

# Kelly Lake Sanitary District No. 1

## *Sewer Use Ordinance*

*ADOPTED: DECEMBER 7, 2020*



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**KELLY LAKE  
SANITARY DISTRICT No. 1**

**OCONTO COUNTY, WISCONSIN**

***Sewer Use Ordinance***

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## SEWER USE ORDINANCE

### KELLY LAKE SANITARY DISTRICT No. 1 OCONTO COUNTY, WISCONSIN

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# Article I. **GENERAL**

## Section 1.01 **Scope**

This ordinance regulates the use of both public and private sewers and drains, discharge or septage into the public sewerage system, and the discharge of waters and wastes into the sanitary sewer system of the Kelly Lake Sanitary District. It provides for, and explains the method used for, levying, and collecting wastewater treatment service charges, sets uniform requirements for discharges into the wastewater collection and treatment systems, and enables the Kelly Lake Sanitary District to comply with administrative provisions, and other discharge criteria which are required or authorized by the State of Wisconsin or Federal Law.

## Section 1.02 **Purpose**

The purposes of this ordinance are to provide a means for determining wastewater and septage volumes, constituents and characteristics, the setting of charges and fees, and the issuing of permits to certain users. The purpose of the system of charges to customers is to compensate the District for operating costs and maintain a reserve capacity designed and built into the sewer system to properly operate in a manner that protects the public health, safety, and welfare. The charges and fees herein have been established pursuant to requirements of the Wisconsin Statutes. If there is any conflict between this ordinance and any applicable Wisconsin State Statute, the State Statute shall be controlling.

## Section 1.03 **Title**

The ordinance shall be known and cited as “Kelly Lake Sanitary District No. 1, Sewer Use Ordinance” and shall be construed to secure the expressed intent and to ensure proper operations of the district to properly protect the public safety, health and welfare.

## Section 1.04 **Adoption of Administrative Codes**

The following Wisconsin Administrative Codes, their referenced codes and standards, and subsequent revisions are hereby made a part of this document by reference and adopted for enforcement by the Kelly Lake Sanitary District:

- Chapters SPS 381-387      Plumbing Code
- Chapters NR 100-199      Environmental Protection General
- Chapters NR 200-299      Wisconsin Pollutant Discharge Elimination System

## Article II. DEFINITIONS

### Section 2.01 Definitions

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

**APPROVING AUTHORITY** shall mean the Kelly Lake Sanitary District No. 1 of Oconto County, or its duly authorized committee, agent, or representative.

**AMMONIA NITROGEN (NH-N)** shall mean one of the oxidation states of nitrogen, in which nitrogen is combined with hydrogen in molecular form as NH or in ionized form as NH<sub>4</sub>. Quantitative determination of ammonia nitrogen shall be made in accordance with procedures set forth in "standard methods" or Chapter NR 149 of the Wisconsin Administrative Code.

**BIOCHEMICAL OXYGEN DEMAND (BOD)** shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees Celsius, expressed as milligrams per liter (mg/L). Quantitative determination of BOD shall be made in accordance with procedures set forth in "Standard Methods"

**BUILDING DRAIN** shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer.

**BUILDING SEWER** shall mean that part of the plumbing system beginning at the immediate outside foundation or proposed foundation wall to its connection with the main sewer of a public sewer or other point of disposal.

**CHEMICAL ELEMENTS AND COMPOUNDS** that are typically found in wastewater and may be regulated by this ordinance.

**CLASS OF USERS** means the division of wastewater treatment customers by waste characteristics and process discharge similarities or function, such as residential, commercial, institutional, or industrial.

**COMBINED SEWER** shall mean a sewer intended to receive both wastewater and storm or surface water.

**COMMERCIAL USER** shall mean a person discharging primarily domestic strength wastewater (as opposed to industrial wastewater), but whose premises are used primarily for the conduct of a particular enterprise, including but not limited to, businesses such as wholesale or retail trade, restaurants, taverns/bars, financial, insurance, real estate, or other professional services; schools; and churches. "Commercial users" shall not include residential users or industrial users as defined herein.

**COMMISSION** means the Kelly Lake Sanitary District No. 1 Commission.

**COMMISSIONER** means a member of the Kelly Lake Sanitary District No. 1 Commission.

**COMPATIBLE POLLUTANTS** shall mean biochemical oxygen demand, suspended solids, phosphorus, nitrogen, pH, or fecal coliform bacteria, plus additional pollutants identified in the WPDES permit for the publicly owned wastewater treatment facility receiving the pollutants, if such works were designed to treat such additional pollutants, and, in fact, do remove such pollutants to a substantial degree.

**DEBT SERVICE COSTS** shall include principal and interest payments for Kelly Lake Sanitary District's indebtedness or obligation issued or incurred or to be issued or to be incurred by Kelly Lake Sanitary District. Such costs include without limitation, depreciation payments that may be required pursuant to the terms of any such indebtedness or obligation.

**KELLY LAKE SANITARY DISTRICT** (or KLSD) - is the sovereign governing body of the Kelly Lake Sanitary District No. 1.

**DISTRICT or KLSD** (District Approving Authority) - shall mean the Kelly Lake Sanitary District No. 1 Commission or its authorized representatives.

**DISTRICT CONNECTION FEE** – Shall mean a fee computed in accordance with the provisions of this ordinance.

**EASEMENT** shall mean an acquired legal right to install and maintain a portion of the sewer system.

**FAMILY** shall mean either (a) one person, or two or more persons related by blood, adoption, or marriage, or (c) a group numbering two to five persons who are not related by blood, adoption or marriage, maintaining a single housekeeping unit, either seasonal or year-round, on or in premises that are subject to the District's Ordinances.

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

**GARBAGE** shall mean the residue from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of food products and produce.

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

**HOLDING TANK SERVICE AREA** shall mean the area outside the District's sewer service area, but inside or equal to the District's planning area where a contract has been developed for holding tank wastewater treatment processes or effluent quality or sludge quality if discharged to the sewerage system facility.

**INCOMPATIBLE POLLUTANTS OR WASTEWATER** shall mean wastewater with pollutants that will adversely affect or disrupt the quality of wastewater treatment or the receiving waters of the treatment facility, if discharged to a wastewater treatment facility.

**INDUSTRIAL USER** shall mean any user who makes, causes, or permits an industrial discharge into the District's wastewater facilities. Industrial users include any user defined in CFR Title 40, Section 35.905-8, as amended.

**INDUSTRIAL STRENGTH WASTEWATER, INDUSTRIAL WASTEWATER** shall mean all wastewater other than domestic strength wastewater. Industrial strength wastewater includes water-borne solids, liquids, or gaseous wastes resulting from or discharging from an industrial process, trade or business, or otherwise escaping into the wastewater facilities.

**INFILTRATION** shall mean the water unintentionally entering the public sewer system, including sanitary building drains and sewers, from the ground through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. Infiltration does not include, and is distinguished from, inflow.

**INFLOW** shall mean the water discharge into a sanitary sewer system, including building drains and sewers from such sources as, but not limited to the following: roof leaders, cellar, yard, and area drains, foundation drains, unpolluted cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers, and/or combined sewer catch basins, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguishable from, infiltration.

**LATERAL** shall mean the extension from the building drain to the public sewer or other place of disposal.

**LICENSED DISPOSER** shall mean a person or business holding a valid license to do septage servicing under NR 113.

**MAY** is permissible

**NATURAL OUTLET** shall mean any outlet, including storm sewers and combined overflows, into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

**NORMAL DOMESTIC STRENGTH SEWAGE** shall mean wastewater or sewage having an average daily suspended solids (SS) concentration of not more than 250 hundred milligrams per liter and (BOD) concentration of not more than 250 milligrams per liter, Ammonia (NH<sub>3</sub>) of concentrations not more than 25 milligrams per liter.

**OPERATION & MAINTENANCE COSTS** shall include all costs, direct and indirect, not including debt service but inclusive of expenditures attributable to administration, replacement of equipment, and treatment and collection of wastewaters, necessary to ensure adequate regulations and assures optimal long term facility management.

**PARTS PER MILLION** shall be a weight-to-weight ratio; the parts per million value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

**PERSON** shall mean any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency, or other entity.

**PH** shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of the hydrogen-ions, in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10<sup>-7</sup>.

**PRETREATMENT** shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharge in or otherwise introducing such pollutants into a wastewater system.

**PRIVATE SEWAGE DISPOSAL SYSTEM** shall include any system, whether portable or permanently installed, designed, intended, or used for receiving and disposing of human waste or other sewage.

**PUBLIC SEWER** shall mean any publicly owned sewer, storm drain, sanitary sewer, or combined sewer.

**REPLACEMENT COSTS** shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the wastewater collection facilities to maintain the capacity and performance for which such facilities were designed and constructed. Operation and maintenance costs shall also include replacement costs.

**SANITARY SEWAGE** shall mean a combination of liquid and water-carried wastes discharged from toilets and/or sanitary plumbing facilities.

**SANITARY SEWER** shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial buildings, and institutions.

**SEPTAGE** shall mean the wastewater or contents of septic or holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, seepage trenches, privies, or portable restrooms.

**SEWAGE** is the spent water of a community. The preferred term is "wastewater".

**SHALL** is mandatory.

**SLUG LOADING** shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment system.

**STANDARD METHODS** shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water and Wastewater" published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

**STORM DRAIN or STORM SEWER** shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

**STORMWATER RUNOFF** shall mean that portion of the rainfall that is drained into the sewers.

**SUSPENDED SOLIDS** shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods" and referred to as non-filterable residue.

**USER** shall mean any person who discharges or causes to be discharged, wastewater into the District's wastewater collection system.

***USER CHARGE*** is a charge levied on users of the wastewater collection and treatment facilities for payment of operation and maintenance costs of said facilities, including the replacement of such facilities.

***WASTEWATER*** shall mean the spent water of a user. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions.

***WASTEWATER COLLECTION FACILITIES*** (or wastewater collection system) - shall mean the District's sewerage system, structures, equipment, and processes required to collect and carry away wastewater.

***WASTEWATER TREATMENT FACILITIES*** shall mean an arrangement of devices and structures for treating wastewater, septage, industrial waste, and sludge.

***WATERCOURSE*** shall mean a natural or artificial channel for the passage of water, either continuously or intermittently.

***WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT*** is a document issued by the Wisconsin State Department of Natural Resources (WDNR) which establishes effluent limitation and monitoring requirements.

## **Article III. DISTRICT ADMINISTRATION, MANAGEMENT, OPERATION, AND CONTROL**

### **Section 3.01 Establishment of District**

The Kelly Lake Sanitary District No. 1 ("District") was established January 26th, 1968 pursuant to Wisconsin State Statutes (See §60.71 Wis. Stats.)

### **Section 3.02 Commission**

The Kelly Lake Sanitary District No. 1 Commission ("Commission") is appointed to manage all of the affairs of the District. Appointments are made as provided in Wis. Stats. §§60.74 and 60.75. The Commission's authority shall include the powers and duties specified in Wis. Stats. §§60.77 and 60.78, as amended.

#### **A. Membership**

The KLSD Commission shall be composed of five (5) members.

#### **B. Appointments**

With the KLSD's territory being in multiple towns, the Town Board of the town containing the largest portion of the equalized full value of taxable property of the District shall appoint the District Commissioners.

#### **C. Terms**

The term of office for each District Commission member shall be for a period of 6 years.

1. Initial Terms. The Commission members initially appointed to the KLSD Commission shall be appointed for staggered terms. Two commissioners shall be appointed for a term of 2 years, two for a term of 4 years, and one for a term of 6 years. (§ 60.75(2)(bm) Wis. Stats.)

#### **D. Vacancies**

Any vacancy on the KLSD Commission shall be filled by appointment by the Town Board for the remainder of the unexpired term.

#### **E. Officers**

1. Election of Officers. The appointed Commissioners shall elect a Commission President.
2. Presiding Officer. The Commission President shall preside and preserve order over the Commission meetings.
3. Absence of President. If the Commission President is absent at the designated time for any meeting, the senior Commissioner present, based on date of original appointment, shall call the meeting to order and preside until the Commission shall by motion select an acting president for that meeting.

#### **F. Official Oath of Office**

Before assuming office, KLSD Commissioners are required to take and sign an oath of office under § 19.01 Wis. Stats., and file the oath with the Town Clerks of each town in which the KLSD's territory is located. The oath of office is good for the length of the KLSD Commissioner's term.

G. Meetings

The District Commission may meet each month in the District office or such other place or place as the Commission shall designate.

H. Compensation

All appointed Commissioners of the District shall receive actual and necessary expenses incurred while in the performance of the duties of the office.

I. Rules and Records

The meetings of the KLSD Commission shall be conducted in accordance with the parliamentary rules contained in *Robert's Rules of Order Newly Revised*, or the most recent version thereof.

All records, minutes and all written proceedings thereof shall be kept by the Secretary/Treasurer.

**Section 3.01 Secretary/Treasurer**

The KLSD Secretary/Treasurer is a hired position. The Secretary/Treasurer shall keep a separate record of all proceedings and minutes of meetings and hearings. At the end of each fiscal year, the Secretary/Treasurer shall submit to the Town Board of the town containing the largest portion of the equalized full value of taxable property of the District a report showing a complete audit of the financial transactions of the Commission during the fiscal year.

**Section 3.01 Personnel**

The Kelly Lake Sanitary District No. 1 shall include such employees as the Commission may provide to supervise the construction of sanitary sewer systems and maintain all buildings and permanent equipment and infrastructure of the sanitary sewer system.

A. Operator(s)

1. Duties

The Operator(s) shall have, except where otherwise provided, the general management and control of all matters pertaining to the sanitary system and shall enforce all state laws, ordinances and lawful orders relating to the construction, alteration, repair, removal, discharge and safety of sewer system infrastructure, buildings and structures associated with the system.

2. Right of Access

The Operator(s) or authorized agent(s) may at all reasonable hours, for any proper purpose, enter upon any public or private premises and make inspection, and may require the repair of the private system, removal of any illegal discharges into the system, the production of the permit for any plumbing lateral work being done, or the required license to conduct such work. No person shall interfere with or refuse to permit access to any such premises to the representatives of the District while in the performance of their duties.

## Section 3.02 **Permits**

### A. Permits Required

No connection, disconnection or reconnection shall be made to any of the sewers of the District from any building, premises, excavation place or property of any kind whatsoever by any building drain, tap or building sewer intended or designed to, or capable of, discharging any matter whether fluid or solid, into the sewers of the District unless a permit has first been issued.

### B. Application for Permits

Every person desiring to connect to the KLSD system shall file an application for a permit in writing upon a form to be furnished by the District and shall state the name and address of the owner of the building and the owner of the land on which it is to be erected, the name and address of the contractor, the location of the building, the house number thereof and such other information as the Commission may require. The application must state fully and truthfully all the wastes which will be discharged. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. With such application there shall be submitted to the District a complete set of plans or a copy of a survey or site plan detailing the proposed location of the sanitary sewer.

### C. Fees

All applications for a permit must be accompanied by the proper fee. Permit fees shall be set from time to time by resolution of the Commission.

## Section 3.03 **Construction**

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

## Section 3.04 **Maintenance of Services**

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

## Section 3.05 **Condemnation of Real Estate**

Whenever any real estate or any easement therein, or use thereof, shall in the judgment of the District be necessary to the sewer system, and whenever, for any cause, an agreement for the purchase thereof, cannot be made with the Owner thereof, the District shall proceed with all necessary steps to take such real estate easement, or use by condemnation in accordance with the Wisconsin Statutes and the Uniform Relocation Property Acquisition Policy Act of 1970, if Federal Funds are used.

### **Section 3.06 Title to Real Estate and Property.**

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

### **Section 3.07 Right of Entry**

- A. The District or other duly authorized personnel of the District, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, or testing, all in accordance with the provisions of this Ordinance and Section 200.11(3), Wisconsin Statutes.
- B. While performing the necessary work on private premises, the duly authorized District and its personnel shall observe all safety rules applicable to the premises by the person.
- C. Duly authorized personnel of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds an easement or is otherwise lawfully permitted to enter for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, upgrades, and maintenance of any portion of the sewer system laying within said easement.

### **Section 3.08 Records**

The District shall keep a record of all applications for connections, disconnection, or reconnection permits, and each permit shall be regularly numbered in the order of its issue. Also, a record showing the number, description, and size of all laterals installed indicating the kind of materials used and the location of such lateral shall be kept. There shall be kept in the District a record of all inspections made, the removal of buildings or their laterals, and a record of all fees collected showing the date of their receipt.

## Article IV. USER RULES AND REGULATIONS

### Section 4.01 General

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

The following rules and regulations for the governing of licensed plumbers, sewer users, and others are hereby adopted and established.

### Section 4.02 Plumbers

No plumber, pipe fitter, or other person will be permitted to do any plumbing or pipe fitting work in connection with the District's sewer system without being bonded, insured, licensed from the State of Wisconsin, and obtaining permission from the District, except as otherwise provided by law.

### Section 4.03 Users

#### A. Mandatory Connection

The owner of each parcel of land adjacent to a sewer main on which there exists a building usable for human habitation or in a block through which such system is extended, shall connect to such system within 365 days of notice in writing from the District. If the owner fails to comply after the expiration of the time provided by the notice, the District may cause the connection to be made and bill the property owner.

1. In the latter case, the expense thereof shall be assessed as a special tax against the property. The owner may, within 30 days after the completion of the work, file a written option with the District stating that he or she cannot pay the amount in one sum and asking that it be levied not to exceed 10 equal annual installments, and the amount shall be so collected with interest at the rate of ten percent (10%) per year from the completion of the work, the unpaid balance to be a special tax lien.
2. In lieu of sub. 1 above, the District at its option may impose a penalty for the period that the violation continues after 10 days written notice to any owner failing make a connection to the sewer system of a per diem fine (see KLSD Fee Schedule). Upon failure to make such payment said charge shall be assessed as a special tax lien against the property.

- B. Owners of all houses, buildings, permanent (built in) trailers or other permanent (built in) units used for human occupancy, employment, recreation, or other purposes within the area to be served, shall hook up with independent laterals within 12 months subsequent to such time as municipal sewerage service to such premises becomes operable.

#### **Section 4.04 Prohibited Sewage Disposal Systems. Except as provided below:**

- A. The maintenance and use of septic tanks, holding tanks, and other private sewage disposal systems within the area of the District serviced by its sewer system are hereby declared to be a public nuisance and a health hazard. From and after September 1, 1998, the use of septic tanks, holding tanks, and private sewage disposal systems within the area of the District serviced by the sewer system shall be prohibited.
- B. Notwithstanding the provisions of paragraph A, private sewage disposal systems may be permitted at active construction sites and public campgrounds and at special events approved by the District under regulations (permit required) adopted by the KLSD Commission.

#### **Section 4.05 Application for Sewer Service**

Every person desiring to connect to the sewer system shall file an application in writing to the Sanitary District on such forms prescribed for that purpose. Blanks for such applications will be furnished at the office of the Sanitary District. The application must state fully and truthfully all the wastes which will be discharged. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. Persons connected to the sewer system of the Sanitary District are referred to herein as "Users."

If it appears that the service available will not provide adequate service for the contemplated use, the Sanitary District may reject the application. If the Sanitary District approves the application, it shall issue a permit for services as shown on the application.

#### **Section 4.06 Connection Charge**

Users attaching to a sewer main shall have the lateral from the sewer main installed at their own expense.

#### **Section 4.07 Disconnect**

A user may disconnect only if:

- A. They are putting a new/different unit (living quarters) on the property, or
- B. they are permanently removing a unit no longer used. They may NOT disconnect and leave the structure on the land. (see KLSD Fee Schedule.)

#### **Section 4.08 Reconnect**

Since the only possible reconnect is for a replacement structure (new or used), no one can disconnect and reconnect just to save payment. (see KLSD Fee Schedule)

#### **Section 4.09 Tap Permits**

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

#### **Section 4.10 User to Keep in Repair**

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

#### **Section 4.11 Floor Drainage**

No user shall make connection of floor drains directly, or indirectly, to the sewer system.

#### **Section 4.12 User Use Only**

No user shall allow other persons or other services to connect to the sewer system through their lateral. Dumping into cleanouts is prohibited.

#### **Section 4.13 Vacating of Premises and Discontinuance of Service**

Whenever premises served by the system are to be vacated, or whenever any person desires to discontinue service from the system; the Sanitary District must be notified in writing. The owner of the premises shall be liable for any damages to the property of the system other than through the fault of the system or its employees, representatives, or agents.

#### **Section 4.14 User to Permit Inspection**

Every user shall permit the Sanitary District or its duly authorized agent, at all reasonable hours of the day, to enter their premise or building to examine the pipes and fixtures, and the manner in which the drains, and sewer connections operate; and they must at all times, frankly and without concealment, answer all questions put to them relative to its use, all in accordance with this ordinance and section 196.171, Wisconsin Statutes.

#### **Section 4.15 Utility Responsibility**

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

#### **Section 4.16 Excavations**

In making excavations in streets or highways for laying service pipe or making repairs, the paving and the earth removed must be deposited in manner that will result in the least inconvenience to the public.

No person shall leave any such excavation made in any street or highway open at any time without barricades; and during the night, warning lights must be maintained at such excavations.

In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than nine inches in depth, and each layer thoroughly compacted to prevent settling. This work together with the replacing of sidewalks, ballast and paving, must be done so as to make the street as good, at least, as before it was disturbed, and satisfactory to the Sanitary District. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.

#### **Section 4.17 Tapping the Mains**

Only licensed plumbers having permission from the Sanitary District or person in their service and approved by them, will be permitted, under any circumstances to tap the mains or collection pipes. The kind and size of the connection with the pipe shall be that specified in the permits or order from the Sanitary District to ensure that new sewers and connections to the sewer system are properly designed and constructed.

Pipes should always be tapped on top, and not within six inches (15 cm) of the joint, or within 24 inches (60 cm) of another lateral connection. All service connections to mains must comply with State plumbing code. Lateral connections to existing sewers shall be made with saddles and by coring. The connection shall be made with approved adapters or couplings.

No lateral connections shall be made to manholes within the District.

#### **Section 4.18 Installations of House Laterals**

All service pipes (laterals) on private property will be installed in accordance with State of Wisconsin Administrative Code Chapter SPS 382 "Design, Construction, Installation, Supervision, Maintenance and Inspections of Plumbing," especially, Section SPS 382.30, "Sanitary Drain Systems."

As required by Section SPS 382.21, all laterals shall be inspected: "The building sewer and/or private interceptor main sewer shall be inspected and tested upon completion of placement of the pipe before backfilling."

#### **Section 4.19 Extensions**

The Sanitary District shall extend sewer mains to a new person(s) in accordance with the following charges and the following conditions:

When an extension of a sewer main is required by the prospective user, said person shall make an application on such a form as is prescribed for that purpose for such an extension in writing to the Sanitary District by filing of such an application, the Sanitary District shall first determine the logical location of the next manhole or manholes. Next, the Sanitary District shall determine the length and location of the extension, taking into consideration other prospective demands for service, the capacity of downstream facilities, and the orderly development of the particular area. No extension shall be made for a distance less than to the next manhole. All sewer extensions shall be constructed in compliance with local and state laws, ordinances, and regulations.

The person who requested the extension shall pay the entire cost of said extension including that manhole or manholes that are part of the extension. If more than one user is involved, the entire cost shall be divided among those users.

#### **Section 4.20 Additional Authority**

The Sanitary District may at any time establish specific connection and lateral charges for any main not covered by other provisions in this Ordinance or when the Sanitary District has made an extension and the Sanitary District has failed to provide lateral or connection charges. It is further provided that the Sanitary District may amend or alter any connection or lateral charge after its establishment under the terms of this Ordinance or previous Ordinance or Resolutions.

#### **Section 4.21 Application for Septage Disposal**

January 1<sup>st</sup> of each year every license disposer wishing to discharge septage to the KLSD sewerage system shall file a nonrefundable filing fee and an application in writing to the District Commission on such a form as is prescribed for that purpose. The application must state fully and truthfully the type, frequency, quantity, quality and location of generated septage to be disposed in the KLSD sewerage system.

The Commission will evaluate the septage disposal application upon receipt and make a determination as to the amount and conditions of septage disposal into the District sewerage system. If the District

cannot accept all the proposed septage disposal then consideration shall be given first to those generators of septage that are within the sewer service or holding tank service areas (see NR 205.07(2)(e)).

All Sanitary District approvals for septage disposal shall have the conditions that any time the sewerage system has operational problems, maintenance problems, or threat of WPDES permit violation that are indirectly or directly related to septage disposal, the District may immediately restrict septage disposal until such time as corrective action or mitigative measures have been taken.

#### **Section 4.22 Septage Acceptance Location**

Septage shall only be discharged to the Sanitary District sewerage system by State of Wisconsin licensed disposers and at locations, times, and conditions as specified by the Sanitary District.

Forms are prescribed for the purpose of documentation of the discharge will be furnished at the Sanitary District and will include the following information:

- 1) Name, address, and telephone number of the hauler
- 2) License number
- 3) Type septage or other specialized waste
- 4) Quantity of load
- 5) Estimated quality of load
- 6) Location, date, time and feed rate of discharge to the sewerage system
- 7) Source of load
- 8) Name and address of waste generator
- 9) Other information as required by the Kelly Lake Sanitary District No. 1



## Article V. SUBDIVISIONS

### Section 5.01 Subdivisions

- A. The subdivider shall provide a sanitary sewerage system in conformity with the master plan of sewers as approved by the Town Board and/or the Sanitary District.
- B. The subdivider shall make adequate sewerage disposal systems available to each lot within the subdivision or minor subdivision.
- C. Subdivisions and minor subdivisions in the Service Area shall be served by public sewer facilities.
- D. Minor subdivisions outside the Service Area may be served by private sewage disposal systems, if public sewer facilities are not available. Private sewage disposal systems shall comply with Wis. Adm. Code Dept. of Commerce SPS 382, SPS 383, SPS 385, and with the Oconto County Sanitation Ordinance. The subdivider shall provide service laterals to all lots.
- E. The subdivider shall pay all the costs of all sanitary sewer work including the bringing of the sanitary sewer from where it exists to the subdivision in question as well as providing all sanitary sewer work within the subdivision. The size, type and installation of all sanitary sewers proposed to be constructed shall be in accordance with plans and standard specifications approved by the Sanitary District.
- F. The subdivider shall install adequate sanitary sewer facilities and connect them to the appropriate Sanitary District sewer mains subject to specifications and inspection by the Town and/or the Sanitary District Engineer. All sanitary sewers shall be in accordance with NR 110, Wisconsin Admin. Code. The minimum size for public sanitary sewers shall be eight inches in diameter. Such required improvements shall be dedicated to the Sanitary District upon such terms and conditions as the District Commission may determine.
- G. Sanitary sewers, including all related items (manholes, wyes, tees, stubs for future extensions, etc.) shall be installed meeting the specifications and requirements of the Sanitary District. Installation shall be required all the way across each lot. Where sewers larger than eight (8) inches in diameter or deeper than sixteen (16) feet of cover are required solely to serve areas outside the subdivision, the land owner shall be responsible only for the costs of the sewers necessary to serve the area within the subdivision. The difference in the costs of the sewers necessary to serve the subdivision and the costs of the sewers actually installed, as determined by the Town or Sanitary District Engineer, shall be borne by the developer, with the right of recoupment, without inflation on interest adjustment in the recoupment amount and may be special assessed to the benefited properties in the future.
- H. The subdivider shall construct sanitary sewers in such a manner as to make adequate sanitary sewerage service available to each lot within the subdivision. Where public sanitary sewers of adequate capacity are determined by the Sanitary District Engineer to be available, extensions of the public sanitary sewer system shall be made so as to provide sewer service to each lot. Gravity sanitary sewers shall be extended to the land division and to each buildable lot in accordance with the approved utility plans. Sewer service laterals shall be installed from the sanitary sewer mains to the property line of every lot in the subdivision. This installation will be coordinated with the installation of sanitary sewers. All sanitary sewer facilities shall be flood proofed, in accordance with the Wisconsin Admin. Code NR 110.
- I. The ends and invert elevations of the services for each lot shall be accurately measured and recorded on the "as-built plans" with the Sanitary District Engineer and marked in the field with appropriate staking.

- J. When individual lots are sold, the subdivider shall inform the Sanitary District in writing the following:
- 1) Lot/Parcel Number
  - 2) Name of purchaser
  - 3) Home address of purchaser
  - 4) Home and/or business telephone number of purchaser; and
  - 5) Date of purchase

## Article VI. REGULATIONS

### Section 6.01 General Discharge Prohibitions

No discharger shall contribute or cause to be discharged, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the District:

- A. Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any other way to the operation of the Sanitary District wastewater facilities or wastewater treatment works.
- B. Solid or viscous substances which will or may cause obstruction to flow in a sewer or other interference with the operation of the wastewater system.
- C. Any wastewater having a pH less than 6.0 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system unless the system is specifically designed to accommodate such wastewater.
- D. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction to injure or interfere with any wastewater treatment process, constitutes a hazard to humans or animals, or to exceed the limitation set forth in State or Federal Categorical Pretreatment Standards.
- E. Any noxious or malodorous liquid, gases, or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewer for maintenance and repair.
- F. Any substance which may cause the Sanitary District effluent or treatment residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
- G. Any substance which will cause the Sanitary District to violate its WPDES and/or other Disposal System Permits.
- H. Any substance with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- I. Any wastewater having a temperature which will inhibit biological activity in the Sanitary District treatment works resulting in interference; but in no case, wastewater with a temperature at the introduction into the Publicly Owned Treatment Works which exceeds 40 degrees C (104 degrees F).
- J. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a single extraordinary discharge episode of such volume or strength as to cause interference to the publicly owned treatment works.
- K. Any unpolluted water including, but not limited to non-contact cooling water.
- L. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as exceed limits established by the District in compliance with applicable State or Federal regulations.
- M. Any wastewater which causes a hazard to human life or creates a public nuisance.
- N. Any storm water, surface water, groundwater, roof run-off or surface drainage or any other connections from inflow sources to the sanitary sewer. Such water may be discharged to a storm sewer or other waterway with permission of the Sanitary District.

## Section 6.02 Limitations on Wastewater Strength

### A. National Categorical Pretreatment Standards

National categorical pretreatment standards as promulgated by the U.S. Environmental Protection Agency shall be met by all dischargers of the regulated industrial categories.

### B. State requirements and limitations on discharges to the Publicly Owned Treatment Works

shall be met by all dischargers which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this or any other applicable ordinance.

### C. Right of Revision

The District reserves the right to amend this ordinance to provide for more stringent limitations or requirements on discharges to the Publicly Owned Treatment Works where deemed necessary to comply with the objectives set forth in this Ordinance.

### D. Dilution

No Discharger shall increase the use of potable or process water in any way, nor mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in this Ordinance.

### E. Supplementary Limitations

If a user of the sewerage system discharges any substance therein which is deemed injurious by the Operator or Commission to the operation of the sewerage system, he/she shall be required to discontinue the discharge of such substance into the sewerage system.

The District may impose mass limitations on Dischargers which are using dilution to meet the Pretreatment Standards or Requirements of this ordinance, or in other cases where the imposition of mass limitation is deemed appropriate by the District.

### F. Accidental Discharges

Each Discharger shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this ordinance. Where necessary, the facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the Discharger's cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the District for review and shall be approved by the District before construction of the facility. Review and approval of such plans and operation procedure by the District shall not relieve the Discharger from the responsibility to modify its facility as necessary to meet the requirements of the ordinance.

Dischargers shall notify the District immediately upon the occurrence of a "slug load," or accidental discharge of substances prohibited by this ordinance. The notification shall include location of discharge, date, and time thereof, type of waste, concentration and volume, and corrective actions. Any Discharger who discharges a slug load of prohibited materials shall be liable for any expense, loss or damage to the Sanitary District wastewater facilities or wastewater treatment works, in addition to the amount of any fines imposed on the District on account thereof under State or Federal law.

Signs shall be permanently posted in conspicuous places on Discharger's premises, advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge with respect to emergency notification procedure.

## Article VII. **CONTROL OF INDUSTRIAL WASTEWATER DISCHARGES**

### Section 7.01 **Submission of General Discharges**

#### A. Application and Permit

1. Each user discharging industrial process wastewater to the wastewater system, if notified by the District, shall be required to obtain a discharge permit and file with the District an Industrial Wastewater Discharge Application, to be furnished by the District, which shall supply pertinent data, including estimated quantity of wastewater flow, wastewater characteristics and constituents, plant operational characteristics and other pertinent information requested with respect to the industrial production process and wastes. The questionnaire must be signed by an authorized representative of the industrial user. The fee required for a wastewater discharge permit shall be determined by the District Commissioners.
2. All existing industrial wastewater dischargers shall apply for a permit within 30 days after the effective date of this ordinance. Similarly, each industrial wastewater discharger desiring to make a new connection, or to modify an existing process or connection to the wastewater system shall apply for a new wastewater discharge permit, at least 90 days before desiring such modification or connection and shall receive a permit before the process modification or connection is made to the wastewater system.
3. All permits shall be issued for an unlimited period, subject to amendment or revocations as provided in this ordinance. Under special circumstances, a permit may be issued for a specific period, or may be stated to expire on a specific date.

#### B. Determination of Discharges

If any waters, wastes, septage or other specialized wastes are discharged, or proposed to be discharged to the public sewerage system contain substances or possess the characteristics which in the judgment of the District may have deleterious effect upon the sewage works, processes, equipment, or receiving waters otherwise create a hazard to life or health or constitute a public nuisance detrimental to the sewerage system, the District Commission may:

- 1) Reject the wastes
- 2) Require pretreatment to an acceptable condition for discharge to the sewerage system.
- 3) Require a control over the quantities and rates of discharge.
- 4) Require the discharger to pay for all additional costs of treatment and the additional costs associated with bringing the wastewater treatment plant back into normal operation.

#### C. Control Manholes or Access Points

1. Each user discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of their wastes, including domestic sewage.
2. Control manholes or access facilities shall be located and built in a manner acceptable to the KLSLD Commission. If measuring devices are to be permanently installed, they shall be of a type acceptable to the District.

3. Control manholes, access facilities, and related equipment shall be installed by the person discharging the waste, at his expense, and shall be maintained by him so as to be in safe condition, accessible, and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the District Commission prior to the beginning of construction.

#### D. Metering

The volume of flow used for computing industrial waste surcharges shall be the metered water consumption of the person as shown by the Water Department or effluent flow recording data. Devices for measuring the volume of waste discharged may be required by the District if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of waste shall be installed, owned, and maintained by the person discharging the waste. The flow metering device shall be calibrated on an annual basis by an independent certified technician and a report shall be sent to the wastewater treatment plant superintendent detailing the calibration. The Sanitary District reserves the right to conduct an independent calibration of the meter at any time. The cost of the calibration will be paid by the discharger. Following approval and installation, such meters may not be removed without the consent of the District.

#### E. Inspection

1. Industrial wastes discharged into the public sewer shall be subject to periodic inspection and a determination of character and concentration of said wastes. These determinations shall be made as often as may be deemed necessary by the District. Samples shall be collected in such a manner as to be accomplished either manually or by the use of mechanical equipment acceptable to the District.
2. Installation, operation, and maintenance of the sampling facilities shall be the responsibility of the person discharging the waste and shall be subject to the approval of the District Commission. Access to sampling locations shall be always granted to the District Commission or its duly authorized representatives. Every care shall be exercised in the collection of samples to ensure the preservation in a state comparable to that at the time the sample was taken.
3. Laboratory procedures used in the examination of industrial wastes shall be those set forth in "Standard Methods."

### Section 7.02 **Pretreatment**

When required, in the opinion of the Sanitary District to modify or eliminate wastes that are harmful to the structures, processes or operation of the sewerage system, the discharger shall provide at their expense such preliminary treatment or processing facilities as may be required to render this waste acceptable for admission to the public sewers.

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

### Section 7.03 **Grease and/or Sand Interceptors**

Grease, oil, and sand interceptors, or other treatment equipment and/or means, shall be provided when, in the opinion of the District Commission they are necessary for proper handling of liquid wastes containing floatable grease in excessive amounts, or any flammable wastes, sand, or other harmful

ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal, by appropriate means, of the captured materials and shall maintain records of the dates and means of disposal which are subject to review by the District Commission. Any removal and hauling of the collected materials not performed by the discharger(s) personnel, must be performed by currently licensed disposal firms.

#### **Section 7.04 Special Arrangements**

No statements contained in this ordinance shall be construed as prohibiting any special agreement between the Sanitary District and any person whereby a waste of unusual strength or character may be admitted to the wastewater treatment facilities, either before or after pretreatment, provided that there is no impairment of the functioning of the sewage disposal works by reason of the admission of such wastes, and no extra costs are incurred by the Sanitary District without recompense by the person.



## Article VIII. VIOLATIONS AND PENALTIES

### Section 8.01 Damages

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

### Section 8.02 Written Notice of Violation

Any person connected to the sewerage system found to be violating a provision of this ordinance shall be served by the Sanitary District with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Any licensed disposer discharging to the sewerage system, found to be violating a provision of this ordinance or of any conditions of the Sanitary District approval for septage disposal, may have their approval immediately revoked. This revocation shall be done in writing and state the reasons for revoking the septage disposal approval.

### Section 8.03 Accidental Discharge

Any person found to be responsible for accidentally allowing a deleterious discharge into the sewerage system which causes damage to the sewerage system and/or receiving water body shall, in addition to a fine, pay the amount to cover all damages, both of which will be established by the Sanitary District.

### Section 8.04 Accidental Discharge Reporting

Any person responsible for an accidental discharge, that may have a detrimental impact on the sewerage system, shall immediately report the nature and amount of the discharge to the Sanitary District.

### Section 8.05 Continued Violations

Any person, partnership, or corporation, or any officer, agent, or employee thereof, who shall continue any violation beyond the aforesaid notice time limit provided shall be fined as determined by the District Commissioners and referred to the proper authorities for prosecution.

### Section 8.06 Liability for Losses

Any person violating any provision of this Ordinance shall become liable to the Sanitary District for any expense, loss or damage occasioned by reason of such violation which the Sanitary District may suffer as a result thereof.

### Section 8.07 Injunction Relief

In addition to all other remedies, the Sanitary District shall have the authority to seek injunctive relief against anyone violating any of the provisions of this Ordinance and it shall have the authority to revoke the wastewater discharge permit and require the violator to disconnect from the sewage system for failure to comply with any provisions of this Ordinance.

#### **Section 8.08 Right of Appeal**

Any industry or other discharger or any interested party shall have the right to request, in writing, an interpretation or filing from the District Commission on any matter covered by this Ordinance and shall be entitled to a prompt written reply. In the event that such inquiry is by an Industry and deals with matters of performance or compliance with this Ordinance or deals with a Wastewater Discharge Permit issued pursuant hereto for which enforcement proceedings are pending, the Industry shall receive aforesaid written reply prior to penalty assessment.

#### **Section 8.09 Records Retention**

All industrial users subject to this ordinance shall retain and preserve for no less than three (3) years, any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof: relating to monitoring, sampling and chemical analysis made by or on behalf of an Industry in connection with its discharge. All records which pertain to matters which are subject to administrative adjustment of any other enforcement or litigation activities brought by the District pursuant hereto, shall be retained and preserved by the Industry until all enforcement activities have concluded and all periods of limitation with respect to any and all appeal have expired.

## Article IX. WASTE WATER SERVICE CHARGES

### Section 9.01 Policy

It shall be the policy of the District to obtain sufficient revenues to pay the costs of the operation, maintenance, and debt of the sewerage facilities, including a replacement fund (i.e., a cash account to be used for future expenditures for obtaining or installing equipment, accessories or appurtenances which are necessary to maintain the capacity and performance of the sewerage system during the service life for which such facilities were designed and constructed), through sewer service charges as defined in this section. The system shall assure that each user of the sewerage system pays their proportionate share of the cost of such facilities.

- A. There is hereby levied and assessed upon each lot or parcel of land with a building having a lateral available to discharge normal sewage to the public sewer system a wastewater service charge based upon rates established by the Commission. Said charges shall be assessed and collected quarterly.

If commercial or industrial customers obtain all or any part of their water from sources other than the public water utility, all or any part of which is discharged into the public sewers, the customer shall be required to have a water meter or meters installed for the purpose of determining the volume of water obtained from these other sources. Should the District determine that the water usage is too small to justify a meter, the District shall have the authority to waive this requirement and a flat rate shall be furnished by the District. All other costs in connection with the water meter installation shall be at the expense of the customer.

- B. The rate set forth in this ordinance shall take effect upon the issuance of a connection permit and discontinues upon disconnection.
- C. The user charge system shall take precedence over any pre-existing agreements inconsistent with the governing regulations of this program.
- D. The rates in this ordinance shall be reviewed as part of the annual budget process. Rates shall be adjusted to provide adequate revenue to cover all costs and to reflect the actual number of users, and flow and loadings treated by the District. The budget shall include at a minimum the following items:
- 1) Current budget, including cost overruns and surplus
  - 2) Operation and maintenance costs
  - 3) Redemption fund requirements
  - 4) Depreciation fund requirements
  - 5) Administrative and billing costs
  - 6) Sampling costs
  - 7) NR 101 and other regulatory fees
  - 8) Debt costs and coverage

- E. User charge funds shall be used to cover costs of the sewerage treatment works and collection system. The replacement fund shall be deposited in a segregated fund that cannot be used for any other purpose than the replacement of mechanical equipment.
- F. Bills or the sewer use charges as herein established by the District shall be sent quarterly following the billing period. Payment shall be rendered to the District Secretary/Treasurer or designated agent. If any bill for sewer services shall not be paid by the 20th day following the rendition of such bill, a late payment charge of fifteen percent (15%) of the amount of the bill shall be added thereto and collected therewith. If any bills for sewer service shall remain unpaid after the 20th day of October, it shall be considered delinquent and a charge of fifteen (15%) shall be levied on the unpaid balance, all of which shall be placed on the tax rolls. (see KLSD Fee Schedule)
- G. The Commission shall reserve the right to seal off the service connection of any property that has a delinquent sewer use bill. Service shall not be restored until the sewer use bill is paid in full including any late payment charges and interest, and upon payment of a reconnection fee (see KLSD Fee Schedule) as well as all costs of digging, etc. for disconnecting and reconnecting.
- H. Applications for sewer service shall be filed with the District Secretary/Treasurer or designated agent on a form provided by the District 48 hours before commencing construction.
- I. A permit fee and an inspection fee (see KLSD Fee Schedule) shall accompany the application.
- J. A 72-hour notice to the District is required for inspection prior to backfilling. Failure to do this will result in re-opening the trench/or inspection.
- K. An initial connection fee shall also accompany the application. (see KLSD Fee Schedule) Any user who wishes to permanently disconnect, then reconnect will be subject to a new hook up fee. (see KLSD Fee Schedule)
- L. The connection must be finalized and inspected within 90 days of issue of permit unless prevented by weather or on an appeal basis or be subject to a per diem fine. (see KLSD Fee Schedule)
- M. The customer costs shall be divided by the number of customer hookups. This charge shall consist of all administrative costs, meter reading, billing, legal and accounting services, infiltration/inflow costs and maintenance of the collection system which are not specific to an individual user.
- N. Any user discharging wastewater which contains waste strength higher than the normal domestic strength waste shall be surcharged for the additional loading over and above the normal domestic definition as identified in this ordinance.
- O. The rates shall be stated in the KLSD Fee Schedule. The rates may be amended from time to time so that adequate revenue is generated to pay all costs of operating the District and collection system.

## Article X. **PAYMENT OF CHARGES**

### Section 10.01 **Payment and Penalty**

The sewerage service charge shall be for a quarterly period and shall be payable to the Sanitary District not later than 20 days after the end of each period. A penalty of 15 percent shall be added to all bills not paid by the date fixed for payment.

The owner of the premises serviced (including rental properties) shall be liable for the sewer service provided said premises.

### Section 10.02 **Charges and Liens**

All sewage charges shall be a lien upon the property serviced pursuant to Section 66.0821, Wisconsin Statutes, and shall be collected in the manner therein provided.

## Article XI. **AUTHORITY**

### Section 11.01 **Repeal of Inconsistent Provisions**

This ordinance supersedes any previous ordinance and all prior rules or regulations of the District that are inconsistent herewith.

### Section 11.02 **Authority**

This ordinance is adopted pursuant to Wis. Stat. §60.77(5m). If there is any conflict between this ordinance and any applicable state or federal law, rule, or regulation, the most stringent shall control.

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# APPENDIX A

## KLSD Fee Schedule

### *User Charge System*

Kelly Lake Sanitary District No. 1  
Oconto County, Wisconsin

#### TABLE I

#### **Sanitary District Fees and Charges** in Effect as of October 11, 2005

Hook-Up, effective September 1, 2004.....	\$ 4,400.00
Permit and Inspection, September 1, 2004.....	\$ 400.00
Disconnect/Reconnect (Includes permit and inspection)...	\$ 400.00
Disconnect Only (Includes permit and inspection).....	\$ 200.00
Per Diem Fines.....	\$ 10.00 per day when applicable
Replacement of Lateral (Includes permit and inspection)..	\$ 200.00
Quarterly Users Fee.....	\$ 100.00 per unit
Yearly Licensed Hauler Permit.....	\$ 25.00 per year
Licensed Hauler of Septage.....	\$ 33.00 per 1,000 gallons
Licensed Hauler of Holding Tank Waste.....	\$ 10.00 per 1,000 gallons

#### TABLE II

#### **User Charge Equivalents**

##### Classification

##### User Charge Equivalent

1. Single Family Residence.....	1 Unit
2. Housekeeping Cabin, Cottage, or Apartment.....	1 Unit
3. Multiple Units under a Single Roof.....	1 Unit per Apartment
4. Motel Unit.....	1/3 of a Unit
5. Restaurant or Tavern.....	1 Unit per 10 Stools or Chairs x 80%
6. Restaurant with only Class B Liquor License.....	1 Unit per 15 Stools or Chairs x 80%
7. Dance Hall.....	1 Unit per 1,500 Persons per Year x 80%
8. Gas Station/ Convenience Store.....	1 Unit
9. Arcade.....	1 Unit
10. Laundromat.....	1 Unit per 3 Regular Washers; 1 Unit per Triple Washer; 1 Unit per Washroom x 75%
11. Hair Salon.....	1 Unit
12. Campground (no hook-ups).....	1 Unit per 6 Campsites
13. Other.....	½ Unit classification shall exist in a separate structure (in addition to a regular residence or place of habitation) that has only a sink and/or toilet Any other plumbing fixtures in the structure connected to the sewer system e.g., tub, shower, etc., will cause unit to be classified as 1 full unit.

#### TABLE III

**Billing:** Late fees (payments received after the 20th of the month \$15.00/Unit will be assessed on the next billing.

**Penalties:** A late fee of 1.5% will be placed on all delinquent payments. Not including quarterly billing.



Prepared by:



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# *Kelly Lake*



*Oconto County, WI*