipal water system. It is further determined that cross connecting of private wells and municipal water sources may lead to contamination. Contamination of the Village's water supply would severely and adversely affect the health, safety and general welfare of Village residents, particularly since contamination once introduced is extremely difficult to correct. Therefore, it is necessary and in the public interest that all wells within the corporate limits of the Village, whether existing or hereafter installed, shall be effectively monitored and regulated in regard to their creation, operation and abandonment as set forth in this chapter.

(b) The rules and regulations of the Village concerning sanitary sewer and water users in this chapter shall be considered a part of the contract with every person, company or corporation who is connected to or uses the Village sanitary sewer and water systems, and every person, company or corporation, by connecting with the sanitary sewer and water systems or wastewater treatment facility plant, shall be considered as expressing their assent to be so bound. In addition, these rules and regulations shall apply to all properties, persons, companies or corporations who use wells, septic systems and holding tanks in the Village not currently receiving sanitary sewer and water services from the Village.

(c) The Village Board reserves the right to change the rules and regulations from time to time, as it may deem advisable; and to make special rates and contracts in all proper cases. Persons connected to the sanitary sewer and water systems of the Village are referred to in this chapter as "users." This chapter ordains that the failure to connect to the sanitary sewer and water systems is contrary to the minimum health standards of the Village and fails to ensure preservation of public health, comfort and safety of Village residents.

(2) Plumbers

No plumber, pipe fitter or other person will be permitted to do any plumbing or pipe fitting work related to the sanitary sewer or water systems without first receiving a license from the State. All service lateral connections to the sanitary sewer main or water main shall comply with the State Plumbing Code. The Village herein adopts by reference the State Plumbing Code - ~~Chapter COMM-82~~ Wis. Stats., Ch. 145, and Chs. SPS 381 through 387, Wisconsin Administrative Code and amendments thereto made a part of this article with the same force and effect as through set out herein in full. This section does not supersede

the State Plumbing Code or Chapter 14 of the ~~v~~Village's Municipal Code but is supplementary to them.

(3) Mandatory hookup

- (a) The owner of ~~each parcel adjacent~~ all properties used for human occupancy, employment, recreation or other purposes situated within the Village and abutting on any street, alley or right-of-way in which there is now located or may be located in the future, ~~to~~ sanitary sewer and water mains on which there exists a building that is usable for human occupation, or in a block through which utility systems extend, shall be required to connect to the sanitary sewer and water systems. Once ~~the~~ a new sanitary sewer and/or water main system is placed in service, any affected property owners will receive a written notice that they must connect with either or both in the manner prescribed. If any person fails to comply for more than ~~within 180~~ ten (10) days from the date of that ~~after~~ notice in writing. Once ~~180~~ days have lapsed and the property has not been connected to the system, the ~~v~~Village may impose a penalty or may cause the connection to be made, provide a second written notice that the village is commencing the process to undertake the work and will bill the property owner for the related costs, including all administrative and staff expenses. Costs not paid within 30 days and the expense thereof shall be assessed as a special tax lien against the property. The owner may, within thirty (30) days after the completion of the work, file a written notice with the ~~Utilities Director~~ Village Clerk stating that they cannot pay the amount in one sum and ask that it be levied in no more than five equal annual installments, and that ~~the~~ amount shall be so collected with interest at ~~a~~ the prime rate plus 7 percent (7%) ~~maximum per annum~~ not to exceed fifteen percent (15%) per year from the date of the completion of the work. The unpaid balance will ~~to~~ be considered a special tax lien, in accord with the provisions of Wis. Stats., §281.45.
- (b) The ~~v~~Village may, at its option, impose a penalty for the period that the violation continues, after providing ten (10) days written notice to any owner failing to make a service connection to the sanitary sewer and water systems, of an amount equal to four (4) times the minimum quarterly charge for the sanitary sewer, fire protection and water service payable quarterly for the period in which the failure to connect continues, and, upon failure to make the payment, a charge shall be assessed as a special tax lien against the property, in accord with the provisions of Wis. Stats., §281.45.

Sec. 62.0507 Private Wells

To prevent unused, unsafe and/or improperly constructed wells from serving as a passage for contaminated surface or near surface waters or other materials to reach the usable groundwater, these wells must be properly maintained or filled and sealed. All private water supply wells or pump installations which are not currently used for outdoor use or found to be in noncompliance with Ch. Section NR 812, Wis. Adm. Code, or wells which test unsafe, shall be abandoned in accordance with Ch. NR 812, Wis. Adm. Code. ~~1.10 of the Wisconsin Administrative Code provides that a municipal water system shall require abandonment of all unused, unsafe or non-complying private wells located on premises served by the water system.~~ All properties within the ~~v~~Village limits shall be governed by this section, and all property owners must obtain a well permit to allow retention of private water supply systems which are found to be safe and in compliance with Ch. NR 812, Wis. Adm. Code, and as subsequently amended, with the limitation that the owner shall demonstrate a need in addition to water provided by the public water system for continued current use. ~~as specified below in order to operate or utilize a well.~~

(1) Private Well Abandonment Requirements

- 1 (a) Any private well which is unused, unsafe or non-complying, and which serves any premises
2 required to be connected to a water main under Section 62.20506 of this Chapter shall be
3 permanently abandoned within six (6) months after connection of the premises to the water
4 system, unless a well operation permit has been obtained by the well owner pursuant to
5 subsection (2) below. Abandonment shall be conducted by filling and sealing in accordance
6 with the provisions of Chapter NR 812, of the Wisconsin Administrative Code. It shall be
7 the responsibility of the landowner of any real property upon which a well is located to see
8 to it that all wells located on the owner's property have been properly abandoned in accord
9 with the provisions of NR Chapter 812, of the Wisconsin Administrative Code, regardless
10 of whether the owner has used the well. Upon discovery of any unused or previously
11 abandoned well, the owner shall notify the Village and comply, insofar as is practicable,
12 with the provisions of this section. In the case of a previously abandoned well, if the owner
13 can produce proof of compliance with state well abandonment requirements to the
14 satisfaction of the Village, compliance with this section may be deemed satisfied. The
15 determination shall be at the discretion of the Utilities Director upon considering the
16 present and future possibility of ground water contamination at the well site.
- 17 (b) The owner of the well or the owner's agent who will be conducting the abandonment shall
18 notify the Village Utilities Director at least two (2) business days prior to commencement of
19 any well abandonment activities so that the Village Utilities Department or its agent may
20 observe the abandonment.
- 21 (c) Wells must shall be abandoned by an individual who is a licensed water well drillers and/or
22 a licensed pump installers.
- 23 (d) Wells to be abandoned shall be filled abandoned according to the procedures and methods
24 outlined in Ch. NR Chapter 812, of the Wisconsin Administrative Code. The All debris,
25 pump, and piping, unsealed liners and any other obstructions which may interfere with
26 sealing operations shall must be removed and the well checked for obstructions before
27 plugging, and any obstruction or liner must be removed. Further, a well abandonment
28 report must be submitted by the well owner to the Utilities Department and the State
29 Department of Natural Resources on forms provided by that agency the State Department
30 of Natural Resources, and a copy of that report must shall be provided to the village. The
31 report shall be submitted by the well owner within ten (10) days of the immediately upon
32 completion of the filling of the well abandonment.
- 33 (e) The Utilities Department may charge a reasonable fee for a permit to allow retention of a
34 private water supply system.

35 (2) Permit Required For Wells For Outdoor or Agricultural Watering For Properties Served by Village
36 Utilities

- 37 (a) Any owner of a private well which is required to be permanently abandoned pursuant to
38 subsection (1)(a) above shall apply to the Village for permission to maintain the well in
39 good operating condition for the sole purpose of providing water for filling swimming pools,
40 lawn or garden watering or other similar agricultural purposes, provided that the well
41 continues to pass all tests required for private wells and the owner shall agree to pay the
42 cost of abandonment when the well shall be permanently abandoned.
- 43 (b) Every owner of a private well that was in existence on January 1, 1990, that serves premises
44 also served by the municipal water system, and who wants to continue to use the well shall
45 obtain a well permit for the use of that well from the Village within ninety (90) days from
46 the effective date of this section, which has been determined to be May 14, 1991. Drilling
47 new private wells that will be used under the circumstances described in this subsection

1 may not commence until a permit for the excavation of the private well has been granted
2 in accordance with the terms of this section.

- 3 (c) Applications for a permit for the excavation or use of a private well under this section shall
4 be made in writing by the owner or owners of the well to the ~~v~~Village on forms provided by
5 the ~~v~~Village. A \$50 processing fee shall accompany any private well excavation or renewal
6 permit application. If the requirements of this subsection ~~and other applicable state and~~
7 ~~health requirements~~ are met, a permit shall be granted to a well owner to operate a well
8 for a period of not to exceed five (5) years, ~~which permit may be renewed unless otherwise~~
9 ~~revoked because of contaminants, no longer produces water or any reason in which the~~
10 ~~water is not safe for human consumption and fails to comply with Ch. NR 812, Wis. Adm.~~
11 ~~Code, and any amendments thereto, or the owner fails to demonstrate a need.~~ Failure to
12 obtain an initial or renewal ~~well~~ permit will result in imposition of a late fee of \$100 plus
13 any other penalties that are applicable. ~~Permit applications shall be made and submitted on~~
14 ~~forms provided by the village.~~ Permits and permit renewals will be granted under this
15 section only for wells and pump installations where:

- 16 1. No physical ~~or cross-connections, including a connection made with an approved~~
17 ~~backflow prevention device,~~ shall exist between the piping of the public water system
18 and the private well.
- 19 2. Bacteriologically safe water is evidenced by at least two water samples taken one week
20 apart. ~~A copy of the Bacterial Analysis reports from a state approved drinking water~~
21 ~~laboratory indicating the water is bacteriologically safe shall be included with~~
22 ~~applications for a new well permit or an existing well permit. (Amended Ord. 266-~~
23 ~~052119)~~
- 24 3. There are no known exceedances of the preventive action limits (PALs) set forth in
25 Chapter NR 140, ~~of the Wisconsin Administrative Code.~~
- 26 4. The ~~private~~ well and pump installation ~~shall~~ meet all the requirements of ~~Ch. NR Chapter~~
27 ~~812, of the Wisconsin Administrative Code, and any amendments thereto that are in~~
28 ~~effect at the time of the well construction and pump installation.~~ A well constructor's
29 report shall be on file with the State Department of Natural Resources, or certification
30 of the acceptability of the well shall have been granted by the Private Water Supply
31 Section of the ~~Wisconsin State~~ Department of Natural Resources. ~~A well compliance~~
32 ~~report on State Department of Natural Resources form 3300-305 signed by a licensed~~
33 ~~well and pump installer which is dated within the last ten (10) years, in accordance with~~
34 ~~Ch. NR 810.16(2)(b), Wis. Adm. Code, must accompany the well permit application and~~
35 ~~provide that the well meets the requirements of Ch. NR 812, Wis. Adm. Code and any~~
36 ~~amendments thereto.~~ ~~The well and pump system shall be evaluated by a licensed well~~
37 ~~driller or pump installer and must have been certified as being compliant with Chapter~~
38 ~~NR 812 (IV) every ten (10) years afterward. Written documentation of the well and~~
39 ~~pump inspection which indicates that the requirements of NR 812 of the Wisconsin~~
40 ~~Administrative Code have all been satisfied must be provided on standardized forms~~
41 ~~that are utilized by the DNR.~~
- 42 5. The proposed use of the well has been justified as being necessary in spite of the
43 availability of the water provided by the public water system.

(3) Additional Conditions of Well Permits The right to construct, install and maintain a well as authorized by permit under this section shall be expressly conditioned upon the owners and successors in interest complying with the following conditions:

- (a) The owner shall permit the ~~village~~ **Utilities Department** access to the well for inspection and testing at any time during normal working hours. If entry is refused, the well permit is revoked, and the owner shall proceed with abandonment as specified above. On request, the owner, lessee or occupant of any property so served shall furnish to the inspector any pertinent information regarding the piping system on the property.
- (b) No repair or modification of any well may be performed unless done by a ~~properly~~ licensed ~~individual~~ **well driller or pump installer**. At least one business day notice to the ~~village~~ **Utilities Department** prior to undertaking the repairs is required so the work may be inspected. Any and all Plumbing Code permits as required shall also be obtained prior to undertaking any work.
- (c) The ~~village~~ **Utilities Department** shall have the right to sample the water after completion of any repairs or modifications to the well. The sampling shall be at the owner's cost and may either be done by the ~~village~~ **Utilities Director** or by the **well** owner at the ~~village's~~ **Utilities Directors** direction.
- (e) The ~~village~~ **Utilities Department** shall have the right to randomly test, or to direct the owner to test, ~~the any private~~ well not more than two times in any six-month period. The ~~village~~ **Utilities Department** may require additional testing if there is reason to believe some contamination may be present or that the results of previous tests may be invalid. The ~~village~~ **Utilities Department**, at its option, may require testing for contaminants to include microbiological, radioactive, inorganic, synthetic organic, pesticides, herbicides and volatile organic substances. The Utilities Director shall report the results of testing and the resulting remedial action to the **DNR State Department of Natural Resources** on an annual basis. If the test results suggest that a severe or area wide problem exists, the Utilities Director shall notify the **DNR State Department of Natural Resources** immediately.
- (e) The cost of any testing and sampling as provided in this section shall be paid by the owner upon receipt of an invoice from the ~~v~~**Village**.
- (f) A permit issued in accordance with the provisions of this section shall be revoked by the Utilities Director upon notice to the permittee that any of the following have occurred:
 1. The owner of the well has refused access to a well for testing or has failed to follow a directive or order of the ~~village~~ **Utilities Director** in regard to testing or sampling.
 2. The owner of any well has neglected to pay for any tests~~ing~~ authorized with~~in~~ thirty (30) days of billing or invoice.
 3. Any test results **that** demonstrate well contamination and do not meet reasonable health standards or are in violation of any state or municipal ordinance dealing with well operation.
- (g) The parties aggrieved by permit revocation may appeal the initial decision of the Utilities Director to the Village Board by filing a written petition for review with the Village Clerk.

Sec. 62.0508 Private Wastewater Systems Prohibited

The maintenance and use of septic tanks, **holding tanks** and any other private sewage disposal systems within the area that is serviced by the ~~v~~**Village's sanitary** sewer system are declared a public nuisance and a health hazard, and are prohibited.

Sec. 62.0509 Application For Initial **Sanitary Sewer and Water Service**

Every person wishing to connect to the ~~v~~**Village's sanitary** sewer and/or water systems shall initially file an application in writing and submit it to the Utilities Director in such form as is prescribed for that

purpose. Blank application forms will be available at the Village Administration Office and/or at the ~~Sewer and Water Treatment Plant~~ Utilities Department Office. The application must state fully and truly all the uses the applicant intends to make of the Village's sanitary sewer and water systems, and if the applicant is not the owner of the premises, the written consent of the owner must accompany the application. If it appears that the service applied for will not comply with all applicable regulations, the Utilities Director may reject the application. If the Utilities Director does approve the application, a permit for services as shown on the application shall be issued to the applicant(s).

(1) Capacity of systems A sanitary sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sanitary sewer mains, lift and/or grinder stations and the Wastewater Treatment Plant have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.

(2) Costs for service installation All costs and expenses for the installation and connection of sanitary sewer and water service lateral shall be borne by the property owner. The owner shall indemnify the Village from any loss or damage that may be directly or indirectly occasioned by the installation of the lateral.

Sec. 62.0510 ~~Septage Disposal~~ Hauled Wastes

The Village offers disposal services to State Department of Natural Resources licensed sanitary pumpers and haulers. The Village has established regulations and procedures that govern the acceptance of either domestic septage or holding tank wastes. All sanitary waste pumpers and haulers and their wastes must comply with the provisions of this chapter.

(1) Hauler obligations Prior to being permitted to deliver any hauled waste to the Wastewater Treatment Plant, the hauler must provide the Utilities Department with evidence of insurance policies. Any waste hauler seeking disposal privileges to the Village's sanitary sewer system or Wastewater Treatment Plant must first complete and submit a hauler's agreement to permit the disposal of any hauled wastes. Upon approval, the approval is nontransferable to any new owner. Prior to being permitted to deliver any hauled waste to the Wastewater Treatment Plant, the hauler shall provide the Utilities Department with evidence that it is licensed under Wis. Stats., § 281.49.

(2) Verification of Discharge Form Any waste hauler that has approved disposal privileges to the Village's sanitary sewer system or Wastewater Treatment Plant shall first complete the hauled waste disposal form provided by the Utilities Department to dispose of holding tank, septic tank, or other hauled wastes. The form shall be deposited in the hauler's room in the pretreatment facility of the Wastewater Treatment Plant. This form shall contain:

- (a) An identification of the waste (holding tank, septic tank, or industrial waste). If the form does not include an identification of the wastes, it will be charged at the septage tank rate at a maximum load capacity;
- (b) The total gallons disposed;
- (c) Origin of the waste must be identified as being from the Village of Sister Bay, the Town of Liberty Grove, or out of the area;
- (d) The name and address of the location the waste was generated at;
- (e) Signature of the hauler operator.

(3) General rules

- (a) Hauled waste may be discharged only at a location and time designated by the Utilities Director; and

- (b) Any hauler operator that disposes of waste at the Wastewater Treatment Plant shall remove the waste material that accumulates on the septage receiving station screen by scraping the screen after every waste discharge. If a hauler operator fails to cooperate, the Utilities Department will charge a fee pursuant to the Village fee schedule as established by the Village Board; and
- (c) The hauler must meet requirements of Sec. 62.0510(2) through Sec. 62.0510(3); and
- (d) A sample may be required in a collection manner approved by the Utilities Director or their authorized representative(s) that is representative of the waste. The sample container shall be supplied by the Utilities Department and the hauler shall appropriately label the container and deposit it in the Wastewater Treatment Plant laboratory. A sampling charge will be invoiced to the hauler for any analysis conducted. The charge is established by resolution of the Village Board; and
- (e) The Village retains the right to revise the general rules as deemed necessary.

(4) Septage rules Between ~~August~~ January 1 and ~~September~~ May 1 of each year, every licensed ~~septage~~ hauled waste disposer with permissions to discharge waste at the Wastewater Treatment Plant, wishing to discharge septage at the ~~v~~Village's Wastewater Treatment Plant, shall submit a written application ~~along with a non-refundable filing fee~~ to the Utilities Clerk in such a form as is prescribed for that purpose. The applicable forms will be available in the Village Administration Office ~~or the Utilities Department Office~~, and each application must state fully and truly the type, frequency, quantity, quality and location of generated septage to be disposed of at the ~~v~~Village's Wastewater Treatment Plant. During ~~September~~ May, the Utilities Director will evaluate the applications and determine the amount of septage that will be allowed to be disposed of at the ~~v~~Village's Wastewater Treatment Plant as well as any applicable conditions that will be imposed, and all applications will be approved or rejected no later than ~~October 1~~ May 31 of each year. Consideration shall first be given to those generators of septage that are within the septage service area, which includes the Town of Liberty Grove, the Village of Sister Bay, and Liberty Grove Sanitary District No. 1. All ~~v~~Village approvals for septage disposal shall be subject to the condition that any time operational or maintenance issues arise or the threat of WPDES permit violations that are directly or indirectly related to septage disposal is present, the ~~village~~ Utilities Director or their authorized representative may immediately restrict ~~all~~ septage disposal ~~outside the septage service area~~ until corrective action or mitigative measures have been taken. Septage may only be discharged at the locations, times and conditions as specified by the Utilities Director at the ~~v~~Village's Wastewater Treatment Plant, and may only be handled by ~~village~~ approved and state licensed ~~waste~~ disposers. Any licensed ~~waste~~ disposer that discharges septage at the ~~v~~Village's Wastewater Treatment Plant between December 1 and March 31 will be subject to a late disposal fee ~~as approved by the Village Board~~.

(5) Disposal fees Disposal fees will be set based on the same methodology used for setting other sanitary sewer service fees. The Utilities Department shall charge the hauler for all costs of treatment of the hauled waste pursuant to the rates, rules, and regulations established by the Village Board. Invoices will be mailed on a monthly basis and haulers are expected to pay such charges within thirty (30) days of billing, or the hauler's agreement may be terminated immediately by the Utilities Director or their authorized representative(s).

(6) Enforcement Any conditions and requirements that are placed upon a hauler under the hauler's agreement, and all rules, plans, and other matters incorporated by reference to this agreement, are legally applicable requirements within the meaning of Wis. Stats., §

281.49(3)(a)(1) and any amendments thereto, and that the failure of the hauler to perform the requirements placed upon the hauler under this agreement shall constitute a failure to comply with the hauled waste disposal rules under Wis. Stats., § 281.49. The hauler further agrees that in the event that its failure of performance relates to general matters and does not relate to the content of a particular waste or quantity of hauled waste, the hauler agrees that the entirety of its hauled waste is within the exceptions of Wis. Stats., § 281.49(3)(a), and the Utilities Department shall not be obligated to accept any portion thereof after the breach by the hauler.

(7) Enforcement action In addition to any enforcement action deemed necessary by the Utilities Director or their authorized representatives(s) in accordance with this chapter, the Utilities Director may take action as cited in the following situations:

- (a) If the hauler operator intentionally or negligently misrepresents a waste hauler form by incorrectly documenting required information or falsifying a signature, then the Utilities Director may:
 - 1. Revoke the waste hauler's agreement approval and prohibit discharges by the hauler to the sanitary sewer system or at the Wastewater Treatment Plant.
 - 2. Charge the hauler for any costs that the hauler avoided by misrepresenting the waste; and/or charge the hauler/waste generator for any sample collection or lab analysis costs, or any costs for damage done to the sanitary sewer system or the Wastewater Treatment Plant equipment or processes.
- (b) If a sample form from a hauled discharge indicates an exceedance of any federal, state or local pretreatment limit, then the Utilities Director may:
 - 1. Issue the hauler and/or waste generator a notice of noncompliance and repeat analysis on the next hauled discharge from the violating waste generator, and/or repeat analysis directly from the violating waste generator holding tank or septic tank;
 - 2. Revoke the waste hauler's agreement approval and prohibit discharges by the hauler and/or the violating waste generator;
 - 3. Charge the hauler and/or waste generator for any sample collection or lab analysis costs, or any costs for damage done to the sanitary sewer system or the Wastewater Treatment Plant equipment or processes.
- (c) If the hauler discharges any waste in a manner different than as designated by the Utilities Director, then the Utilities Director may:
 - 1. Revoke the waste hauler's agreement approval and prohibit discharges by the hauler to the sanitary sewer system or at the wastewater treatment plant.
 - 2. Charge the hauler for any costs or damages associated with discharging at a location or time other than that designated by the Utility.
- (d) The Utilities Clerk shall report all delinquent accounts to the Utilities Director or their authorized representative(s). If a hauler and/or waste generator fails to pay the Village any required fees within ninety-one (91) days past invoice, then the Utilities Director may:
 - 1. Revoke the waste hauler's agreement approval and prohibit the discharges by the hauler and/or waste generator to the sanitary sewer system or at the Wastewater Treatment Plant until all fees are paid.

- (e) If inspection of a hauler vehicle or its contents or any other circumstances cause the Utilities Director or their authorized representative(s) to suspect that the discharge is inconsistent with the waste hauler form, pretreatment standards, or requirements of this chapter, the Utilities Director or their authorized representative(s) may reject the discharge, and the hauler shall immediately cease discharging.
- (f) If a hauler fails to allow the Utilities Director or their authorized representative(s) to inspect or sample, or fails to cooperate with any other requirement or regulation, then the Utilities Director may revoke the waste hauler's agreement approval and prohibit discharges by that hauler operator.
- (g) Any hauler, hauler operator or waste generator aggrieved by a decision under this section may appeal the initial decision of the Utilities Director or their representative to the Village Board by filing a written petition for review with the Village Clerk. The hauler's request shall not stay any enforcement action pending the appeal.

Sec. 62.0511 User To Keep Sanitary Sewer and Water Service Pipes Laterals in Good Repair

All users of the Village's sanitary sewer and water services shall keep ~~their own~~ the properties sanitary sewer and water service pipes laterals in good repair and protected from frost, at their own risk and expense, and shall prevent any unnecessary overburdening of the sanitary sewer and water systems. The sanitary sewer service pipes lateral shall be defined as the building drain and the building sewer pipes lateral, extending from the interior drain of the building to the sanitary sewer main. The water service shall be defined as the properties water service lateral extending from the interior plumbing of the building to the water main, including the premises curb stop valve.

(1) Service repair

- (a) If the property owner fails to repair an existing leak or broken water service pipe between the curb stop and the point of metering within such time as may appear reasonable to the Utilities Director after notification, the water service will be shut off, and remain off, until the repair is made.
- (b) The Utility will not be held liable for the loss of water which has not passed through the meter but has been wasted by leakage of broken or defective pipes and fixtures. Water usage that has not passed through the meter and has been wasted by leakage or defective pipes and fixtures, will be estimated by the Utilities Clerk and billed to the property owner.

(2) Frozen service laterals

- (a) The Village will comply with the Wisconsin Public Service Commission regulations regarding frozen water service laterals. Additionally, the Village requires that all properties served by the Utility shall take every precaution to prevent water service laterals from freezing.
- (b) Frozen services shall be thawed out by and at the expense of the Utility, except where the freezing was caused by contributory fault or negligence on the part of the consumer, such as reduction of the grade or undue exposure of the piping in the building or on a consumer's property, or failure to comply with the Utility's specifications and requirements as to depth of service, lack of sufficient or proper backfill, etc.

Sec. 62.0512 Backflow Preventors Required

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

1 **Sec. 62.0513 Use of Village's System Restricted**

2 No user shall allow others or other sanitary sewer or water services to be connected to the Village's
3 sanitary sewer or water systems through their sanitary sewer or water service lateral.

4 **Sec. 62.0514 Vacation of Premises and Discontinuance of Service**

5 Whenever premises served by the Village's sanitary sewer and water systems are to be vacated, or
6 whenever any person wishes to cancel that service, the Utilities Director must be notified in writing.
7 Upon such notification, the village Utilities Director will cause an inspection to be made of the affected
8 system, and if, during that inspection, any damages other than those that were caused by Village
9 employees, representatives or agents are discovered, the owner of the premises shall be liable for the
10 repair of such damages.

11 **Sec. 62.0515 User To Permit Inspection**

12 It shall be considered a condition of the granting of water supply and sanitary sewer services from the
13 Utility that the owner or occupant of any or all premises receiving such services shall grant any
14 authorized representative of the Utilities Department free access to the premises, or any part thereof,
15 ~~Every user shall allow the Utilities Director or their duly authorized agent, at all~~ during reasonable
16 hours of the day, for the inspection of the piping, water meter, or appurtenances for the distribution
17 and control of the water supply and/or the sanitary sewer collection system, or the use of such supply
18 or sanitary sewer service, or for the installation, removal, repair, or reading of any water meter or the
19 inspection of the location thereof. Any person who refuses entry on receipt of a notification of the
20 purpose of the entry shall be subject to the penalties provided herein. Owners and tenants shall make
21 arrangements with the Utilities Department to gain entrance to read or repair water meters when
22 buildings are unoccupied. ~~to enter their premises or building to examine the pipes and fixtures and~~
23 ~~the manner in which the drains and sewer connections are operating.~~

24 **Sec. 62.0516 Damage and Repairs**

25 No claims shall be made against the Village or its acting representative(s) because of the breakage,
26 clogging, stoppage or freezing of any service pipes lateral, or the causing of any damage that occurred
27 as the result of those individuals repairing mains, making connections or extensions, or the
28 performance of any other work that may be deemed necessary. Notwithstanding any permit granted
29 or regulations to the contrary, the Village hereby reserves the right to cut off sanitary sewer and water
30 service at any time to make required repairs or for any other necessary purposes. Whenever it
31 becomes necessary to shut off the sanitary sewer or water service within any area of the Village, the
32 Utilities Director shall, if practicable, give notice to every affected consumer within the Village, of the
33 time when such service will be shut off.

34 **Sec. 62.0517 Water Cross Connection Control**

35 (1) Cross Connection prohibited No person shall establish or permit to be established, or maintain
36 or permit to be maintained any "cross-connections". A "cross-connection" is defined as any
37 physical connection or arrangement between two otherwise separate systems, one of which
38 contains potable water from the Village's public water system, and the other, which contains
39 water from a private source, or water of unknown or questionable safety, or steam, gasses or
40 chemicals, which allows flow from one system to the other; the direction of which depends on
41 the pressure differential between the two systems. No interconnection shall be established
42 which allows potable water from a private, auxiliary or emergency water supply other than the
43 regular water supply of the Village to enter the Village's water supply or water distribution
44 system, unless such private, auxiliary or emergency water supply and the method of connection
45 and use of such supply has been approved by the Village and the Wisconsin State Department
46 of Natural Resources. The Utilities Department is responsible for the protection of the public

1 water system from contamination or pollution due to backflow of contaminants or pollutants. It
2 is the duty of the ~~village~~ Utilities Department to cause inspections to be made of all properties
3 served by the public water system where cross connections with the public water system are
4 deemed to be possible. ~~The frequency of inspections and re-inspections, which shall be based~~
5 ~~on the potential health hazards involved, shall be as established by the Utilities Director and as~~
6 ~~approved by the Wisconsin Department of Natural Resources.~~ Residential properties serviced by
7 the Utilities Department shall be surveyed on a ten (10) year interval. The Utilities Department
8 may, but is not required to, perform the cross-connection survey of the customer's property. If,
9 in the opinion of the Utilities Director, the Utilities Department is not able to perform the survey,
10 the property owner must, at his own expense, have the water piping surveyed for cross-
11 connections by a person who has been properly trained in accordance with the American Society
12 of Engineers (ASSE) Standard Number 5120 as a cross-connection control surveyor. The qualified
13 person performing the survey shall not be the owner of the property or the tenant and must use
14 a form supplied by the Utilities Department.

- 15 (a) Upon presentation of credentials, a representative(s) of the ~~village~~ Utilities Department
16 shall have the right to request entry, at any reasonable time of the day, to examine any
17 property served by a connection to the public water system of the ~~v~~Village for cross-
18 connections. If entry is refused, such representative(s) may obtain a special inspection
19 warrant under Wis. Stats., §66.0119. Upon request, the owner, lessee or occupant of any
20 property so served shall furnish to the inspection agency any pertinent information
21 regarding the piping systems on such property.
- 22 (b) The ~~village~~ Utilities Department is hereby authorized and directed to ~~shall~~ cease water
23 service to any property in which wherein any connection violating this section exist~~s~~, and
24 has the authority to take such other precautionary measures deemed necessary to
25 eliminate any danger of contamination of the public water system. Water service shall be
26 ceased only after reasonable notice and opportunity for hearing under Wis. Stats. Chapter
27 68, except as provided herein. Water service to such property shall not be restored until
28 the cross connection has been eliminated in compliance with the provisions of this section.
- 29 (c) If it is determined by the ~~village~~ Utilities Department that a cross connection or an
30 emergency endangers public health, safety or welfare and requires immediate action, and
31 a written finding to that effect is filed with the Utilities Director and delivered to the
32 customer's premises, service may be immediately ceased. The customer shall have an
33 opportunity for a hearing under Wis. Stats. Chapter 68 within ten (10) days of the
34 emergency discontinuation of service.

35 (2) Owner responsibility

36 The property owner shall be responsible for the protection of the user's potable water system.
37 The responsibilities include the elimination of or protection from all cross-connections on the
38 premises. The owner shall, at their own expense, install, maintain and test any and all backflow
39 preventers on their premises in compliance with the requirements of Ch. SPS 382.21 Wis. Adm.
40 Code, and Ch. SPS 382.22(8), Wis. Adm. Code, and the United States Environmental Protection
41 Agency's Cross-Connection Control Manual. The property owner shall correct any malfunction
42 revealed by periodic testing of any backflow preventer on their premises. The property owner
43 shall inform the Utilities Department of any proposed or modified cross-connections and also
44 any existing cross-connections that are not protected by an approved backflow prevention
45 means. The property owner shall not install a bypass around any backflow preventer unless there
46 is a backflow preventer of the same type in the bypass. Property owners who cannot shut down
47 operation for testing of the backflow prevention assembly must supply additional assemblies
48 necessary to allow testing and maintenance to take place. In the event that the property owner

1 installs potable water using fixtures, equipment or appurtenances upstream of a backflow
2 preventer, such must have its own approved backflow prevention means. The property owner
3 is required to follow the protection practices described in the American Water Works
4 Association (AWWA) publication AWWA M-14 titled "Recommended Backflow Prevention and
5 Cross-Connection Control," United States Environmental Protection Agency publication titled
6 "Cross-Connection Control Manual," and Ch. SPS 382 to 384, Wis. Adm. Code, unless the Utilities
7 Department requires or authorizes other means of protecting the public water system. These
8 requirements or authorizations will be at the discretion of the Utilities Director.

9 **Sec. 62.0518 Prohibitions Against Discharge To The Sanitary Sewer System**

- 10 (1) No person shall discharge or cause to be discharged any of the following described liquids or
11 solid wastes directly into any sanitary sewer lines collection system mains or laterals or at the
12 ♡Village's Wastewater Treatment Plant:
- 13 (a) Any stormwater, surface water, ground water, roof run off, sump pump effluent, surface
14 water drainage, or any other forms of liquid obtained from inflow sources. In some
15 instances such waters may be discharged into a storm sewer or other waterway with
16 written permission from the Utilities Director.
 - 17 (b) Any gasoline, benzene, naphtha, fuel oil, lubricating oil or other flammable or explosive
18 liquids, solids or gas, or other substances that by themselves or by interaction with other
19 substances may cause fire or explosion hazards, or in any other way be harmful to persons,
20 property or the operation of the wastewater facilities.
 - 21 (c) Any waters or wastes containing toxic or poisonous substances in sufficient quantities,
22 either singly or by interaction with other wastes, which will damage or interfere with any
23 wastewater treatment processes, constitute a hazard to humans or animals, create a public
24 nuisance in the receiving waters of the ♡Village's Wastewater Treatment Plant, or interfere
25 with the disposal of sludge.
 - 26 (d) Any waters or wastes having a pH lower than six (6), or having any other corrosive
27 properties capable of causing damage or hazard to structures, equipment and personnel,
28 or the ♡Village's Wastewater Treatment Plant.
 - 29 (e) Any waters or wastes having a pH greater than nine (9).
 - 30 (f) Solid or viscous substances in sufficient quantities or of a size that are capable of causing
31 obstruction to the flow in the sanitary sewers, or other interference with the proper
32 operation of the ♡Village's Wastewater Treatment Plant, such as, but not limited to, ashes,
33 cinders, sand, rocks, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood,
34 ground or unground garbage, whole blood, paunch manure, hair or fleshings, entrails,
35 paper dishes, cups, milk containers, etc.
 - 36 (g) Any discharge into the sanitary sewerage system that is a violation of the requirements of
37 the ♡Village's WPDES permit and any modifications to it.
 - 38 (h) Wastewater having a temperature higher than one hundred fifty degrees (150°) fahrenheit
39 or which is capable of causing the wastewater at the ♡Village's Wastewater Treatment Plant
40 to exceed one hundred four degrees (104°) fahrenheit.

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

Sec. 62.0519 Special Wastewater Agreements

No statement contained in this chapter shall be construed as prohibiting any special agreements between the **Village** and any person(s) who wish(es) to deposit industrial waste of unusual strength or character into the **Village's sanitary sewer system or Wastewater Treatment systemPlant**, either before or after pretreatment, if there will be no impairment of the functioning of the **Wastewater Treatment pPlant** due to the admission of the waste, no extra costs will be incurred by the **Village** without recompense, and all rates and provisions set forth in this chapter are complied with.

Sec. 62.0520 Wastewater Discharge Permit Required

In addition to complying with the notice requirements in Sec. 62.0520(1), it shall be unlawful for anyone to discharge any sewage or other polluted waters into any natural waterway within the village or in any area under the jurisdiction of the village without first obtaining a WPDES permit. All industrial users, including existing industrial users and those proposing to connect to or to discharge to the sanitary sewer system or the Wastewater Treatment Plant shall apply for a WPDES permit before connection to or discharging to the sanitary sewer system or the Wastewater Treatment Plant.

1 **Sec. 62.0521 Abandonment of Water and Sanitary Sewer Service Connections Laterals**

2 Whenever any sanitary sewer and/or water service lateral connection to the sanitary sewer or water
3 systems is abandoned because the building to which the connection lateral serves is made has will been
4 abandoned, destroyed or removed, a licensed plumber shall complete disconnection and
5 abandonment of the sanitary sewer and water service laterals, at the expense and request of the
6 property owner. ~~must remove any pipe or connections in the public right of way or easement, and~~
7 ~~cap, plug or otherwise seal the pipe or main~~ All existing sanitary sewer and water service laterals
8 extended to the property shall be abandoned according to the procedures below and as approved by
9 the Utilities Director. The property owner or the owners agent must notify the Utilities Director at least
10 three (3) business days in advance of the intent to abandon a sanitary sewer and/or water service
11 lateral. The service lateral abandonment must be inspected by a representative(s) of the Water
12 Utilities Department during normal working hours before burial takes place. The owner of the
13 premises shall be liable for any damages to the property of the Village other than through the fault of
14 Village authorized representative(s) or agents. If proper abandonment is not performed, the Utilities
15 Director may authorize this work to be done and bill it back to the property owner or see that the
16 related charges are placed on the tax roll as a special assessment or fee.

17 **(1) Sanitary Sewer**

18 The private sewer service lateral shall be removed to the property line and properly sealed at
19 the property line if the lateral is to be used again. If the lateral will not be used again, it shall be
20 capped or plugged at the sanitary sewer main.

21 **(2) Water**

22 Prior to the abandonment of the water service lateral the Utilities Department will remove the
23 water meter and shut off the service at the premises curb box valve. Prior to any demolition
24 work, the private water service lateral shall be exposed on private property at a point near the
25 property line, cut-off and sealed. Abandonment shall include all required compacted backfill
26 and restoration of grounds, sidewalk, pavement, or other features to match surrounding
27 conditions.

28 **~~Sec. 62.0522 Abandoned Sewer Connections~~**

29 ~~Whenever any connection to the wastewater collection system is abandoned because the building to~~
30 ~~which the connection is made has been abandoned, destroyed or removed, the property owner must~~
31 ~~expose the line at the property line, disconnect and permanently cap the pipe or connections in the~~
32 ~~public right of way or easement, and cap, plug or otherwise seal the pipe or main as approved by the~~
33 ~~Utilities Director. The property owner must notify the Utilities Director at least three (3) business days~~
34 ~~in advance of the intent to abandon a lateral. Before burial takes place the lateral abandonment must~~
35 ~~be inspected by a representative(s) of the Sewer Utility during normal working hours. If proper~~
36 ~~abandonment is not performed, the Utilities Director may authorize this work to be done and bill it~~
37 ~~back to the property owner.~~

38 **Sec. 62.0522 Public Sanitary Sewer Use Required**

- 39 **(1)** No person shall place, deposit or permit to be deposited in any unsanitary manner, on public or
40 private property within the Village, any human or animal excrement, garbage or other
41 objectionable waste.
- 42 **(2)** No person shall discharge to any natural outlet within the Village any wastewater or other
43 polluted waters, except where suitable treatment has been provided in accordance with
44 subsequent provisions of this chapter.

- 1 (3) Except as provided in this section, it is unlawful to discharge any stormwater, surface water,
2 groundwater, roof runoff or surface drainage or any other connections from inflow sources to
3 the sanitary sewer.

4 **Sec. 62.0523 Responsibility of Contractor During Excavation**

5 As required by Wis. Stats., §182.0175, an excavator performing any excavation, is required to notify
6 Diggers Hotline at least three (3) days before any excavating, grading, digging, trenching, drilling,
7 auguring, tunneling, scraping, and cable or pipe drilling . The excavator shall maintain an eighteen (18)
8 inch buffer zone on each side of a marked facility. No mechanized equipment shall be used within the
9 buffer zone; only hand digging is allowed. Excavation, according to law, means anything that moves,
10 removes, or displaces earth, rock or other material in or on the ground. Violations of Wis. Stats.,
11 §182.0175 can be reported to the Diggers Hotline Enforcement Center. If probable cause is found, a
12 panel of Diggers Hotline stakeholders will decide between education and referral to the Public Service
13 Commission of Wisconsin. If referred to the Public Service Commission of Wisconsin, a Commission
14 investigation will determine if there was a violation of the law and any subsequent legal actions or
15 fines.

16 (1) When excavating machines are used in digging sewers, all water mains shall be maintained at
17 the expense of the contractor.

18 (2) Contractors shall ascertain for themselves the existence and location of all service pipes. Where
19 they are removed, cut or damaged in the construction of a sewer, the contractor must at his
20 own expense cause them to be replaced or repaired at once.

21 **Sec. 62.0524 Responsibility of the Village During Excavation**

22 As required by Wis. Stats., §182.0175, the Utilities Department, upon receipt of an excavation notice,
23 shall mark in a reasonable manner the locations of any present sanitary sewer and water systems in
24 the area described in the notice to enable the excavator to locate the sanitary sewer and water systems
25 without endangering the security of the systems or the public. The Utilities Department shall mark the
26 locations within the public right-of-way of all laterals connecting to sanitary sewer or water systems.
27 The Utilities Department may make available to an excavator, for inspection and making copies,
28 information on the location of such laterals as shown on maps, drawings, diagrams, or other records,
29 that are readily available. The marking of the sanitary sewer and water systems shall be completed
30 within three (3) working days after receipt of the notice, or if notice is given more than ten (10) days
31 before excavation is scheduled to begin, marking shall be completed at least three (3) working days
32 before excavation is scheduled to begin. If the approximate location of the sanitary sewer and water
33 systems is marked with paint, flags, stakes or other physical means, the following color coding of lines
34 shall comply with the uniform color code adopted by the American National Standards Institute.

35 (1) Sewer or drain systems: green

36 (2) Water, irrigation or slurry systems: blue

37 **Sec. 62.0525 Protection and Operation of the Public Water System**

38 (1) It shall be unlawful for any person to willfully pollute or contaminate any water supplied by the
39 public water system in any reservoir or pipe used in the public water system for holding,
40 conveying or distributing water.

41 (2) It shall be unlawful for any person to in any way obstruct access to any fire hydrant, valve or
42 curb stop connected with the water mains by placing or planting any building materials, rubbish,
43 bushes, trees or other hinderances thereon or therein. The owner or occupant of the property
44 shall protect the curb stop on the premises and shall keep the same free of dirt and other
45 obstructions.

(a) The Utility shall not be liable for failure to locate a curb stop and shut off the water service in case of a leak on the consumer's premises.

(3) No person, except those specifically authorized, shall operate any valve or fire hydrant or other equipment that is part of, or connected to, the public water system.

(4) No unauthorized person shall tamper with, damage, deface or interfere with the works, pipes, hydrants, barricades or other property of the utility, and no person shall throw or shoot any missile at the Village water tower or standpipe. No person shall climb upon the same or ladder leading thereto unless authorized by the Utilities Director.

Sec. 62.0526 Private Fire Protection Service

All fire protection services shall conform to Sec. 62.0524 of this chapter. All fire service systems, including fire sprinklers, shall be installed in accordance with the National Fire Codes. A check valve shall be installed on all fire services after the shutoff valve, inside the building wall and ahead of all fire hose connections. When fire services are laid to a building, the service shall be turned on only by the Utilities Department after the fire protection system is inspected and approved.

Sec. 62.0527 Water Meters

(1) Location Each water service lateral by means of which water is delivered by the utility to a consumer (except such water service laterals used solely for fire protection) shall be connected to an adequately sized meter to accurately measure the amount of water delivered through such water service lateral. It shall be the duty of the owner of any premises to provide a location for the water meter and to maintain such location and passageway thereto clean sanitary and free from any obstructions or any condition of a hazardous nature. No connection for water meters shall be installed in any location not easily accessible or which is, or may be, unclean, unsanitary or in any manner hazardous to the Utilities Department Operators in the discharge of their duties. No meter shall be placed in any pit or manhole without permission from the Utilities Director or their authorized representative(s).

(a) The Utilities Director may at any time order the relocation of existing meters located in pits or extremely difficult areas of access. Water meters shall not be installed below stairways, landings or other platforms. All piping within the building must be supplied and prepared by the property owner. The property owner shall be responsible for contacting the Utilities Department to install the properties meter.

(2) Installation

(a) All meters shall be installed in a horizontal setting, where the service pipe enters the building wall or rises through the floor, and shall be provided with two gate or other full way valves, one on the supply side and one on the building side of the meter setting.

(b) All meters one and a half (1 ½) inches or larger in size shall have a bypass, with a sealed valve, installed around the meter setting and sized as required by the State Plumbing Code.

(c) Meter connections will be provided by the Utility.

(d) If during construction a meter is not installed at the time of piping, a "construction meter" will be installed by the Utility to provide and quantify water service. After ninety (90) days, the "construction meter" will be removed and a meter will be assigned to the premises.

(e) Whenever a water service lateral is extended to a property beyond the curb stop and properly flushed and tested, a final water meter shall be installed within ninety (90) days. The plumbing shall be so arranged that no water can be taken or supplied to the building and fixtures for which the meter was intended unless it will pass through and be registered

1 by such meter. Licensed plumbers or their employees shall not leave turned on after the
2 completion of work any water supply not protected by a meter, nor shall any licensed
3 plumber or employee turn on, except for testing, any supply previously turned off by the
4 Utility.

- 5 (f) In no case shall a pipe coupling be inserted in the line in place of a meter unless authorized
6 by the Utilities Director. Any person violating this provision will be required to pay an
7 amount equal to the amount of damage sustained by the Utility, by reason of loss or
8 damage to the meter, and loss of revenue due to smaller registration of the meter. If the
9 violator is a consumer, the water will be shut off and will remain so until the proper amount
10 is paid.

- 11 (3) Maintenance All water meters will be maintained by the Utility in the manner required by the
12 Public Service Commission of Wisconsin. However, once delivered and installed, the owner of
13 the premises shall be liable for all repairs made necessary by freezing, damage or negligence on
14 the part of their contractor, themselves, family or tenants, and the cost of repairs shall be billed
15 for. Meters will be repaired by the Utility and the cost of such repairs caused by ordinary wear
16 and tear will be borne by the Utility.

17 (4) Water meter removal

- 18 (a) Meters shall be left in the condition and manner as set by the Utility and shall not be
19 interfered with in any manner whatsoever. No meter shall be moved or disturbed without
20 special permission from the Utilities Director, except that the property owner may order the
21 water shut off and the meter removed if the building is to be vacant.
22 (b) When premises are to be vacated, moved or torn down, the Utility shall be notified at once
23 so that it may remove the meter and shut off the water service supply at the curb stop. The
24 owner of the premises shall be liable to prosecution for any damage to Utility property by
25 reason of failure to notify the utility of need to discontinue service.

- 26 (5) Tampering with water meters When the Utility has reasonable evidence that a consumer is
27 obtaining water supply, in whole or in part, by means of devised or methods used to stop or
28 interfere with the proper metering of the water service being delivered to the properties
29 system, the Utility reserves the right to estimate and present a bill for the water service
30 unmetered as a result of such interference, and such bill shall be payable subject to a twenty-
31 four (24) hour notice of disconnection. If the Utility disconnects the consumer for any such
32 reason, it will reconnect the consumer only after any and all damages to its equipment due to
33 such stoppage or interference with metering are paid to the Utility and the consumer agrees to
34 comply with the requirements of the Utility.

35 **Sec. 62.0528 Accidental Discharges by any Person**

- 36 (1) The accidental discharge of any prohibited or restricted waste into any sanitary sewer shall be
37 reported to the Utilities Director at 920-854-2246 (24 hours per day/seven days per week) by
38 the person responsible for the discharge or by the owner or occupant of the premises where the
39 discharge occurs immediately upon obtaining knowledge of the fact of the discharge so that
40 steps may be taken to minimize its effect on the sanitary sewer system and the Wastewater
41 Treatment Plant.
42 (a) Notification of the discharge shall not relieve the user of liabilities for any expense, loss or
43 damage to the sanitary sewer system and the Wastewater Treatment Plant or for any
44 forfeiture(s) imposed by the Village.

Sec. 62.0529 Sanitary Sewer and Water Service to other Village Departments

The Village and all of its various departments, except the Utility, shall pay to the Utility the reasonable cost and value of any sanitary sewer or water service rendered by the Utility.

Sec. 62.0530 Permissions to Discharge Wastes

(1) No person without the approval of the Utilities Director shall discharge any waste or other substance directly into the sanitary sewer system. All discharges, including trucked or hauled wastes. To the sanitary sewer system or the Wastewater Treatment Plant shall be through an approved sanitary sewer connection.

(2) No industrial wastes shall be discharged, either directly or indirectly, into the sanitary sewer system without the approval of the Utilities Director. No wastewater, including industrial wastes, shall contain any substance which is deemed deleterious by the Utilities Director as defined in Sec. 62.0518 to the operations of the sanitary sewer system or Wastewater Treatment Plant.

Sec. 62.0531 Permanently Installed In-Ground Sprinkler Systems

All sprinkler systems connected to the Village's water distribution system must comply with Sec. 65.0517 of this ordinance and Ch. SPS 382.41, Wis. Adm. Code.

SECTION 600 – FEES & CHARGES

Sec. 62.0601 Sewer Connection Fees

(1) All new users to the sanitary sewer system are required to buy into the system wide improvements through an initial connection charge. The initial connection charge will be levied against each user connected to the sanitary sewer. The single-family residence connection charge will be on file in the village Administrative Office and is due and payable before any connections are made to the sanitary sewer system. The initial connection charge for multiple-family, commercial or industrial buildings will be based on a multiple of the single-family connection charge or residential equivalent user (REU's). The initial connection charge for restaurants, small commercial or industrial connections will be based on a multiple of the volume of water usage and strength of wastewater in comparison to a typical single-family residence residential equivalent user having the following standards:

REU Standards

| | |
|---------------------------------|---------------------|
| Volume | 225 gallons per day |
| BOD (Biochemical Oxygen Demand) | 0.51 pounds per day |
| SS (Suspended Solids) | 0.60 pounds per day |
| Phosphorus | 0.03 pounds per day |

(2) The Utilities Committee shall establish and maintain a methodology to charge a connection fee for all properties, taking into account the cost of materials, equipment and vehicles, the cost of

employee time to perform the work, and the time required to set up the account for billing purposes.

Sec. 62.0602 Water Connection Fees

- (1) Initial water service laterals not installed as part of a subdivision development or an assessable utility extension, will be installed from the main through the curb stop and box by the Utilities Department, and the affected property owners will be billed for the applicable costs.
- (2) The **Utilities** Committee shall establish and maintain a methodology to charge a connection fee for all properties, taking into account the cost of materials, equipment and vehicles, the cost of employee time to perform the work, and the time required to set up the account for billing purposes.

Sec. 62.0603 User Charge System

- (1) It is the policy of the Village Board to obtain sufficient revenues to pay the costs of the operation and maintenance of the **Village's water distribution system, wastewater sanitary sewer collections system and Wastewater Treatment facilities Plant**, including establishment of a replacement fund (i.e., a cash account to be used for future expenditures for obtaining or installing equipment, accessories or appurtenances that are necessary to maintain the capacity and performance of those **systems and facilities** during the service life for which such **systems and facilities** were designed and constructed), through a **user charge system** for water and **sanitary sewer services charges** as defined in this section. The **user charge system** shall ensure that each user of the **water and sanitary sewer services provided by the Village sewerage facilities** pays a proportionate share of the cost of the **systems and facilities**.

Sec. 62.0604 Reassignment of Users

If wastewater sampling programs, changes in water demand and other related information show a change of categories is necessary, the **village Utilities Clerk** will reassign water and **sanitary sewer** users into appropriate water and **sanitary sewer** service charge categories.

Sec. 62.0605 Sanitary Sewer User Charge Methodology

The **Utilities** Committee shall establish and approve the methodology for **sanitary sewer user rates**. The following factors shall be used to calculate the debt service and operation, maintenance and replacement charges for the treatment of wastewater:

- (a) Debt service charges.
- (b) Operation, maintenance and replacement charges.
- (c) Surcharges. All users shall pay a surcharge on wastewater exceeding normal concentrations.
- (d) Sprinkler and landscape credits will not be allowed.

Sec. 62.0606 Water User Charge System

The methodology for determining water rates is established by the Wisconsin Public Service Commission. The water user charges are established and included in the Wisconsin Public Service Commission (WPSC) rate file established for the **Village**.

Sec. 62.0607 Review and Approval of Rates

The **Village's Utilities** Committee shall provide oversight of the **Utilities Department**, consistent with the requirements of the Wisconsin Public Service Commission. The **Utilities** Committee will prepare an annual budget and capital improvement plan on the same schedule as the Village of Sister Bay Budget for approval by the Village Board. The **Utilities** Committee will conduct a review of wastewater

1 and sanitary sewer collection system rates annually and water rates during alternate years for Village
2 Board consideration.

3 **Sec. 62.0608 Records and Expenditures**

4 The ~~water and sewer~~ **Utilities Department** shall maintain all records of revenue and expenditures as
5 required by the WPSC and applicable statutes.

6 **Sec. 62.0609 Annual Sanitary Sewer System Audit**

7 The ~~village~~ **Utilities Department** shall conduct an annual audit, the purpose of which shall be to
8 maintain the proportionality between the users and user classes of the **sanitary** sewer user charge
9 system and to ensure that adequate revenues are available relative to increasing operation,
10 maintenance and replacement costs for the **sanitary** sewer **system**, ~~and~~ ~~Wastewater~~ ~~Treatment~~
11 ~~works Plant~~ and water system.

12 **Sec. 62.0610 Sanitary Sewer and Water Charges**

13 (1) All **sanitary** sewer and water service charges shall be billed quarterly and will be considered
14 payable to the ~~Water and Sewer~~ **Utilities Department** no later than twenty (20) days after the
15 end of each period. Every reasonable care will be exercised in the proper delivery of **sanitary**
16 sewer and water bills. Failure to receive a **sanitary** sewer and/or water bill, however, shall not
17 relieve any person of the responsibility for payment of **sanitary** sewer and water rates within the
18 prescribed period, nor exempt any person from any penalty imposed for delinquency in the
19 payment of it. All property owners will be held responsible for all **sanitary** sewer and water bills
20 on the premises that they own. All **sanitary** sewer and water bills and notices of any nature about
21 the **sanitary** sewer or water system will be addressed to each owner and delivered to the
22 premises referred to on such bill or notice. A late payment charge of three percent (3.0%), but
23 not less than fifty cents (\$0.50), will be added to all bills not paid within twenty (20) days of
24 issuance.

25 (2) All **sanitary** sewer charges shall be ~~collected and shall be~~ a lien upon the property serviced ~~in the~~
26 ~~same manner as water rates are charged and collected~~ pursuant to Wis. Stats., §66.0821(4)(d),
27 and all water charges shall be a lien on the property serviced pursuant to Wis. Stats., §66.0809.
28 All such charges shall be collected in the manner therein provided.

29 **Sec. 62.0611 Disposition of Revenues**

30 (1) The amounts received from the collection of charges authorized by this chapter shall be credited
31 to a sanitary sewerage account that shall show all receipts and expenditures of the sewerage
32 system. Charges collected for replacement expenses shall be credited to a segregated, non-
33 lapsing replacement account. These funds are to be used exclusively for replacement. When
34 appropriated by the ~~Village~~, the credits to the sanitary sewerage account shall be available for
35 the payment of the requirements for operation, maintenance, repairs and depreciation of the
36 sewerage system consistent with 40 CFR 35.929. Any surplus outside the purview of 40 CFR
37 35.929, in such account, shall be available for the payment of principal and interest of bonds
38 issued and outstanding, or that may be issued, to provide funds for such sewerage system, or
39 part of it, and all or a part of the expenses for additions and improvements and other necessary
40 disbursements or indebtedness, and the ~~Village~~ may resolve to pledge each surplus or any part
41 of it for any such purpose. All present outstanding sewerage system general obligation bonds on
42 the effective date of the ordinance from which this chapter is derived, including refunding bonds,
43 shall be paid from this fund with respect to principal as well as interest.

44 (2) Excess revenues collected for a user class will be applied to operation and maintenance costs
45 and will be attributable to that class for the next year.

1 **Sec. 62.0612 Establishment of Impact Fees**

2 All impact fees delineated in Section 1000 of this Chapter were established by the ~~v~~Village pursuant to
3 ~~Section~~Wis. Stats., §66.0617 of the Wisconsin Statutes.

4
5 **SECTION 700 – CONTROL OF HIGH STRENGTH WASTE AND**
6 **SEPTAGE WASTE**

7
8 **Section 62.0701 Control of High Strength Waste and Septage Wastes.**

9 (1) Discharge of High Strength Waters, Wastes or Septage

10 If any waters, wastes or septages are discharged, or proposed to be discharged, to the public
11 sanitary sewers or at the Wastewater Treatment Plant, and those waters, wastes or septage
12 contain substances or possess the characteristics enumerated in Sec. 62.0518, and, in the
13 judgment of the ~~village~~Utilities Director, may have deleterious effects upon the ~~Wastewater~~
14 ~~Treatment~~ Plant, its processes, equipment, or receiving waters, or otherwise has been
15 determined to create a hazard to life and health or constitutes a public nuisance, the Utilities
16 Director may:

- 17 (a) Reject the wastes.
18 (b) Require pretreatment to an acceptable condition for discharge to the public sanitary
19 sewers or Wastewater Treatment Plant.
20 (c) Require control over the quantities and rates of discharge.
21 (d) Require payment to cover the added cost of handling and treating the wastes not covered
22 by existing taxes or sanitary sewer charges under the provisions of this section.

23 (2) Control Manholes.

- 24 (a) Each person discharging high strength wastes into a public sanitary sewer shall construct
25 and maintain one or more control manholes or access points to ease observation,
26 measurement and sampling of their wastes, including domestic sewage.
27 (b) Control manholes or access facilities shall be located and built in a manner acceptable to
28 the Utilities Director. If measuring devices are to be permanently installed, they shall also
29 be of a type acceptable to the Utilities Director.
30 (c) Control manholes, access facilities and related equipment shall be installed by the person
31 discharging the high strength waste, at their expense, and shall be maintained by the
32 person discharging the waste to be in safe condition, accessible and in proper operating
33 condition always. Plans for installation of control manholes or access facilities and related
34 equipment shall be approved by the ~~Village~~ Board before the beginning of construction.

35 (3) Metering of Waste.

36 Devices for measuring the volume of waste discharged may be required by the ~~village~~Utilities
37 Department if this volume cannot otherwise be estimated. Where required by the ~~village~~Utilities
38 Department, metering devices for determining the volume of water shall be installed, owned
39 and maintained by the person discharging the wastewater. Following approval and installation,
40 such meters may not be removed without the consent of the ~~village~~Utilities Director.

41 (4) Waste Sampling.

- 42 (a) High strength wastes and septage discharged into the public sanitary sewers or at the
43 Wastewater Treatment Plant shall be subject to periodic inspection and a determination
44 of the character and concentration of such wastes. The determinations shall be made by

the industrial classification or the licensed disposer as often as may be deemed necessary by the ~~village~~Utilities Director.

(b) Samples shall be collected in such a manner as to represent the composition of the wastes. The sampling may be accomplished either manually or by mechanical equipment acceptable to the ~~village~~Utilities Director.

(c) Testing facilities shall be the responsibility of the person discharging the high strength waste or septage, and shall be subject to the approval of the ~~village~~Utilities Director. Access to sampling locations shall always be granted to the ~~village~~Utilities Department or its duly authorized representative. Every care shall be exercised in the collection of samples to ensure their preservation in a state comparable to that which existed at the time the sample was taken.

(5) Pre-Treatment.

When required, in the opinion of the ~~village~~Utilities Director, to modify or eliminate wastes that are harmful to the structures, processes or operation of the ~~sanitary sewer collection system wastewater conveyance and Wastewater Treatment Plant facilities~~, the discharger shall provide at their expense such preliminary treatment or processing facilities as may be required to render such wastes acceptable for admission to the public ~~sanitary sewers or the Wastewater Treatment Plant.~~

(6) Grease, Oil and Sand Interceptors.

The intent of the following grease interceptor requirements are to provide rules to eliminate or decrease the accumulation of grease in the pipes and pumps of the sanitary sewer collection system and to reduce the waste loading of undesirable elements at the ~~Wastewater Treatment Plant~~. This will serve to reduce or eliminate special costs to the ~~sanitary sewer users~~, such as ~~sanitary sewer cleaning due to grease plugs, odor control and additional chemical treatment.~~

Grease, oil and sand interceptors shall be provided when, in the opinion of the Utilities Director, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in ~~Section 62.0518(1)(i)~~ ~~Ch. SPS 382.34, Wis. Adm. Code~~; except that such interceptors shall not be required for private living quarters or dwelling units.

All interceptors shall meet the requirements of ~~Wisconsin Administrative Code Ch. SPS 382.34, Wis. Adm. Code~~. The owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and the means of disposal, which are subject to review by the Utilities Director. Any removal and hauling of the collected materials not performed by the owner(s) personnel must be performed by currently licensed waste disposal firms.

In addition to the requirements stated above, all restaurants, food processing and similar facilities must comply with the requirements of Subsections (a) and (b) below.

(a) Installation of Grease Interceptors:

1. No later than December 1, 2014 grease interceptors must be provided at all restaurants, food processing and similar facilities for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in ~~Section 62.0518(1)(i)~~ ~~Ch. SPS 382.34, Wis. Adm. Code~~.

2. All interceptors shall meet the requirements of ~~Wisconsin Administrative Code Ch. SPS 382.34, Wis. Adm. Code~~, except that the ~~village~~ shall reserve the right to require all new restaurants, food processing and similar facilities to have exterior grease interceptors.

(b) Inspection and Cleaning of Grease Interceptors:

1. All interior grease interceptors must be inspected by the restaurant or food processing facility owner or authorized employee and cleaned once per month,

except during periods when restaurants, food processing and similar facilities are not open for business.

2. All exterior grease interceptors must be inspected and cleaned by a licensed pumper or hauler by May 1 of each year.
3. The Utilities Director, or the designated representative for the Utilities Department, shall have the authority to require more or less frequent cleanings.
4. All interceptor inspections and cleaning must be recorded on a form provided by the Utilities Department, and a signed copy must be affixed to a clipboard and prominently displayed in public view for inspection by Utilities Department Staff. If a commercial hauler performs the cleaning service, their name and signature must be recorded on the form after each cleaning. Failure to properly clean the interceptor, and to display the cleaning records with an executed and signed inspection/cleaning form will result in violation. If the restaurant or food processing facility has not been open for business or in operation during the month to be reported, it should be so noted on the reporting form.
5. If the Utilities Departments inspection reveals that an interceptor is in need of cleaning, a written notice will be issued to the owner or their representative, and the Utilities Department will have the interceptor cleaned. The owner will be billed the cost for cleaning the interceptor, including a service charge by the Utilities Department. Delinquent bills with interest will be placed on the tax roll for the property as a special charge.
6. If the Utilities Departments inspection reveals that an interceptor is defective or undersized so as to not work properly the Utilities Director may order the repair or replacement of the interceptor.
7. Wastes from interceptor cleaning shall not be disposed of in the sanitary sewer system.
8. Grease liquifiers or solvents of any kind shall not be used to clean grease interceptors.
9. The Utilities Director shall annually report to the Utilities Committee and the Village Board on the status of compliance with these provisions of the various businesses and facilities no later than May 15 each year.

(7) Analyses.

- (a) All measurements, tests and analyses of the characteristics of waters, wastes and septage to which reference is made in this chapter shall be determined according to the "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and the "Guidelines Establishing Test Procedures for Analysis of Pollutants," (40 CFR 136). Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis subject to approval by the villageUtilities Director.

(b) Determination of the character and concentration of high strength wastes shall be made by the person discharging them or his agent, as designated and required by the ~~village~~Utilities Department. The ~~village~~Utilities Department may also make its own analyses of the wastes. and these determinations shall be used as a basis for charges. If the person discharging the waste contests the determination, the ~~village~~Utilities Department may elect to have an independent laboratory determine the character and concentration of the waste. Such independent laboratory shall be acceptable to both the ~~village~~Utilities Director and the person discharging the waste. All costs incurred by the independent laboratory in determining shall be assumed by the discharger.

(8) Submission of information.

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

(9) Extension of time.

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

SECTION 800 – VIOLATIONS AND PENALTIES

Section 62.0801 Violations and Penalties.

(1) Damages and Accidental Discharge.

(a) Damages.

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure of pertinence, or equipment that is a part of the ~~sanitary~~ sewer system or the water system.

(b) Accidental discharge. Any person found responsible for accidentally allowing a deleterious discharge into the ~~sanitary~~ sewer system that causes damage to the ~~Wastewater Treatment facility~~Plant and/or receiving body of water shall, besides a fine, pay the amount required to cover the resultant damages; both values to be established by the ~~Village Board~~.

(2) Written Notice of Violation.

(a) Any person connected to the ~~sanitary~~ sewerage system or the water system who violates a provision of this chapter shall be served by the ~~Village~~ with a written notice stating the nature of the violation that provides a reasonable time for the satisfactory correction of it. If the person does not correct the violation within the time set by the ~~Village~~, then the person shall be liable for the penalties set forth in subsection (7) of this section from the day the violation first occurred. The offender shall, within the period stated in such notice, permanently cease all violations.

(b) Any licensed disposer discharging to the ~~Wastewater Treatment facility~~Plant or to a public ~~sanitary~~ sewer, who is found violating a provision of this chapter ~~or of any conditions of the Village Board's approval for septage disposal~~, may have their ~~hauler agreement~~ approval immediately revoked. This revocation shall be done in writing and state the reason for revoking the ~~septage disposal~~ ~~hauler agreement~~ approval.

(c) Whenever any of the rules and regulations of this chapter, or others as the ~~V~~Village may hereafter adopt, are violated, the use of service shall be shut off from the building or place of violation (even if there are two or more parties receiving service through the same connection) and shall not be re-established except by order of the ~~Village Board~~Utilities Director and on payment of all arrears, as well as the expenses and established charges for shutting off service and turning it back on, and other terms as the Village Board may decide. The Village Board, furthermore, may declare any payment made for service by the parties committing the violation to be forfeited, and that shall occur.

(3) Liability to Village For Losses.

Any person violating any provision of this chapter shall become liable to the ~~V~~Village for any expense, loss or damage occasioned because of a violation that the ~~V~~Village may suffer as a result of it.

(4) Damage recovery.

(a) The ~~sewer~~Utilities Department shall have the right of recovery from all persons any expenses incurred by such the Utilities Department for the repair or replacement of any sanitary sewer main, forcemain or service lateral pipe damaged in any manner by any person by the performance of any work under their control or by any negligent acts.

(b) The ~~water~~Utilities Department shall have the right of recovery from all persons any expenses incurred by such the Utilities Department for the repair or replacement of any water main or service lateral pipe, curbcock, curb stop, gate valve, hydrant or valve box damaged in any manner by any person by the performance of any work under their control or by any negligent act. Owners or operators of motor vehicles will be held liable for the cost of repair of any hydrant damaged by them and the Utilities Department will not be responsible for the damage to the motor vehicle because of such accident.

(5) Penalties for Well Abandonment.

Failure to abandon any well after revocation of a permit to follow the provisions of Wisconsin Administrative Code Ch. NR Chapter 812, Wis. Adm. Code, in abandoning the well is hereby deemed a public nuisance, and the ~~V~~Village may cause the well to be properly abandoned and may assess the cost against the owner of the affected property and collect it as a special tax.

(6) Penalties for Cross Connections.

The ~~village~~Utilities Department may discontinue water service to any property wherein any connection in violation of this chapter exists, if the ~~village~~Utilities Director reasonably believes that a cross-connection may contaminate the municipal water system. The ~~village~~Utilities Department may also take other precautionary measures deemed necessary to eliminate any danger of contamination of the municipal public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Wis. Stats., Chapter 68, Wisconsin Statutes, except as provided below. Water service shall not be restored until the matters in violation of this chapter have been eliminated and the private well and plumbing have been brought into compliance with the provisions of this chapter, or adequate assurances are given to the ~~village~~Utilities Department in its discretion that this chapter will be complied with in a timely manner. If it is determined by the ~~village~~Utilities Director that a failure of compliance with this chapter endangers the public health, safety or welfare and requires immediate action and a written finding to that effect is filed with the Village Clerk and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Wis. Stats., Chapter 68, Wisconsin Statutes, within ten (10) days of an emergency discontinuance.

(7) Penalties.

Any person who shall violate any of the provisions of this chapter shall, upon conviction, forfeit not less than \$100.00 nor more than \$1,000.00 and the costs of prosecution (pursuant to Wis. Stats., ~~Section~~ §66.0114). This, however, shall not bar the ~~V~~Village from enforcing the mandatory hookup connection duties set out in this chapter. Compliance with this chapter may also be enforced by injunction order at the suit of the ~~V~~Village to prevent or cause the discontinuance of a violation of any of the provisions of this chapter. This chapter may be enforced by the issuance of a citation to any violator of this chapter by the Village Administrator, ~~the Utilities Director~~, by any state officer with police powers, or any other duly appointed law enforcement officer of the ~~V~~Village.

(8) Continued Violation.

Any person, partnership, corporation or any officer, agent or employee thereof who shall continue any violation beyond the notice time limit provided shall, upon conviction, forfeit not less than \$500.00 per day of continued violation along with the costs of prosecution. In default of payment of forfeiture and costs, such violator shall be imprisoned in the county jail for a period not to exceed five days. Each day in which any violations is continued beyond the notice time limit shall be deemed a separate offense.

SECTION 900 – DEFINITIONS

Section 62.0901 Definitions.

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

- (1) All words shall have the same meanings as set forth in ~~Section 66.0617(1)~~ of the Wisconsin State Statutes.

Accessible When applied to a fixture, appliance, pipe, fitting, valve or equipment, means having access for maintenance, but which first may require the removal of an access panel or similar obstruction.

Agent An individual or agency recognized by the department to act on the department's behalf relative to a specific activity or function.

Approved Acceptance documented in writing by the department.

Approving authority ~~means~~ ~~the~~ The Village Board or its duly authorized committee, agent or representative.

Appurtenance A manufactured device or prefabricated assembly of component parts which is an adjunct to a plumbing product or plumbing system.

AWWA The American Water Works Association.

Backflow means:

1. A flow condition induced by a differential in pressure that causes the flow of water or other liquid into the distribution pipes of a potable water supply from any source or sources other than its intended source.
2. The backing up of water through a conduit or channel in the direction opposite to normal flow.

Backflow prevention A means designated to prevent backflow caused by backpressure or backsiphonage; most commonly categorized as air gap, reduced pressure principle backflow assembly, double check valve assembly, pressure vacuum breaker assembly, backsiphonage backflow vacuum breaker (spill-resistant pressure vacuum breaker) assembly, pipe applied atmospheric vacuum breaker, flush tank ballcock, laboratory faucet backflow preventer, backflow preventer for carbonated

beverage machine vacuum breaker wall hydrants (freeze-resistant automatic draining type), chemical dispensing machine, hose connection vacuum breaker, hose connection backflow preventer, backflow preventer with intermediate atmospheric vent and barometric loop.

Back pressure An elevation of pressure in the downstream piping system (i.e., pump, elevation of piping, or steam and/or air pressure) above the Utility supply pressure which would cause or tend a reversal of the normal direction of flow.

Back siphonage The flow of water or other liquids, mixtures or substances into the Utility's potable water system from any source caused by the sudden reduction of pressure in the Utility's potable water supply system.

Biochemical oxygen demand (BOD) ~~means the quantity of oxygen used~~ **utilized** in the biochemical oxidation of organic matter ~~under standard laboratory procedure~~ in five days at 20 degrees Celsius, expressed ~~as~~ in milligrams per liter (mg/L). ~~Quantitative~~ **The laboratory determination of BOD shall be made in accordance with procedures set forth in the most recent edition of "Standard Methods."** 40 CFR 136, Guidelines Establishing Test Procedure for the Analysis of Pollutants, or as EPA otherwise determines.

Building A structure for support, shelter or enclosure of persons or property.

Building drain ~~means that part of the lowest horizontal piping of a drainage system that receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer.~~ Within or under the fully enclosed portion of a building, installed below the lowest fixture or the lowest floor level from which fixtures can drain by gravity to the building sewer.

Building sewer ~~means the extension from the public sewer or other place of disposal beginning outside the inner face of the building wall.~~ Part of the horizontal piping beginning three feet to five feet from the foundation wall to its connection with the main sewer, septic tank or other disposal terminal.

Cleanout An accessible opening in a drain system used for the removal of obstructions.

Commission The Wisconsin Public Service Commission.

Commercial user Any business or nonprofit organization that provides goods or services and generates wastewater.

Compatible pollutants ~~means~~ **Biochemical oxygen demand, suspended solids, phosphorus, or pH, plus additional pollutants identified in the Wisconsin Pollutant Discharge Elimination System (WPDES) permit for the publicly owned treatment works receiving the pollutants if such works were designed to treat such additional pollutants to a substantial degree.**

Conduit Piping or tubing used to protect discharge or suction piping or electrical wires.

Contaminant Any physical, chemical, biological or radiological substance or matter in water.

Corporation cock A valve:

1. Installed in a private water main or a water service at or near the connection to a public water main; or
2. Installed in the side of a forced main sewer to which a forced building sewer is connected.

Crawl space The space below a building having no basement, the space being at ground grade, in a depression or in an excavation.

Cross-connection Any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Utility, and the other containing water from a private

1 source, water of unknown or questionable safety, or steam, gases or chemicals, whereby there may
2 be a flow from one system to the other, the direction of flow depending on the pressure differential
3 between the two systems.

4 Cross-connection control ~~means a~~ A program for protecting the public water system from
5 contamination due to the backflow of contaminants through the water service connection into the
6 public water system.

7 Cross-Connection Control Manual Policies and procedures for cross-connection control and backflow
8 prevention for the Village of Sister Bay.

9 Curb stop A valve placed in a water service or a private water main, usually near the lot line.

10 Debt service charges ~~means a~~ All costs associated with the repayment of debts incurred for the
11 construction and/or rehabilitation of the wastewater collection system and treatment facility.

12 Development shall have the same meaning as the phrase "Land Development".

13 Diameter In reference to a pipe the nominal inside diameter of the pipe.

14 Discharge Release of wastewater or other pollutant from or through pipes, conduits, pumping stations,
15 ditches, or tank trucks; the ground through defective pipes, pipe joints, or walls; roof leaders; cellar,
16 yard, or area drains; foundation drains, drains from springs and wetlands, manhole covers, cross-over
17 pipes from storm sewers, catch basins, storm sewers, surface runoff, street wash waters, or other
18 drainage.

19 Distribution system All pipes or conduits by which water is delivered to consumers except piping and
20 fixtures inside buildings served, water services and private water mains as defined in Ch. SPS 381, Wis.
21 Adm. Code.

22 Ditch A long narrow excavation dug in the earth for the drainage of surface water.

23 Domestic wastewater A combination of liquid and water-carried wastes discharged from toilets and/or
24 sanitary plumbing facilities, together with such groundwater, surface water and stormwater as may
25 have inadvertently entered the sewerage system, with waste strengths no greater than the following:

- 26 (1) BOD concentration of not more than 250 mg/L.
- 27 (2) TSS Concentration of not more than 250 mg/L.
- 28 (3) Phosphorus concentration of not more than 10 mg/L (as P).
- 29 (4) Ammonia nitrogen concentration of not more than 25 mg/L (as N).

30 Drain Any pipe that carries wastewater or water-borne wastes.

31 Drain system Includes all the piping or any portion of the piping within public or private premises which
32 conveys wastewater to a legal point of disposal, but does not include the mains of public sewer systems
33 or a private onsite wastewater treatment system or public sewage treatment or disposal plant.

34 Dwelling A structure, or that part of a structure, which is used or intended to be used as a home,
35 residence or sleeping place by one person or by two (2) or more persons maintaining a common
36 household, to the exclusion of all others.

37 Effluent Liquid discharged from a process, device, appurtenances or piping system.

38 Emergency A condition that poses a clear and immediate danger to life or health, or a significant loss
39 of property.

1 Excavation Any operation in which earth, rock or other material in or on the ground is moved, removed
2 or otherwise displaced by means of any tools, equipment or explosives and includes grading, trenching,
3 digging, ditching, drilling, augering, tunneling, scraping, cable or pipe plowing and driving and means
4 any operation by which a structure or mass of material is wrecked, razed, rended, moved or removed.

5 Excavator A person who engages in excavation.

6 Equalization The collection and temporary on-site storage of process wastewater by an industrial user
7 for the purposes of slug discharge control and also for purposes of discharging process wastewater
8 with a more consistent flow rate and pollutant concentration.

9 Fats, oil, and grease (FOG) Organic polar compounds derived from vegetable, plant, or animal sources
10 that are composed of long chain triglycerides that are insoluble in water. Fats are generally solid
11 particles, oils are usually liquid at room temperature, and grease is usually solid at room temperature.

12 Faucet A valve end of a water pipe by means of which water can be drawn from or held within the
13 pipe.

14 Feature Any well construction or pump installation item for which there is a specification in this
15 chapter.

16 Filling and sealing To fill a well, drillhole, pit or reservoir with a material or materials so the well,
17 drillhole, pit or reservoir will not act as a vertical conduit to contaminate another well, groundwater
18 or an aquifer.

19 Fire sprinkler system An integrated system of underground and overhead piping designed in
20 accordance with fire protection engineering standards. The system includes a suitable water supply,
21 such as a gravity tank, fire pump, reservoir or pressure tank or connection beginning at the supply side
22 of an approved gate valve located at or near the property line where the pipe or piping system provides
23 water used exclusively for fire protection and related appurtenances and to standpipes connected to
24 automatic sprinkler systems. The portion of the sprinkler system above ground is a network of specially
25 sized or hydraulically designed piping installed in a building, structure or area, generally overhead, and
26 to which sprinklers are connected in a systematic pattern. The system includes a controlling valve and
27 a device for actuating an alarm when the system is in operation. The system is usually activated by
28 heat from a fire and discharges water over the fire area.

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

33 Floor drain A drain which is installed in the floor of a structure designed to remove any standing water
34 near it.

35 Flow The volumetric measure of a liquid stream in a specified time.

36 Flushing Causing rapid intermittent flow of water from a well by pumping, bailing or similar operation.

37 Force main A pipe which wastewater is carried under pressure.

38 Foundation drain A system of pipes that are installed under or around the foundation or under the
39 basement floor to collect water and move it off-site to prevent the basement from filling with ground
40 water.

41 Garbage ~~means~~ The residue from the domestic and commercial preparation, cooking and dispensing
42 of food, and from the handling, storage and sale of food products and produce.

Ground garbage ~~means~~ ~~t~~ The residue from the domestic and commercial preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be no greater than one half inch in any dimension and will be carried freely in suspension under normal flow conditions in public sanitary sewers.

Grab sample A sample which is taken from a waste stream on a one-time basis without regard to time or the flow in the waste stream.

Groundwater Any of all waters of the state, as defined in Wis. Stats., §281.01(18), occurring in a saturated subsurface geological formation of rock or soil.

High Strength waste ~~means~~ ~~t~~ The wastewater from commercial or industrial processes, trade or business, as distinct from sanitary sewage, including cooling water and the discharge from sewage pretreatment facilities.

Holding tank A watertight receptacle for the collection and holding of wastewater.

Holding tank waste Liquid that is removed from a holding tank that receives and accumulates liquid waste generated from human activity. The holding tank will not have an outlet.

Improperly constructed well ~~means~~ ~~a~~ A well or pump installation that does not comply with the provisions of Wis. Admin. Code NR Chapter 812, Wis. Adm. Code in effect at the time of construction of the well, at the installation of a contamination source, at the installation of the pump or completion of work on the well or pump installation.

Incompatible pollutants ~~mean~~ ~~w~~ Wastewater or septage with pollutants of such strength that will adversely effect or disrupt the wastewater processes or effluent quality or sludge quality if discharged to a wastewater treatment facility.

Industrial user Any person, including, but not limited to, business or other facility, that is a source of indirect discharge or other industrial waste into the sewerage system.

Industrial waste Any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process or from the development, recovery or processing of any natural resources, as distinct from domestic wastewater.

Industrial wastewater The liquid wastes that result from industrial processes.

Interference A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

- (1) Inhibits or disrupts the Wastewater Treatment Plant, its treatment processes or operations or its sludge processes, use or disposal.
- (2) Is the cause of a violation of any requirement of the Village's WPDES permit, including an increase in the magnitude or duration of a violation, or of the prevention of sludge use or disposal in compliance with Ch. 281 and 283, Wis. Stats., or any applicable federal, state, or local statutes.

Laterals (service lateral) ~~means~~:

1. A ditch, pipe or other conduit entering or leaving a water main from the side.
2. A sewer that discharges into the main sanitary sewer or other sewer branch.

Licensed disposer ~~means~~ ~~a~~ A person holding a license under Wis. Stats. § 281.49(1)(a).

Licensed driller Any individual who has paid the annual license fee under Wis. Stats., §280.15 (2m)(c)1, and obtained a license under Wis. Stats., §280.15(2m) as a driller. Also defined as a licensed well driller.

Licensed pump installer Any individual who has paid the annual license fee under Wis. Stats., §280.15(2m)(c)1. And obtained a license under Wis. Stats., §280.15(2m) as a pump installer.

Lift station A station positioned in the sanitary sewer system at which wastewater is pumped to the nearest gravity sanitary collection main.

Main The principle pipe artery to which branches may be connected.

May means permissible

Meter ~~means a~~ An instrument installed to measure the volume and/or rate of flow of water delivered through it.

Municipal wastewater ~~means~~ ~~t~~ The spent water of a community. The wastewater may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, ~~together~~ with any groundwater, surface water and stormwater that may ~~be present~~ have inadvertently entered the sewerage system.

Municipal water system A community water system owned by a city, village, county, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing. In this chapter, meaning the community water system owned by the Village.

Natural outlet ~~means a~~ Any outlet, including storm sewers, into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

Normal domestic strength wastewater ~~means~~ ~~w~~ Wastewater with concentrations less than 300 mg/l BOD, 250 mg/l suspended solids and 12 mg/l phosphorus.

Normal user ~~means a~~ A user whose contributions to the wastewater treatment facility consist only of normal domestic strength waste originating from a house, apartment, condominium or other living quarters occupied by a person or persons making up a distinct household, business or commercial enterprise.

Operation and maintenance costs ~~means a~~ All costs associated with the operation and maintenance of the wastewater collection and treatment facilities. These costs, including costs associated with extraneous (clear water) flows, shall be divided proportionately among the various sewer users according to their equivalent user factors.

Parts per million ~~means~~ Shall be a weight-to-weight ratio; the parts per million value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

Person ~~means a~~ Any person, including any individual, firm, ~~partnership~~, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity ~~or their legal representatives, agents, or assigns.~~

pH ~~means~~ ~~t~~ The logarithm (base 10) of the reciprocal of the hydrogen-ion concentration expressed in moles per liter. ~~The concentration is the weight of hydrogen ions, in grams per liter of solution. Neutral water, for example, has a pH value of seven and a hydrogen ion concentration of 10^{-7} .~~

Phosphorus (P) Total phosphorus expressed in terms of milligrams per liter (as P). Phosphorus can occur naturally at low concentrations in surface waters. Higher phosphorus concentrations in surface water are typically a result of human activity and are introduced to waterways from both point sources and nonpoint sources. Phosphorus is present in both organic solids as well as in the form of inorganic phosphate (PO_4^{-3}) and is introduced from a variety of sources including agricultural and lawn fertilizers,

domestic wastewater, detergents, industrial process wastes and geological formations. The presence of phosphorus in concentrations above natural background concentrations results in higher algal activity and rooted aquatic plants which can lead to the deterioration of water quality and odor problems. The laboratory determinations shall be made in accordance with 40 CFR 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants, or as EPA otherwise determines.

Pollutant Any contaminant present in wastewater, including, but not limited to, dredged spoil, solid waste, incinerator residue, wastewater, garbage, sludge, biosolids, munitions, chemical wastes, medical waste, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock sand, cellar dirt and industrial (including biodegradable waste), municipal, commercial and agricultural waste discharged into water.

Portable Restroom Fixtures, incorporating holding tank facilities, designed to directly receive human excrement. Portable restrooms are self-contained units, may be designed for one or more person's at a given time and are readily transportable.

Portable toilet waste The solid and liquid fraction removed from a portable toilet.

Potable water means ~~w~~Water that does not contain objectionable pollution, contamination, minerals or infective agents and is considered satisfactory for domestic consumption.

Pretreatment The equalization or reduction of the amount of pollutants, the elimination of pollutants or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing the pollutants into the sewerage system.

Public sanitary sewer means ~~any~~ A sanitary sewer provided by or subject to the jurisdiction of the ~~v~~Village and in which all owner abutting properties have equal rights. It shall also include sanitary sewers within or outside the Village corporate boundaries that serve one or more persons and ultimately discharge into the ~~v~~Village's sanitary sewer system, ~~although even though the~~se sewers may not have been constructed with ~~v~~Village funds.

Public water system A system for the provision to the public of piped water for human consumption through pipes or other constructed conveyances, if the system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year. A public water system is either a "community water system" or a "non-community water system". A system:

1. Includes any collection, treatment, storage and distribution facilities under the control of the operator of a system and used primarily in connection with the system.
2. Includes any collection or pretreatment storage facilities not under the system's control which are used primarily in connection with the system.

Pump installation means ~~t~~The pump and related equipment used for withdrawing water from a well including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.

Receiving waters Any body of surface or subsurface water receiving discharge of wastewater or treated wastewater.

Replacement costs means ~~a~~ A service charge levied on users of the wastewater collection and treatment facilities for payment of capital expenses and operation and maintenance costs, including replacement of such facilities.

Sanitary District: means ~~t~~The portion of the Town of Liberty Grove covered by the Liberty Grove Sanitary District.

Sanitary sewage means ~~a~~ combination of liquid and water carried wastes discharged from toilets and/or sanitary plumbing facilities, with such groundwaters, surface waters and stormwaters as may be present that are not admitted intentionally.

Sanitary sewer means ~~a~~ sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, with small quantities of groundwaters, surface waters, and stormwaters and unintentionally admitted surface water that are not admitted intentionally.

Sanitary sewer overflow An unintended release of sanitary sewerage from the sewerage system to the aquatic and/or terrestrial ecosystem.

Septage means ~~scum, liquid, sludge or other waste from a septic tank, soil absorption field, holding tank, vault toilet or privy. This does not include the waste from a grease trap. The scum, liquid, sludge, or other waste in any of the following:~~

1. A septic tank or holding tank, dosing chamber, grease interceptor, seepage bed, seepage pit, seepage trench, distribution cell, or other component of private onsite wastewater treatment systems.
2. A privy or portable restroom.

Septic Tank A tank which received and partially treats sewage through processed of sedimentation, oxidation, flotation, and bacterial action so as to separate solids from the liquid in the sewage and discharges the liquid to a soil absorption system.

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

Sewer A pipe or conduit for conveying wastewaters.

Sewer connection The part of the sewerage system connecting the sanitary sewer main and the line of abutting property or extended to that distance from the sanitary sewer main as considered necessary by the Utilities Director.

Sewer service areas means ~~t~~ The areas presently served and anticipated to be served by a sewage collection system. ~~State regulations (Wis. Admin. Code Ch. NR §121.05, Wis. Adm. Code) requires~~ that water quality management plans delineate sewer service areas for urban areas with a population of over 10,000. Approved facility plans contain less detailed sewer service areas for communities under a population of 10,000.

Sewer service charge means ~~a~~ A service charge levied on users of the wastewater collection and treatment facilities for payment of use related capital expense and operation and maintenance costs, including replacement of such facilities.

Sewerage system ~~is defined in Wis. Stats. Sec. 281.01(14).~~ All properties, structures, manholes, catch basins, inlets, pipes, equipment and conduits owned or used by the Village for which the Village provides sanitary sewer services pursuant to agreement for the purpose of collectin, transporting, storing, pumping, treating, recycling, reclamation, testing and disposing of domestic wastewater and/or industrial or other wastes and residual waste products as existing now or hereafter added to, expanded or improved.

Shall means ~~m~~ Mandatory.

Sludge(s) (Also referred to as "wastewater sludge" or "biosolids."). The solid, semisolid or liquid residue generated during the treatment or pretreatment of wastewater.

Slug (also referred to as "slug discharge."). Any discharge of a nonroutine, episodic nature, including, but not limited to, an accidental spill or noncustomary batch discharge to the sewerage system which

has the potential to cause an upset of the wastewater treatment plant operations and cause a violation of the WPDES permit.

Slug load ~~means a~~ Any substance released at a discharge rate and/or concentration that causes interference to the wastewater treatment processes.

Spill The uncontrolled discharge, dumping, or leaking of any septage or any of its constituents that may be emitted into the air, be discharged into any waters of the State, or otherwise enter the environment.

Standard methods ~~means t~~ The examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes," published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

State State of Wisconsin

Storm drain (sometimes termed "storm sewer") ~~means a~~ A drain or sewer for conveying surface water, groundwater, subsurface water or unpolluted water from any source.

Stormwater runoff ~~means t~~ That portion of the rainfall that is collected and drained into the storm sewers.

Surface water All water which is open to the atmosphere and subject to surface runoff.

Suspended solids ~~means s~~ Solids that either float on the surface of, or are in suspension in, water, wastewater, septage or other liquids and that is removable by a laboratory filtering device. The laboratory determinations shall be made in accordance with 40 CFR 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants, or as EPA otherwise determines.. ~~as prescribed in "Standard Methods". and is called non-filterable residue.~~

Transmission facilities Includes all pipes, pipelines, wires, cables, ducts, wirelines and associated facilities, whether underground or aboveground, regardless of the nature of their transmittants or of their in-service application. This term includes, but is not restricted to, utility facilities, government-owned facilities, facilities transporting hazardous materials, communications and data facilities, drainage and water facilities and sewer systems. The term does not include culverts.

Treatment plant The treatment components and all other structures or devices used for storage, treatment, recycling and reclamation of domestic wastewater and industrial discharges.

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

Unsafe well ~~means a~~ A well or pump installation that produces water contaminated bacteriologically or water contaminated with substances in exceedance of the standards of Wis. Admin. Code Ch. NR Chapter 109, Wis. Adm. Code, or Chapter Ch. 140, Wis. Adm. Code. or for which a health advisory has been issued by the state department of natural resources.

Unused well ~~means a~~ A well or pump installation that is not in use or does not have a functional pumping system.

Upset An exceptional incident in which a user unintentionally and temporarily is in a state of noncompliance with the pretreatment standards due to factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, and lack of preventative maintenance or careless or improper operation.

USEPA means ~~t~~The United States Environmental Protection Agency.

User/customer means ~~a~~Any person, owner or occupant, firm, partnership, corporation, municipality, cooperative organization, government agency, political entity, etc., provided with water and/or sewer service by any water and/or sewer public utility.

Utilities Director The Utilities Director of the sanitary sewer and water systems or their authorized deputy, agent or representative.

Utility means ~~a~~A public or private concern engaged in the performance of some useful service, such as furnishing water, gas, electricity or sewer facilities.

Utilities Committee means ~~t~~The committee established by the ~~v~~Village that provides oversight on the operation of the village utilities. (Amended Ord. 298-062122)

Utility District means ~~t~~The portion of the Liberty Grove Sanitary District designated to provide sanitary sewer service and water service to users in the Liberty Grove Sanitary District No. 1.

Village The Village of Sister Bay, Wisconsin

Violation A failure to comply with any provision of this chapter.

Wastewater A combination of the water carried wastes from residences, business buildings, institutions and industrial establishments, together with such groundwater, surface water and stormwater as may be present.

Wastewater facilities means ~~t~~The structures, equipment and processes required to collect, ~~measure,~~ meter, carry away, store and treat domestic and industrial wastes ~~and~~ ~~septage~~ and dispose of the effluent.

Wastewater Treatment Plant Also known as Sister Bay Wastewater Treatment Plant.

Wastewater treatment works means ~~a~~An arrangement of devices and structures for treating wastewater, septage, industrial wastes and sludge. Sometimes used synonymously with waste treatment.

Water main means ~~t~~The water pipe, located beneath a street, right-of-way or easement from which domestic water supply is delivered to the service pipe (lateral) leading to specific premises.

Water storage facilities Vented reservoirs, water towers, standpipes and treatment plant basins including ground and elevated storage structures. It does not include hydropneumatics tanks or natural surface water bodies.

Water supply means:

1. The sources of water for public or private uses. When United States Environmental Protection Agency standards have been met, the supply is termed "an approved water supply";
2. The furnishing of good potable water under satisfactory pressure for domestic, commercial, industrial and public service and an adequate quantity of water under reasonable pressure for firefighting.

Water system means ~~as provided in Wis. Stats. § 811.02(25). Collectively, all of the property involved in the operation of the water utility, including land, water lines and appurtenances, pumping stations, treatment plants and general property. All facilities, structures, pipes, conduits and appurtenances by means of which water is delivered to consumers except piping and fixtures inside buildings served, water services and private water mains as defined in Ch. SPS 381, Wis. Adm. Code.~~

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

Well means an excavation or opening into the ground made by digging, boring, drilling, driving or other methods for the purpose of obtaining groundwater for consumption or other use.

Well abandonment means the filling and sealing of a well according to the provisions of Wis. Admin. Code Comm. Ch. NR Chapter. 812, Wis. Adm. Code.

Wisconsin Pollutant Discharge Elimination System (WPDES) Permit means a document issued by the State Department of Natural Resources under Ch. 283, Wis. Stats., detailing terms and conditions for discharges from the that establishes effluent limitations and monitoring requirements for the municipal wastewater treatment facility plant to the receiving waters.

WDNR means the Wisconsin Department of Natural Resources.

Working days Any other days other than Saturday, Sunday and legal holidays.

WPSC means the Wisconsin Public Service Commission that governs the rates, rules and regulations of the village water utility.

SECTION 1000 – IMPACT FEES

Section 62.1000 Documentation

The following village documents contain the needs assessments for the impact fees identified in this chapter, demonstrate village compliance with the requirements of Section Wis. Stats., §66.0617(4) of the Wisconsin Statutes, and shall be kept on file and available for public inspection in the Office of the Village Clerk:

“Public Facilities Needs Assessment for the Downtown Sanitary Sewer and Watermain Improvements” dated June 2008

Section 62.1001 Revenues

Revenues collected by the village as impact fees shall be placed by the Village Treasurer Finance Director, in segregated interest-bearing accounts and shall be accounted for separately from other funds of the village. Impact fee revenues and interest earned on impact fee revenues may be expended by the village only for the capital costs for which the impact fees were imposed. Separate accounts shall be kept of fees collected from different impact fee zones. Where the particular Impact Fee Ordinance provides for differential fees according to zones, revenues collected in particular zones shall be spent in those zones as appropriate.

Section 62.1002 Time Limit for Expenditures

(1) The village determines the following lengths of time to be appropriate for the planning, financing, acquisition, and construction of the public facilities listed below:

(a) Downtown Sanitary Sewer and Watermain Improvements - From August 12, 2008 through July 31, 2015.

(b) Downtown Sanitary Sewer and Watermain Improvements - 2028

(2) Impact fees imposed and held by the village under Section 62.1001 above, that are not used within the time period specified herein, shall be refunded to the persons who are the current owners of record of the property, at the expiration of such time period.

Section 62.1003 Payment of Impact Fees

All required impact fees, unless expressly excepted in a section of this Chapter, shall be paid before a building permit may be issued for the construction for which the impact fee is to be imposed. With respect to any development affected by any impact fee imposed under this Chapter which is under construction at the time the ordinance imposing such impact fee becomes effective or which has received a building permit at such time, all required impact fees shall be paid before a Certificate of Occupancy may be issued for such development. Impact fee payments shall be assumed to be the responsibility of the owner of record at the time the building permit is requested.

Section 62.1004 Installment Payments

The Village Board, by resolution, may authorize the payment of impact fees, otherwise payable in full, in installment payments. If installment payments are authorized, interest shall be paid on the installment payments at the same rate then charged by the Village on installments of special assessments.

Section 62.1005 Appeals of the Amount, Collection or Use of Impact Fees

A developer may appeal or contest the amount, collection or use of the impact fee in the manner provided herein:

- (1) It shall be a condition to the commencement of such an appeal that the impact fee from which the developer appeals shall be paid as and when the fee or any permitted installment thereof becomes due and payable, and upon default in making any such payment, such appeal may be dismissed.
- (2) The only questions appealable under this section are the following, as authorized by **Section Wis. Stats., §66.0617(10) of the Wisconsin Statutes**:
 - (a) The amount of fee charged and paid by the developer;
 - (b) The method of collection of the impact fee;
 - (c) The use to which the particular fee paid by the developer is made by the Village.
- (3) Appeals must be brought within **thirty (30)** days of the earlier of:
 - (a) The date the impact fee is payable hereunder;
 - (b) In a situation where installment payments are allowed, the due date of the first required installment.
- (4) The appellant shall pay a filing fee of **\$300** at the time of filing of the appeal. The notice of appeal shall be filed with the Village Clerk.
- (5) Following the filing of the Notice of Appeal, the Village Clerk shall compile a record of the ordinance imposing the impact fee that is the subject of the appeal and a record of the management and expenditure of the proceeds of the impact fee, and shall transmit these documents to the Village Board. In consultation with the **village Utilities & Departments**, the Village Clerk shall also compile a report on each appeal in which the appellant is seeking a reduction or total refund in the impact fee paid. This report shall specify the fiscal impact on the Village of Sister Bay **Utilities Department** if the appeal overturns the impact fee. If the fiscal impact report indicates that the appeal, if successful, will cause a revenue shortfall that otherwise was not budgeted with respect to the public facility, and if this revenue shortfall cannot be reconciled by reduction in impacts caused by development on the appellant's property, the report shall estimate whether it will be necessary for the Village to adjust impact fees, or amend existing ordinances, to recover the proposed revenue shortfall.
- (6) The Village Board shall hold a public hearing on the appeal, preceded by a Class 1 Notice, providing fair opportunity for the appellant to be heard. The burden shall be on the appellant to establish illegality or impropriety of the fee from which the appeal has been taken. Following the close of the public hearing, the Village Board shall deliberate upon the matter, and shall conduct such studies and inquiries as it deems appropriate to decide the appeal.
- (7) If the Village Board determines that the appeal has merit, it shall determine appropriate remedies. These may include reallocation of the proceeds of the challenged impact fee to accomplish the

purposes for which the fee was collected, refunding the impact fee in full or in part, along with interest collected by the Village thereon, or granting the appellant the opportunity to make the impact fee payment in installments, or such other remedies as it deems appropriate in a particular case.

Section 62.1006 Impact Fee Amounts

- (1) The Downtown Sanitary Sewer and Watermain Improvements impact fee for every residential meter equivalent is \$861.00 effective on September 1, 2010.

SECTION 2. Available for Inspection.

A copy of this ordinance shall be permanently on file and open to public inspection in the Village Administration Office two weeks prior to its adoption and after its enactment.

SECTION 3. Ordinances in Conflict.

All other ordinances in conflict herewith be, and the same hereby are repealed.

SECTION 4. Effective Date.

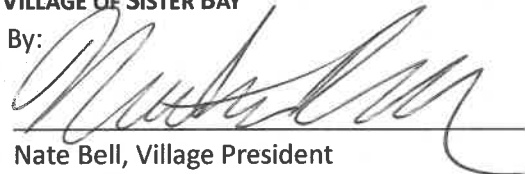
This ordinance shall take effect and be in full force from and after April 1, 2025.

SECTION 5. Severability.

If a court of competent jurisdiction adjudges any section, clause, provision, or portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

VILLAGE OF SISTER BAY

By:



Nate Bell, Village President

ATTEST:



Heidi Teich, Village Clerk

Ayes: 6 Nays: 0

Filed/Posted: Mar. 26, 2025
Village Administration Office, 2383 Maple Drive
Sister Bay Post Office, 10685 N Bay Shore Drive
Sister Bay Liberty Grove Library, 2323 Mill Road
Effective Date: April 1, 2025