

CHAPTER 25  
WASTEWATER TREATMENT SYSTEM

25.01 **CREATION.** The Common Council of the City of Hartford pursuant to the provisions of Section 66.067 of the Wisconsin Statutes does hereby declare that the Sewerage System of the City of Hartford consisting of the collection system (as hereinafter defined), waste collection and disposal operations, sewerage system and all other appurtenances and equipment used for such purposes, or Wastewater Treatment Facility (as hereinafter defined) shall be designated the Sewerage System Utility. This public utility is not a public service subject to regulation by the Wisconsin Public Service Commission for the purposes defined above.

25.02 **MANAGEMENT.** (1) The operation, management and control of the Sewerage System Utility is vested in the Common Council of the City of Hartford acting as the Board of Public Works under the provision of Section 66.066 (1) of the Wisconsin Statutes and is hereinafter referred to as the "Approving Authority". All records of the Sewerage System Utility shall be kept by the Plant & Collection Systems Director in the City Hall or other officially designated place. (AMENDED 3/11/97--ORDINANCE NO. E-357)

(2) The rules, regulations and rates hereinafter set forth shall be considered part of the regulations applicable to every individual or entity connected to the Sewerage System and all persons discharging wastes to the Sewerage System. Said rules, regulations and rates may be changed from time to time as determined by the Common Council and the right is reserved to make special rates and contracts in all proper cases.

(3) The Common Council shall cause an annual audit of the books of the Sewerage System Utility made and shall make the books and records relating to the Sewerage System Utility available for inspection during regular business hours.

(4) A proportionate distribution of operation, maintenance and replacement costs shall be maintained among user classes. Users shall be notified annually of the sewer service charges associated with the sewerage system.

25.03 **APPLICATION.** The application of this Chapter, its rules, regulations and rates shall apply to all individuals, firms, corporations and institutions residing within the corporate limit of the City of Hartford and any person, firm or corporation, by attachment to the Sewerage System or otherwise by contract or agreement coming within the City of Hartford sewer service area subsequent to the effective date hereof and all entities hauling wastes or trucking wastes and discharging to the Sewerage System.

25.04 **DEFINITION OF TERMS.** The meaning of terms used in this Ordinance shall be as follows:

"Act" shall mean the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) as amended by the Federal Water Pollution Control Act Amendments of 1972 (Pub. L. 92-500) and Pub. L. 93-243, or as modified by Chapter 147, Statutes of the State of Wisconsin or appropriate sections of the Wisconsin Administrative Code adopted pursuant of Chapter 147.

"Approving Authority" shall mean the Common Council of the City of Hartford or its duly authorized deputy, agent or representative.

"BOD" shall mean the quantity of oxygen expressed in milligrams per liter (mg/l), utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five days at a temperature of 20 degrees centigrade. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods."

"Building Sewer" "Lateral" or "Service Pipe" shall mean a sewer which carries only Sewage or Industrial Wastes from the building plumbing to the Public Sanitary Sewer.

"Collection System" shall mean the system of sewers and appurtenances for the collection, transportation and pumping of domestic wastewater and industrial waste.

"Commercial User (Class II)" shall mean any property occupied by a nonresidential establishment not within the definition of an "Industrial User (Class III)", and which is connected to the wastewater facilities. (CREATED 8/13/91--ORDINANCE NO. E-182)

"Debt Retirement" shall mean all annual principal and interest requirements and obligations of the Approving Authority for the Wastewater Treatment Facilities.

"Discharge Monitoring Station" - A sampling and metering station required to be installed through a Discharge Monitoring Agreement signed by an Industrial User with the City in order to obtain information on a users discharge to the system and to establish sewer user and debt charges.

"Domestic Wastewater" shall mean water-borne wastes normally being discharged from the sanitary conveniences of dwellings, apartments houses, hotels, office buildings, factories and institutions, free of industrial wastes and in which the average concentration of suspended solids is established at or below 200 mg/l, the BOD is established at or below 200 mg/l, and the total phosphorous at or below 6 mg/l.

"Flow Proportional Composite Sample" shall mean a sample consisting of portions of waste taken in proportion to the volume of flow of said wastes.

"Indirect discharge" or "Discharge" shall mean the introduction of pollutants into the Wastewater Treatment Facility from any nondomestic source regulated under section 307(b),(c), or (d) of the Act. (CREATED 8/13/91--ORDINANCE NO. E-182)

"Industrial User (Class III)" shall mean any nonresidential user identified in Division A, B, D, E, or I of the Standard Industrial Classification Manual. Class III also shall include any user that discharges wastewater containing toxic or poisonous substances as defined in Section 307 or Section 502 of the Clean Water Act, or any substance(s) causing interference in the wastewater facilities. Class III shall include any nonresidential user who: 1) is subject to national categorical pretreatment standards, 2) has a nondomestic flow of 25,000 gallons or more per average work day, 3) contributes more than 5% of the average dry weather capacity of the wastewater facility, or 4) is determined by the Approving Authority or Plant & Collection Systems Director to have the potential to adversely affect the wastewater facility. (AMENDED 8/13/91--ORDINANCE NO. E-182; AMENDED 3/11/97--ORDINANCE NO. E-357)

"Industrial Waste" shall mean any water-borne solids, liquids or gaseous wastes other than domestic wastewater, resulting from discharging from, flowing from or escaping from any commercial, industrial, manufacturing or food processing operation or process or from the

development of any natural resource, or any mixture of these with water or domestic wastewater.

"Intercepting Sewer" shall mean a sewer constructed to receive the dry weather flow of untreated or inadequately treated sewage from one or more existing sanitary Sewer System terminals other than from a dwelling or building that presently discharges or formerly discharged flow directly into any waters of the state, and convey the flow to a Wastewater Treatment Facility or is to serve in lieu of an existing or proposed Wastewater Treatment Facility.

"Interference" shall mean inhibition or disruption of any sewer system, wastewater treatment process, sludge disposal system, or their operation, which substantially contributes to a violation of applicable discharge permits. (CREATED 8/13/91--ORDINANCE NO. E-182)

"Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

"Normal Sewage" shall mean sanitary sewage in which BOD, Suspended Solids, phosphorus or nitrogen concentrations do not exceed normal concentration of:

- (a) A five-day 20 degree C., BOD of not more than 200 parts per million;
- (b) A Total Suspended Solids concentration of not more than 200 parts per million; or
- (c) Phosphorous not more than 6 parts of million.

"Operation and Maintenance Cost" shall mean the actual sums spent by the City in the operation and maintenance of its Sewerage System consisting of but not limited to, each and all of the following purposes:

- (a) Wages and salaries and employees related expenses of operating, maintenance, clerical, laboratory and supervisory personnel, together with fringe benefits and premiums paid on such wages and salaries for the State of Wisconsin Workmen's Compensation coverage.
- (b) Electrical power and other utility services.
- (c) Chemicals, fuel and other operating supplies.
- (d) Repairs to and maintenance of associated equipment.
- (e) Premiums for hazard insurance.
- (f) Premiums for insurance providing coverage against liability for the injury to persons and/or property.
- (g) Rents and leasing costs.
- (h) Operation, licensing and maintenance costs for trucks and heavy equipment.
- (i) Consultant and legal fees.
- (j) Training & Educational Expenses.

"Persons" shall mean any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, governmental agency or other entity and agents, servants or employees.

"pH" shall mean the logarithm (base 10) of the reciprocal of the hydrogen concentration expressed in moles per liter. It shall be determined by one of the procedures outlined in the "Standard Methods".

"Phosphorus" shall mean the Total Phosphorus as determined by procedures set forth in "Standard Methods".

"Plant & Collection Systems Director" shall mean the Plant & Collection Systems Director of the wastewater treatment and conveyance facilities who shall be in charge of and supervise the operations and functions of the wastewater treatment and conveyance facilities. (AMENDED 3/11/97--ORDINANCE NO. E-357)

"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 before discharge to the City of Hartford wastewater facilities. (CREATED 8/13/91--ORDINANCE NO. E-182)

"Public Sewer" shall mean a sewer or lateral in public right-of-way abutting properties and is controlled or owned by the public authority.

"Replacement Fund" shall mean expenditures for obtaining and installing equipment, accessories and appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

"Residential Equivalency Charge" shall mean a charge levied on nonmetered users for Debt Retirement, Operation and Maintenance Costs and the Replacement Fund. The charge shall be based on the average gallons of water used by a residential customer as determined by the Water Utility, and multiplied by the cost per 1000 gallons for operation and maintenance costs, debt and replacement fund.

"Residential Equivalent Connection" (REC) shall be the wastewater flow and loadings to the system equivalent to that contributed by an average residential family equivalent. An average residential family equivalent shall be calculated yearly by the City based upon the residential water used divided by the total number of residential customers.

"Residential User (Class I)" shall mean all premises used only for human residency and that are connected to the wastewater facilities. (CREATED 8/13/91--ORDINANCE NO. E-182)

"Sanitary Sewer" shall mean a sewer that conveys domestic wastewater or industrial waste or a combination of both, and into which storm, surface and ground waters or unpolluted industrial wastewater are not intentionally contributed.

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

"Sewerage System" shall mean all facilities for collecting, transporting, pumping, treating, and disposing of domestic wastewater, industrial wastes and septage. Also may be referred to as sewer system.

"Slug" shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and which adversely affects the collection system and/or performance of the Wastewater Treatment Facilities.

"Standard Methods" shall mean the examination and analytical procedures set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" as prepared, approved and published jointly by the American Public Health Association and the Water Pollution Control Federation.

"Storm Sewer" shall mean a sewer which carries storm and surface drainage but excludes domestic wastewater and industrial wastes.

"Surcharge User" shall mean a user of the Sewerage System who discharges wastes which have higher concentrations than Domestic Wastewater and is assessed an additional charge (surcharge) for the constituents higher in concentration than Domestic Wastewater.

"Total Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by a laboratory filtration device. Quantitative determination of total suspended solids shall be made in accordance with procedures set forth in "Standard Methods". Also referred to as Suspended Solids.

"Toxics" shall mean any of the pollutants designed by federal regulations pursuant to Section 307(a)(1) of the Act. (CREATED 8/13/91-- ORDINANCE NO. E-182)

"Unpolluted Water" is water of quality equal to 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 discharging to the sanitary sewers and wastewater treatment facilities provided.

"Use Factors" shall mean Flow, BOD, Total Suspended Solids, Phosphorous, and Infiltration/Inflow or the quantity of these factors as determined by the City by sampling and monitoring the Wastewater Treatment Facility influent and surcharge users and from the Water Utility Records.

"User Charge" shall mean a charge levied on users for Debt Retirement, Operation and Maintenance Costs and Replacement Fund. The charge shall be based on the total gallons of water used as determined by the Water Utility, and multiplied by the cost per 1000 gallons for operation and maintenance costs, debt, and replacement fund.

"Waste" shall mean any solids, liquid or gaseous material or combination thereof discharged from any residences, business buildings, institutions, industrial establishments and septage haulers into the collection system, storm sewer or septage receiving station.

"Wastewater" shall mean a combination of the water-carried waste discharged into the collection system from residences, business buildings, institutions and industrial establishments,

together with such ground surface and storm water as may be present.

"Wastewater Pumping Station" shall mean a pumping facility utilized to pump wastewater within the collection system.

"Wastewater Treatment Facilities" shall mean any City owned facility, devices and structures used for receiving and treating wastewater from the City collection system.

"Water Utility" shall mean the Hartford Water Utility.

"Weighted Meter Charge" shall mean a charge levied on metered and non-metered users for operation and maintenance costs and the replacement fund. The charge shall be based on the annual non-flow costs of operation, maintenance, and replacement divided by the weighted number of meters and extraterritorial customers. (CREATED 2/14/95--ORDINANCE NO. E-282)

"WPDES Permit" shall mean a permit to discharge pollutants obtained under the Wisconsin Pollutant Discharge Elimination System (WPDES) pursuant to Chapter 147 of the State of Wisconsin Statutes.

**25.05 RULES AND REGULATIONS.** (1) Declaration of Policy: The Common Council of the City of Hartford finds and declares that the public health, comfort and safety is preserved and enhanced by the provision of the Sewerage system in the promotion of a clean and healthful environment and that the failure to connect to the Sewerage System is contrary to minimum health standards.

(2) Connection: (a) To assure preservation of public health, comfort and safety, the owner of any house, building, or property used for human occupancy, employment, recreation, or other habitation, situated within the City and adjacent to a Public Sewer or in a block through which a Public Sewer extends, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper Public Sewer in accordance with the provisions of this Ordinance, within twelve (12) months after the Public Sewer first becomes operational or if an immediate health hazard exists within 10 days upon receipt of notice from the City Health Officer or the City Building Inspector.

(b) If a person fails to comply with the said notice to connect within the given period of time the City may, at its option:

1. Cause such connection to be made and bill the property owner for such costs. If such costs are not paid within 30 days, such costs shall be assessed as a special tax lien against the property, unless the owner within 30 days after completion of the work, files a sworn affidavit with the City Clerk stating that he cannot pay such amount in one sum and asking that it be levied in not to exceed 5 equal annual installments, and the amount shall be so collected with interest at a rate which is sufficient to recover the City's costs of borrowed funds or interest lost plus 1 percentage point per annum from the completion of the work, the unpaid balance to be a special tax lien; and
2. Impose a standby charge, for the period of time in excess of twelve (12) months that such failure continues after the date the Public Sewer first becomes operational, after 10 days written notice to any owner failing to make a connection to the Sewerage System, for an

amount equal to 150% of the Annual Connection Charge, payable monthly for the period in which the failure to connect continues. Upon failure to make such payment said charge shall be levied as a tax against the lot or parcel to which sewerage service was furnished.

(3) Alternative Disposal Prohibited: (a) No person shall construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended to be used for the disposal of domestic wastewater, if a Public Sewer is available.

(b) No person shall discharge to any Natural Outlet within the City in any area under the jurisdiction of the City, sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

(4) Plumbers: No plumber or other person will be permitted to engage in or work at any plumbing in connection with the Sewerage System without first receiving a license from the State of Wisconsin, Bureau of Plumbing.

(5) Maintenance of Services: All sewer services within the limits of the City at the point of connection to the street main and all street mains, shall be maintained and repaired by the City without expenses to the property owner, except when they are damaged as a result of negligence on the part of the property owner or occupant, in which case they will be repaired at the expense of the property owner. All building Sewers and laterals located in the public right of way or easement from the point of connection to the sewer main and all facilities throughout the premises served must be maintained free of defective conditions, by and at the expense of the owner or occupant of the property served.

(6) Users: (a) Application for Service: Every person requesting connection to the Sewerage System shall file an application in writing to the City, in such form as is prescribed for that purpose. Blanks for such applications will be furnished at the office of the Building Inspector. The application must state fully and truly all the use which will be presently made. If any change in use from that set forth in this application is contemplated, the user must obtain further application and permission from the Plant & Collection Systems Director. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. The application may be for service to more than one building, or more than one unit of service through one service connection; and, in such case, charges shall be made accordingly. If it appears that the service applied for will not provide adequate service for the contemplated use, the Plant & Collection Systems Director may reject the application. If the Plant & Collection Systems Director approves the application, the Plant & Collection Systems Director shall authorize the Building Inspector to issue a permit for services as shown on the application. All expenses relating to the connection to the Sewerage System shall be paid by the applicant or owner at the time of permit issuance. (AMENDED 3/11/97--ORDINANCE NO. E-357)

(b) Tap Permits: After sewer connections have been installed 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 shall obtain and exhibit the proper permit for the same from the Plant & Collection Systems Director. (AMENDED 3/11/97--ORDINANCE NO. E-357)

(c) 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 Sewerage System. The user is responsible for their service pipe from the street main through their facility served.

(d) User Use Only: No user shall allow other persons to connect to, or permit other uses to be made of, the Sewerage System through his lateral.

(e) User to Permit Inspection: Every user shall permit the City or its duly authorized agent, at all reasonable hours of the day, to enter their premises or building to examine the pipes and fixtures, and the manner in which the drains and sewer connections operate; and they must at all times, frankly and without concealment, answer all questions put them relative to its use. Should the owner or occupant of the premises refuse voluntary access to the premise, the Plumbing Inspector is authorized to seek a special inspection warrant under Wisconsin Statutes 66.122.

(f) Responsibility: No claim shall be made against the City or its agents or employees by reason of the breaking, clogging, stoppage, or freezing of any service pipe; nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary by the City absent of gross negligence of the City its agents or employees. The City may cut off the service at any time for the purpose of repairs or any other necessary purpose, any permit granted or regulation to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer service within an area of the City, the City shall, if practicable, give notice to each affected user.

(g) (REPEALED 8/13/91--ORDINANCE NO. E-182)

(7) Excavations: Excavation requirements in any easement or public right-of-way shall be as specified and required by the authority having jurisdiction over said easement or right-of-way. In all cases, a permit is required and construction methods shall conform to Chapter 7.12 of the Municipal Code.

(8) Laterals: (a) All laterals on private property will be installed in accordance with State of Wisconsin Administrative Code as from time to time amended.

(b) The building sewer shall be inspected by the Plumbing Inspector or his designee upon completion of placement of the pipe and before backfilling and tested before and after backfilling. The Plumbing Inspector or his designee may order any building sewer exposed and removed if said building sewer is covered before inspection.

(9) Tapping the Mains: (a) No persons, except those having special permission from the City or persons in their service and approved by them, will be permitted under any circumstances to tap the Public Sanitary Sewers. The kind and size of the connection to the Public Sanitary Sewers shall be that specified in the permit or order from the City. A minimum of 48 hours notice shall be given to the City prior to tapping any main.

(b) Pipes should always be tapped at the top, and not within six inches of the joint, or within 24 inches of another lateral connection.

(c) When any Building Sewer service is to be re-laid and there are two or more buildings on such service, each building shall be disconnected from such service and a new Building Sewer shall be installed for each building.

(10) Septage Disposal: a) All septage disposers shall be licensed disposers in accordance

with Wisconsin State Statutes 146.20 (3).

b) All septage disposers wishing to discharge to the City of Hartford wastewater treatment facility (WTF) shall possess a septage disposers discharge permit prior to disposing of any wastes at the WTF.

Every licensed disposer wishing to discharge septage shall file a nonrefundable filing fee and an application in writing to the Plant & Collection Systems Director in such a form as is prescribed for that purpose. Forms for such application will be furnished at the office of the Plant & Collection Systems Director. The Plant & Collection Systems Director will evaluate the applications and make a determination as to the amount and conditions of septage disposal at the WTF. (AMENDED 3/11/97-- ORDINANCE NO. E-357)

Every sewage disposer shall file a certificate of insurance with the City prior to the City issuing a discharge permit. The insurable amount shall be equal to \$300,000 for general liability, \$300,000 for automobile liability, and the statutory limit for worker's compensation.

c) Each truck of a permitted septage disposer discharging to the WTF shall be registered with the City. Registered trucks will be issued identification stickers and numbers which shall be clearly displayed on the rear end and both sides of the truck. Any unregistered truck or registered truck without identification stickers and numbers will not be allowed to discharge until properly registered.

d) Each septage disposal permit shall be issued subject to the conditions that any time the WTF had operational problems, maintenance problems, or threat of a WPDES permit violation that are indirectly or directly related to septage disposal, the City may immediately restrict septage waste disposal until such time as corrective action of mitigative measures have been taken.

e) The WTF will accept only hauled septage waste from domestic origin and permitted industrial or commercial septage waste. Septage disposers must characterize the septage they haul to the WTF. Hauled industrial and/or commercial septage will not be accepted unless the industry or commercial establishment has received a wastewater discharge permit, as specified under Section 25.15 of this chapter, or has received permission from the city. Any new industrial or commercial septage must be reported to the City by the septage disposer.

f) The designated septage receiving station is located at the WTF. All septage shall be discharged at the WTF unless approval is obtained from the Plant & Collection Systems Director for discharge of septage to other locations in the sewer system. (AMENDED 3/11/97-- ORDINANCE NO. 357)

g) Specific hours of discharge and conditions shall be set by the WTF Plant & Collection Systems Director. No special exceptions to the septage stations hours of operation will be allowed. (AMENDED 3/11/97--ORDINANCE NO. E-357)

h) Septage disposers must complete and submit written documentation of the discharge to the WTF Plant & Collection Systems Director or his designee prior to discharge to the septage receiving station. If septage discharge is allowed at other locations in the sewer system, written documentation must be submitted to the WTF Plant & Collection Systems Director within one working day of the discharge to the sewer system. Forms for documentation of the discharge

will be furnished at the WTF. (AMENDED 3/11/97--ORDINANCE NO. E-357)

i) Each driver/pumper working for a permitted septage disposer shall be familiar with all rules and regulations of the WTF.

j) All septage disposers shall clean up all spills or deposits resulting from their activity at the WTF. Additional expenses shall be charged to the septage disposer for clean up of any spills, deposits, or damage occurring as the result of the disposer's activity at the WTF.

k) Each truck load will be considered maximum capacity for the purpose of calculating disposal charges. The maximum capacity will be based on the capacity of the registered truck.

l) Charges for disposal of hauled septage will be set on an annual basis, in accordance with section 25.06 (6) of this chapter, by the Utility Committee and approved by the City Common Council.

m) The septage disposers discharge permit fee and truck registration fee shall be set on an annual basis by the Utility Committee and approved by the City Common Council.

n) Failure to fulfill any of the above requirements by any septage disposer may result in the suspension or revocation of their septage discharge permit. (SECTION 25.05 (10) REPEALED AND RECREATED 8/13/91-- ORDINANCE NO. E-182)

**25.06 SEWER SERVICE CHARGES.** (1) Basis for Sewer Service Charges: The sewer service charge shall be based on the Sewer Use Charge. If any user of the sewer system procures any part or all of his water from sources other than the Water Utility, the user shall furnish, install and maintain at his expense, water meters of a type approved by the Water Utility for the purpose of determining the volume of sewage discharged to the sewer system as described in Section 25.13. At the discretion of the City a user procuring water from other sources than the Water Utility may be assigned a Residential Equivalent Connection (REC) to be used as a basis for the sewer use charge as determined from Section 25.19. If in the opinion of the Plant & Collection Systems Director, the information in Section 25.19 does not accurately reflect the user's wastewater discharge to the sewerage system, then the Plant & Collection Systems Director may assign a REC to the user. (AMENDED 3/11/97--ORDINANCE NO. E-357)

(2) Sewer User Charge: A Sewer Use Charge is hereby imposed upon all users of the sewer system. The Sewer Use Charge shall have a component for recovering the operation, maintenance and replacement cost and a portion or all of the debt cost of the sewerage system. On or before the first Common Council meeting in October, of every year the Plant & Collection Systems Director shall compute the Sewer Use Charge. The operation, maintenance and replacement portion of the Sewer Use Charge shall be computed by allocating the proposed net yearly operation, maintenance and replacement budget to the appropriate use factors. The cost per use factor shall be divided by the City in conjunction with the use factor to determine the unit cost (\$/1000 gallons \$/#), per use factor. The flow use factor will be determined by the City in conjunction with the Water Utility. The BOD, Total Suspended Solids, and Phosphorus use factors will be determined from the concentration assigned to Domestic Wastewater plus surcharge user data. These use factors and the Infiltration/Inflow use factor will be determined by the Plant & Collection Systems Director, considering actual data for the previous 12 month period from the Wastewater Treatment Facility and surcharge user data. The residential water consumption for sprinkling as determined by the Water Utility and any water credit meters for

any refrigeration, air conditioning system or industrial cooling water not entering the sewer system shall not be used in computing the Sewer Use Charge. Users with domestic wastewater connected to the sewer system who derive all or part of their water discharged to the sewer system from other sources than the Water Utility and who do not have these other water sources metered will be charged for operation, maintenance and replacement costs based upon their assigned number of residential equivalent connections. The flow per residential equivalent connection will be computed by the Water Utility or the Plant & Collection Systems Director on or before the first Common Council meeting in October of every year and shall equal the water used by residential customers minus sprinkling credits divided by the number of residential water customers. (AMENDED 3/11/97--ORDINANCE NO. E-357)

(3) Annual Connection Charge: (a) A weighted meter charge is hereby imposed upon each user connection to the collection system including nondomestic and industrial waste dischargers. The charge covers the portion of the flow use factor costs associated with infiltration/inflow for the operation, maintenance, and replacement and capital costs. The weighted meter charge also recovers cost associated with customer costs. The weighted meter charge shall be payable as herein provided. Extraterritorial users who have no water meter shall be charged based upon the weighted meter charge of a 5/8" meter. (REPEALED AND RECREATED 2/14/95--ORDINANCE NO. E-282)

(b) On or before the first Common Council meeting in October of every year the City shall compute the number of fixed users to the sewerage system. At the same time the City shall compute the average percentage of infiltration/inflow (I/I) to the system for the previous 12 months. The cost assigned to the flow use factor for the operation, maintenance and replacement budget shall be multiplied by percentage of system I/I. The costs assigned to the flow use factor for the WWTF Capital shall be added thereto. The fixed user for the I/I related to operation, maintenance and debt retirement and replacement costs will be computed by dividing the appropriate fixed user cost by the total number of fixed users. (REPEALED AND RECREATED 2/14/95--ORDINANCE NO. E-282)

(c) The weighted meter charge shall be calculated as follows:

- (1) A count of all meters by size is multiplied by weighting and the sum of the results is then divided into the total connection cost borne by user costs.
- (2) The weighting factor adopted by the Common Council shall be known as the PSC weighting factor and is as follows:

<u>Water Meter Size</u>	<u>PSC Weight Factor</u>
5/8"	1.00
3/4"	1.00
1"	2.50
1 ¼"	3.70
1 ½"	5.00
2"	8.00
2 ½"	12.50
3"	15.00
4"	25.00
6"	50.00
8"	80.00

10"	120.00
12"	160.00

(SECTION (3)(c) CREATED 2/14/95--ORDINANCE NO. E-282)

(4) Industrial and Commercial Charges for Other Than Domestic Wastewater: (a) Charges for Wastewater other than Domestic Wastewater shall be based on Flow, BOD, Suspended Solids, Phosphorus, and such other constituents which affect the cost of the collection and treatment. All persons discharging wastes into the Sewerage System are subject to a surcharge, in addition to any other wastewater service charge, if their wastewater has a concentration greater than Domestic Wastewater concentrations. The volume of flow used for computing waste surcharges shall be the metered water consumption, or the actual volume of waste as determined by a sampling and metering manhole or a discharge monitoring station. The amount of surcharge shall reflect the cost incurred by the City in removing BOD, Suspended Solids, Phosphorus, Nitrogen and other pertinent constituents. The surcharge shall be computed on the basis of Models No. 2 contained on page 5270 of the Federal Register, Volume 39, No. 29, February 11, 1974.

$$\text{Surcharge} = (B (B) + S (S) + P (P) + N (N) ) V$$

B = O&M costs for treatment of a unit of biochemical oxygen demand (BOD)

B = Concentration of BOD from a user above the base level

V = Volume contribution from a user per unit of time

S, S, P, P, N, N = Same definition as above for the parameters suspended solids, phosphorus and nitrogen

(5) Ready-to-Serve Charge: The owner of each premise to which sewer service has been made available by the City but not connected to the Sewerage System for sewer service shall pay for the availability thereof a "ready-to-serve charge" provided by Section 25.06 (3). Any "ready-to-serve charge" becoming effective during any year shall be charged on a pro rated basis for that year in which such charge becomes effective. This charge shall begin from date of notice by the City that the facility is ready to use. By Section 25.05 (2)(a) of this ordinance connection shall be made to the Public Sewer within 12 months.

(6) Septage Charge: Charges for septage discharges shall be based on Flow, BOD, TSS, P, and such other constituents which affect the cost of treatment and disposal. The volume of flow used for computing the septage charge will be the volume of septage discharged. All persons discharging septage which has concentrations greater than Domestic Wastewater, as defined in section 25.04 (10) of this chapter, shall be subject to a surcharge. The amount of the surcharge shall reflect the costs incurred by the City for removing BOD, TSS, P, and other pertinent constituents. The surcharge shall be computed in the same manner as described in section 25.06 (4) of this chapter.

The following waste strength parameters shall serve as the basis for computing the surcharge to be applied unless the septage discharge is sampled and analyzed:

	<u>Septic Tank</u>	<u>Holding Tank</u>
BOD	5,000 mg/l	350 mg/l
TSS	11,000 mg/l	500 mg/l
P	150 mg/l	15 mg/l

All costs associated with administrating the discharge of septage to the WTF, sample collection, laboratory analysis, and billing will be paid for by the septage hauler.

On or before the first Common Council meeting in October of every year, the Plant & Collection Systems Director shall, in conjunction with determining sewer service charges, determine the septage charge and related fees. (AMENDED 8/13/91--ORDINANCE NO. E-182; AMENDED 3/11/97--ORDINANCE NO. E-357)

(7) Reserve Capacity Assessment: (a) A reserve capacity assessment will be collected by the City to all new connections to the sewerage system. This charge shall be collected prior to receiving a building permit or plumbing permit. A reserve capacity assessment will not be collected from existing users of the sewer system who had previously shared a common service lateral. (AMENDED 3/11/97--ORDINANCE NO. E-357)

(b) The reserve capacity assessment shall recover the reserve capacity costs of the sewage system from new sewer utility customers, and from existing customers whose change of use increases the volume and/or loadings of their sewerage. The amount of the charge shall equal the assigned residential equivalent connection (REC) as defined in Section 25.04 and multiplied by the rate as determined in Chapter 42 of the Municipal Code, after January 1, 1997 said rate to be increased annually by an amount as determined in Chapter 42 of the Municipal Code. (AMENDED 3/11/97-- ORDINANCE NO. E-357)

New extraterritorial customers of the sewer utility, and existing extraterritorial customers whose change of use increases the volume and/or loadings of their sewerage, shall pay a reserve capacity assessment charge as determined in Chapter 42 of the Municipal Code, increasing by an amount as determined in Chapter 42 of the Municipal Code. (SECTION 25.06 (7)(b) AMENDED 4/9/91--ORDINANCE NO. E-175; AMENDED 5/14/96--ORDINANCE NO. E-327)

(c) The City shall review the appropriateness of the reserve capacity charge every year. The City may terminate or limit any future increases to the reserve capacity charge at its discretion.

(d) In the event there is an RCA overestimation at the time the building permit is issued, the City will reimburse the permit holder only once, at their request, within one year of occupancy. (CREATED 3/11/97-- ORDINANCE NO. E-357)

(8) Special Rates: It is understood that the approving authority may at any time hereafter, set special rates for any large commercial service, industrial use, extraterritorial areas, contract users, or any other unique user that does not readily fit into other categories of users. The operation, maintenance, and replacement components of such special rates shall be proportionate to the rates paid by other users and shall be in compliance with the requirements of Wisconsin Administrative Code NR 162.11. (AMENDED 8/13/91--ORDINANCE NO. E-182)

(9) Extraterritorial Service: 1) Intent. It is the intent of the City of Hartford, that, upon

request, municipal sewer service shall be provided to any existing singular or collective wastewater generator(s) within approved sanitary sewer service areas and including unincorporated areas in the vicinity of the City based on certain scenarios, parameters and elements.

2) City Sphere, Exurbia and Suburbia Areas. There are widely differing scenarios regarding sewer service and, therefore, different approaches to the provision of sanitary sewer are appropriate in different situations. Three development tiers are described below and identified specifically on an extraterritorial sewer map for guiding the provisions of this policy.

- a) City Sphere. Certain already-developed areas contiguous or proximate to City Boundaries are City-Like, therefore one's perception of the City itself is affected by the appearance of these areas and the extent to which City amenities and services are available. Other vacant but proximate areas are easily serviced by City public works. Given State annexation laws which assume that cities will eventually annex nearby lands from surrounding towns, the City clearly intends to retain the option in these "City Sphere" areas to foster annexation, or not, as determined in each instance by the Common Council. These areas are generally within one-half mile of the City boundaries, often encompass lands abutting the City Limits, and are referred to herein as the "City Sphere."
- b) Exurbia. Certain already-developed and vacant areas are clearly separated from City boundaries by extensive agricultural or dormant tracts. These areas are sufficiently distant from the City that they are perceived as not being in the City Sphere, are generally distant from City Limits, and are referred to herein as the "City Exurbia."
- c) Suburbia. Certain areas between the City Sphere and City Exurbia are developed to varying degrees, and may have been developed or are developable primarily because of the City's proximity. These areas are characterized as being more difficult to service with sewer and other City services than the City Sphere; yet they are sufficiently proximate to eventual City growth that it is expected that these lands will be part of the City Sphere within 10 to 25 years. This area will be referred herein as the "City Suburbia."

3) Provision of sewer in City Sphere. a) Annexation Required. In the City Sphere, sewer service has historically been associated with annexation, and the City will continue to require that annexation precede sewer service, except as detailed further in subparagraph 3, e) or where the Common Council determines that annexation of a particular area is not in the City's best interest. Subject to Common Council review, City staff is directed to assist property owners desiring annexation, to assure that State Law and municipal code provisions are met. Because sound planning requires that many considerations go into good boundary and sewer service configurations, within the parameters of Law, staff assistance in configuring annexations which meet the overall needs of the petitioner(s) and the City (as interpreted by the Common Council) is to be provided.

- b) Property-owner organization. Because Sanitary Districts can ultimately present administrative difficulties to the City if later wholly or partially annexed, the City discourages their formation in City Sphere areas, preferring where appropriate the establishment of Town Utility Districts.
- c) Compensatory cost reductions. In areas where annexation precedes sewer service, City staff is directed to actively seek cost reductions where possible for the annexing property owners,

to compensate for other increased costs to them which are sometimes associated with annexation. Grant applications in the City's name will actively be pursued where practical, and the City will otherwise encourage development within the context of existing policy.

- d) Construction and Operation of Facilities. Unless there are unusual circumstances determined by the City Council, the City will construct, operate, and maintain the utilities extended to any City Sphere property.
- e) Property Legally Unable to Annex. Any property which is legally incapable of being annexed to the City at the time of a request for services shall sign an annexation agreement prior to receiving service. The agreement shall run with the land and provide for annexation of the land as soon as it is legally possible. The agreement shall be executed by the property owner and filed with the City Clerk along with an appropriate recording fee.
- f) Charges for Services. The charges for operation and maintenance and capital costs for properties served within the City Sphere shall be as follows:

- i) Capital Costs. The capital costs for each property owner not annexing to the City will be determined by the Common Council, consistent with Section 25.06 of this Ordinance. The Common Council shall determine whether the capital costs shall be paid at the time service is received by the property or whether the charge shall be placed on a payment plan.

- ii) Operations and Maintenance Costs. The City shall charge for the operation and maintenance costs of the Sewer Utility based upon the Sewer Utility Ordinance. The operation and maintenance charges shall not include the City's cost for the local sewer collection system unless the City owns and maintains the sewers within the areas served, or the property connects to a local sewer.

- iii) Service Charge Surcharge. Properties in the City Sphere shall be charged at extraterritorial rates as established within this ordinance.

4) Provision of sewer in Exurbia. The City's initial preference will be to provide sewer service to areas located in Exurbia without annexation to the City. The City may work with residents of such areas and their Town and District governments to secure available sewer grants or low interest loans to lessen the costs to those served, provided the grant application and facilities ownership are determined to be in the best interests of the City.

- a) Capital costs. The capital costs for each property owner not annexing to the City and/or not signing an annexation agreement with the City will be determined by the Common Council consistent with Section 25.06 of this Ordinance. The City Council shall determine whether the capital costs shall be paid at the time service is received by the property or whether the charge shall be allowed to be paid on a payment plan.
- b) Construction and operation of facilities. Unless there are unusual circumstances determined by the City Council, the City will construct, operate, and maintain the utilities extended to any City Sphere property.

- c) Operation and maintenance costs. The City shall charge for the operation and maintenance costs of the sewer utility based on the Sewer Utility Ordinance.
- d) Service charge surcharge. Properties in the Exurbia area shall be charged the extraterritorial rates as established within this ordinance.

5) Provision of sewer in Suburbia. In general, the City's approach to development and/or provision of sewer in City Suburbia lies in between its policies for the City Sphere and Exurbia. The City's position regarding the conditions of providing sewer with or without annexation must be determined on a case-by-case basis. Following the determination by the Common Council of whether the land will be classified City Sphere or Exurbia, the provision of sewer services will proceed under either of the two defined classifications. Areas within the City Growth Area as defined in the City of Hartford and Town of Hartford Vision 2020 Intergovernmental Agreement, December 1999, will be classified City Sphere. (SECTION 25.06 (9) REPEALED AND RECREATED 6/11/90--ORDINANCE NO. E-154; AMENDED 2/27/01-- ORDINANCE NO. E-450)

6) Extraterritorial sewer recipients are subject to the terms and conditions of this ordinance. Extraterritorial rates for municipally owned systems shall, in the absence of any other arrangement, be based on the same methodology for determining the municipal sewer rates and shall be in compliance with the requirements of Wisconsin Administrative Code NR 162.11. The capital related portion of such rates shall be subjected to a 25% surcharge. (CREATED 8/13/91--ORDINANCE NO. E-182)

(10) Tax Incremental District Charge. 1) A tax incremental district charge is hereby imposed upon the City for all costs of the sewage system (including debt service coverage ratio requirements imposed by any bond resolution) which are allocable to improvements undertaken within a tax incremental district of the City. On or before the first Common Council meeting in October of every year the Plant & Collection System Director shall compute the charge. The charge shall be computed by calculating an amount equal to the annual debt service on the tax incremental district share of all outstanding sewer utility borrowings (including debt service coverage ratio requirements imposed by any bond resolution).

2) The tax incremental district charge shall be billed to the City on October 1st of each year for all obligations due during the subsequent year. The payment shall be due within ninety days of billing. (SECTION (10) CREATED 12/9/97--ORDINANCE NO. E-392)

**25.07 ANNUAL BUDGET AND METHOD OF PAYMENT OF CHARGES.** (1) Annually before the first Common Council meeting in October the City Administrator shall prepare a budget for the following fiscal year which shall be separated into sections, the first for operation and maintenance and the second for debt service. The budget shall then be further divided into infiltration and inflow related costs and use related costs.

(2) Revenues for the operation and maintenance budget shall include any projected year-end balance (excluding replacement funds), operating fund investment income, contract revenues, permit fees, special rates, and sewer user charges.

(3) Expenditures for the operation and maintenance budget shall include all costs defined in Section 25.04 (18) plus any projected year end deficit.

(4) The operation and maintenance budget shall balance with the sewer use charge so that projected revenues equal projected expenditures.

(5) Any excess revenues collected from a user class for operation maintenance and replacement costs will be attributable to that class for future charges within two years.

(6) Revenues for the debt service budget can include any projected year-end balances in the special assessment funds, projected Residential Equivalency Charges, connection charges, sinking fund interest income, and sewer user charges. (AMENDED 8/13/91--ORDINANCE NO. E-182)

(7) Expenditures for the debt service budget shall include principal, interest, premiums, paying agency fees and other expenses related to debt.

(8) A reserve account of 125% of the projected debt service budget shall be maintained to abate the yearly tax levy required by the bond ordinances. Thereafter, the yearly debt costs shall be budgeted as required.

(9) Sewer Service charges may be billed monthly and shall be payable at the City Treasurer's office or at any other officially designated location. Statements for such charges and assessments levied and assessed in accordance with this Ordinance shall become due and payable within 20 days from and after the date of the statement. In the event that any such statement or statements are not paid within the 20 days of issuance, a charge of 1.5% will be added to the current month billing charge. This charge is applicable to all customers. (AMENDED 2/14/95--ORDINANCE NO. E-282)

(10) Billing: The property owner is held responsible for all sewer bills on premises that he owns. All sewer bills and notices of any nature, relative to the sewer service, will be addressed to the owner and/or occupant and delivered to the addressee by first class mail.

(11) Failure to Receive Bill No Penalty Exemption: Every reasonable care will be exercised in the proper delivery of sewer bills. Failure to receive a sewer bill, however, shall not relieve any person of the responsibility for payment of sewer rates within the prescribed period, nor exempt any person from any penalty imposed for delinquency in the payment thereof.

(12) Delinquent Bills: The Sewer Utility will attempt to collect delinquent sewer bills, and if unsuccessful, the balance where possible will be placed on the tax rolls as a lien on the property pursuant to State Statute 66.60 (16) for any unpaid amount. Interest shall accrue at the rate of 1.5% per month on the unpaid balance. (AMENDED 4/9/91--ORDINANCE NO. E-175)

**25.08 ACCOUNTS AND FUNDS.** (1) The operation and maintenance portion of the sewer user charge shall be used for payment of any items defined in 25.04 (18).

(2) The debt service fund shall contain all revenues transferred from special assessments debt, connection charges, property taxes, Residential Equivalency Charges, debt portion of the sewer user charge and other sources intended for debt. This fund shall be used only for the payment of principal and interest and fees directly related to debt payment.

(3) The replacement fund shall be used for the following purposes.

- a. Cost of the replacement of existing sewer mains.
  - b. Cost of substitution of larger size for existing mains.
  - c. Cost of new primary sewer mains and installation of same in excess of such charge or cost payable by statutory assessment.
  - d. Cost of road repair required by such construction.
  - e. Cost of contracted engineering service to insure a planned program.
  - f. Renewals or expansion of the Collection System in excess of \$5,000.00.
- (AMENDED 2/14/95--ORDINANCE NO. E-282)

**25.09 PROHIBITED DISCHARGES.** (1) No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer, except stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the Plant & Collection Systems Director. (AMENDED 3/11/97--ORDINANCE NO. E-357)

Stormwater other than that exempted above and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Plant & Collection Systems Director. Unpolluted industrial cooling water or process water may be discharged upon approval of the Plant & Collection Systems Director to a storm sewer or natural outlet. (AMENDED 3/11/97--ORDINANCE NO. E-357)

(2) No person shall discharge or cause to be discharged to the collection system either directly or indirectly any of the following described wastes or wastewater:

- a. Any liquid having a temperature higher than 150 degrees Fahrenheit (65) degrees Centigrade).
- b. Any wax, grease, or oil, plastic or any other substance that will solidify or become discernibly viscous at temperatures between 32 degrees to 150 degrees Fahrenheit (0 degrees to 65 degrees Centigrade).
- c. Any pollutants which result in the presence of toxic gases, vapors, or fumes within the WTF or sewerage system in a quantity that may cause acute worker health and safety problems. (AMENDED 8/13/91--ORDINANCE NO. E-182)
- d. Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewer system such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- e. Any garbage that has not been properly comminuted or shredded to such a degree that all particles will be carried freely in suspension in the municipal sewers. (100% passing 1/2" screen, 90% passing 1/4" screen).
- f. Any noxious or malodorous substance, which either singly or by interaction with other substances is capable of causing odors objectionable to persons of ordinary sensitivity.

- g. Any wastes or wastewater having a pH lower than 5.5 or higher than 9.0 or having any corrosive property capable of causing damage or hazards to the Sewerage System.
- h. Any wastes or wastewater of such character and quantity that unusual attention or expense is required to handle them in the Sewer System.
- i. Any wastewater or wastes containing a toxic or poisonous substance such as plating or heat treating wastes in sufficient quantity to injure or interfere with wastewater treatment process, to constitute a hazard to humans or animals, to create any hazard in the Sewerage System, or which would cause the City wastewater treatment facilities to discharge any of the following pollutants in quantities in excess of the limitations established in the Wisconsin Administrative Code or WPDES Permit: cyanide, hexavalent chromium, trivalent chromium, copper, nickel, cadmium, zinc, phenols, iron and tin.
- j. Any radioactive wastes greater than allowable releases as specified by the current United States Bureau of Standards Handbooks dealing with the handling and release of radioactivity.
- k. Free or emulsified oil and grease exceeding on analysis an average of 100 mg/l of either or both of combinations of free or emulsified oil and grease.
- l. Any cyanides or cyanogen compounds capable of liberating hydrocyanic gas or acidification in excess of one-half (0.5) mg/l by weight as cyanide in the wastes.
- m. Wastes or wastewater which:
  - n. Any pollutants which create a fire or explosion hazard in the WTF or sewerage system, including, but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees F or 60 degrees C using the test methods specified in 40 CFR 261.21. (CREATED 8/13/91-- ORDINANCE NO. E-182)
  - o. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through. (CREATED 8/13/91--ORDINANCE NO. E-182)
    - 1. Cause unusual concentrations of solids or composition; as for example, in total suspended solids of inert nature (such as Fuller's Earth) and/or in total dissolved solids (such as sodium chloride, or sodium sulfate).
    - 2. Cause excessive discoloration in the wastewater treatment facilities discharge.
    - 3. Has a total BOD or suspended solids loading in excess of the wastewater discharge permit described in Section 25.15.
    - 4. Is discharged without application for a wastewater discharge permit or contractual agreement as required under Section 25.15.
    - 5. Cause damage to the collection system or impair the treatment process.
- (3) No person shall allow the discharge of slugs of water or wastes to the collection system which may be harmful to the operation of the Sewerage System. Where, in the opinion

of the Plant & Collection Systems Director, slugging does occur, each person producing such a discharge into the collection system shall construct and maintain at his own expense, a storage reservoir of sufficient capacity with flow control equipment to insure an equalized discharge over a 24-hour period. (AMENDED 3/11/97--ORDINANCE NO. E-357)

(4) No person shall discharge any waste or wastewater which would cause the wastewater treatment facilities to be in violation of any of the requirements of their WPDES permit.

(5) No person shall connect to and discharge to the collection system, unless there is capacity available in all downstream components of the Sewerage System as determined by the Plant & Collection Systems Director. (AMENDED 3/11/97--ORDINANCE NO. E-357)

**25.10 ACCIDENTAL DISCHARGES.** Any person who accidentally discharges wastes or wastewater prohibited under Section 25.09 storm sewer shall immediately report such discharge to the Plant & Collection Systems Director. (AMENDED 3/11/97--ORDINANCE NO. E-357)

**25.11 PRETREATMENT FACILITIES.** (1) The City may require pretreatment facilities of any person discharging or planning to discharge industrial waste, if the waste or wastewater:

- a. Could cause damage to the collection system.
- b. Impair the treatment process.
- c. Cause the City to incur treatment costs exceeding those of domestic wastewater.
- d. Have any of the characteristics of the "Prohibited Discharges" described in Section 25.09 of this Ordinance.
- e. Cause the wastewater treatment facilities to exceed its total design loading for volume BOD, suspended solids or pollutant.
- f. Cause a particular industry to exceed its design allocation for volume, BOD, suspended solids or any other pollutant.

(2) Construction, operation and maintenance of pretreatment facilities shall be at the expense of the person discharging the industrial waste.

(3) Plans, specifications and any other pertinent information relating to proposed pretreatment facilities shall be submitted for review of the Plant & Collection Systems Director and City prior to the start of construction. (AMENDED 3/11/97--ORDINANCE NO. E-357)

(4) In accordance with Wisconsin Administrative Code NR 114, all pretreatment facilities shall be operated by qualified personnel holding certificate of the proper class issued by the Wisconsin Department of Natural Resources.

**25.12 INSTALLATION OF SAND AND GREASE TRAPS AND SAMPLING MANHOLES.** (1) Installation of Sand and Grease Traps. Grease, oil and sand interceptors shall be provided at restaurants, repair garages, gasoline stations, car washes and other industrial or commercial establishments for the proper handling of liquid wastes containing grease in excessive amounts, oil, flammable wastes, sand and other harmful ingredients. All interceptors shall be constructed in accordance with the Wisconsin Plumbing Code and shall be located as to be readily and easily accessible for easy cleaning and inspection. All grease, oil and sand

interceptors shall be maintained by the owner, at his expense, in continuous, efficient operation at all times.

(2) Installation of Sampling Manholes.

- (a) All new construction and new or existing businesses that require grease traps shall install a sampling manhole (such as restaurants, schools, supermarkets with deli areas, and similar type businesses) also referred to as an inspection manhole, on said businesses' sanitary lead at a location prior to the lead reaching the city sewer main. The size and location of the sampling manhole shall be at the discretion of the city engineer or the water pollution control facility director. The sampling manhole shall be installed on the property of the owner of the real estate to which the service is provided. Said business shall also be informed that they will be required to install an external grease trap if grease in excessive amounts is later found in their sewage.
- (b) Existing businesses that have had a grease problem causing a sanitary sewer lead or main blockage may be required to install a sampling manhole on said businesses sanitary lead located on the property of the owner of the real estate to which the service is provided. Said installation shall be completed within ninety (90) days of being notified by the city building inspector to install the sampling manhole. Said businesses shall also install an external grease trap if requested to do so by the waste water treatment plant director in accordance with Section 25.12 (1) of the municipal code and with authority of the Bureau of Plumbing of the State of Wisconsin.
- (c) The authority for requiring the installation of the sampling manholes is ILHR Chapter 82.35(3)(L). (SECTION 25.12 AMENDED 6/24/08—ORDINANCE NO. 1181)

**25.13 WASTEWATER MEASUREMENT AND SAMPLING.** (1) Wastewater flows to users who do not obtain their water from the Water Utility shall be assigned a Residential Equivalent Connection as determined from Section 25.19 unless:

- a. The City requires the installation of a meter to measure the water amount.
- b. Any lot, parcel of land, building or premises discharging domestic wastewater or industrial waste into the collection system, the owner or occupant of such property shall cause to be installed necessary metering equipment as approved by the Plant & Collection Systems Director to measure the quantity of water pumped or discharged to the collection system. The user charge shall be based on the quantity of water so measured. Whenever the person fails to install such metering equipment, or where it is not practicable to measure the water consumed on any premises by a meter or meters, the Plant & Collection Systems Director shall determine the estimated volume of water discharged into the Sewer System. (AMENDED 3/11/97--ORDINANCE NO. E-357)
- c. The Plant & Collection Systems Director may require the installation of devices for metering the volume of waste discharged if those volumes cannot otherwise be determined or if the user discharges over 5,000 gallons on any day. The metering devices shall be owned and maintained by the property owner or user and may not be removed without consent of the Plant & Collection Systems Director. (AMENDED 3/11/97--ORDINANCE NO. E-357)

**25.14 INDUSTRIAL WASTE ANALYSIS, MEASUREMENT, AND SAMPLING.**

(1) Sampling and Metering Manholes: All persons discharging industrial wastes into the Sewer System shall construct and maintain sampling and metering manholes in suitable and accessible

positions on public property or easement to facilitate the observation, measurement and sampling of all wastes or wastewater. These manholes shall be located and constructed in a manner approved by the Plant & Collection Systems Director. Plans shall be submitted to the Plant & Collection Systems Director prior to construction. (AMENDED 3/11/97--ORDINANCE NO. E-357)

(2) The City or its designee will monitor flow, collect samples and perform laboratory tests on industrial waste discharges and septage discharges as necessary to verify quantity of flow and/or character and concentration of an industrial waste or septage. The City test results shall be used to determine the applicable surcharge.

(3) Waste or wastewater discharge may be sampled manually or by the use of mechanical equipment as necessary to obtain a representative 24-hour flow proportional sample. Samples shall be taken at intervals to be established by contractual agreement under Section 25.15 or at intervals as determined by the Plant & Collection Systems Director. (AMENDED 8/13/91--ORDINANCE NO. E-182; AMENDED 3/11/97--ORDINANCE NO. E-357)

(4) When Wisconsin Administrative Code Sections NR 101 or NR 202 require the submittal of the character, and concentration of wastes, waste volume and production information to the District or Wisconsin Department of Natural Resources (DNR), the user shall have the waste character and concentration determined by a DNR certified testing laboratory. A copy of the test results and DNR reports shall be submitted to the Plant & Collection Systems Director. (AMENDED 3/11/97--ORDINANCE NO. E-357)

(5) All measurements and test analysis of the characteristics of industrial wastes shall be determined in accordance with 40 CFR 136 methods approved by the Plant & Collection Systems Director and shall comply with state and federal law. (AMENDED 8/13/91--ORDINANCE NO. E-182; AMENDED 3/11/97--ORDINANCE NO. E-357)

**25.15 WASTEWATER DISCHARGE PERMIT SYSTEM.** (1) Wastewater Discharge Permit: A wastewater discharge permit is required under this section if a person's discharge into the City's Sewerage System has any of the following:

- a. A BOD greater than 200 mg/l.
- b. A suspended solids concentration greater than 200 mg/l.
- c. A phosphorous concentration greater than 6 mg/l.
- d. A volume of 5,000 gallons per day or greater is discharged by any user at one or more points
- e. of discharge.
- f. Any of the characteristics listed under Section 25.09.
- g. Any such persons planning to discharge, changing the characteristics of their discharge or whose discharge permit has expired shall make application to the City within 60 days prior to the discharge. All persons currently discharging shall make application to the City within 60 days after passage of this Ordinance and must have an executed permit within 60 days of application to discharge or discontinue discharging. A discharge permit will be required for each separate point of discharge into the City's sewer system. No person shall discharge waste or wastewater into the City sewer system without a wastewater discharge permit, if required by the section.

(2) Permit Application: Users seeking a wastewater discharge permit shall complete and file with the City an application on the form prescribed by the City. In support of this application, the user shall submit the following information:

- a. Name address and standard industrial classification number of applicant.
- b. Average daily volume of wastewater to be discharged.
- c. Wastewater constituents and characteristics as determined by a method approved by the Plant & Collection Systems Director. (AMENDED 3/11/97-- ORDINANCE NO. E-357)
- d. Time and duration of discharge.
- e. Average and peak wastewater flow rates, including daily, monthly and seasonal variations, if any.
- f. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers and appurtenances by size, location and elevation.
- g. Description of activities, facilities and plant processes on the premises including all materials and types of materials which are, or could be, discharged.
- h. Each product produced by type, amount and rate of production.
- i. Number and type of employees, and hours of work.
- j. Any other information as may be deemed by the City to be necessary to evaluate the permit application.

(3) Permit Conditions: Wastewater discharge permits shall be expressly subject to all provisions of this Ordinance and all other regulations, user charges and fees established by the Approving Authority. The conditions of wastewater discharge permits shall be uniformly enforced by the City in accordance with this Ordinance, and applicable State and Federal regulations. Permit conditions will include the following:

- a. The Residential Equivalency Charge, Sewer Use Charge and Schedule for Surcharge fees for the wastewater to be discharged to the sewer system.
- b. The average and maximum wastewater constituents and characteristics.
- c. Limits on rate and time of discharge or requirements for flow regulations and equalization.
- d. Requirements for installation of sampling and metering manholes or discharging monitoring stations.
- e. Pretreatment requirements.
- f. f. Requirements for maintaining plants records relating to wastewater discharges as specified by the Plant & Collection Systems Director, and affording the City access thereto. (AMENDED 3/11/97--ORDINANCE NO. E-357)
- g. g. Average and maximum pollutant concentrations and total daily average and maximum pollutant discharges for all pollutants subject to limitations and prohibitions which are present in the user's wastewater discharge.
- h. All persons required to make application for a wastewater discharge permit shall before issuance of the permit, enter into a contractual agreement with the City. The contractual agreement shall contain the conditions set forth in the discharge permit, requirements for industrial cost recovery charges and other items deemed necessary by the City.
- i. Other conditions as deemed appropriate by the City to insure compliance with this Ordinance.

(4) Duration of Permits: A permit shall be issued for one (1) year and shall be automatically renewed on a year to year basis, thereafter, unless the person is notified by the City within 60 days prior to the expiration of the permit or any renewal thereof or unless the discharger has signed a discharge monitoring agreement with the City which specifies a different

duration period. After such notification by the City the permit shall expire on the end of that year. The terms and conditions of the permit shall be subject to modification and change by the City during the life of the permit, if so required because of any Ordinances, statutes or rules and regulations of the Approving Authority of any applicable state or federal body. The person shall be informed of any proposed changes in his permit at least 60 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

(5) Transfer of a Permit: Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation.

(6) Revocation of Permit: Any user who violates any of the conditions of his permit contractual agreement, or this Ordinance; or of applicable State and Federal regulations, is subject to having his permit revoked.

(7) Discharge Monitoring Agreement: The City may require an industry or any high volume or high strength waste discharger to enter in to a Discharge Monitoring Agreement if in the judgment of the City such an agreement is necessary to properly evaluate the users discharge to the Sewerage System and/or to obtain adequate information to properly assess a surcharge. In the absence of a Discharge Monitoring Agreement, the City may assign a surcharge to a user which in the City's judgment is appropriate of the users discharge. The City may assess a surcharge to a user even though the City does not require the user to enter into a Discharge Monitoring Agreement. A sample of a Discharge Monitoring Agreement is on file with the City.

**25.16 ADMISSION TO PROPERTY.** The City, its agents and employees shall be permitted to gain access to such properties as may be necessary for the purpose of inspection, observation, measurement, sampling and testing, in accordance with provisions of this Ordinance, pursuant to Section 66.122 through 66.125 of the Wisconsin Statutes.

**25.17 CONFIDENTIALITY OF CRITICAL INFORMATION.** When requested by the user furnishing a report or permit application or questionnaire, the portions of the report, or other document, which might disclose trade secrets or secret processes shall not be made available for use by the City or any State agency in judicial review or enforcement proceedings involving the person furnishing the report.

**25.18 VIOLATIONS.** (1) Any person who fails to comply with any of the provisions of this Ordinance or with an order of the City issued in pursuance of this Ordinance, or shall tamper with metering or sampling, shall be liable to the City for any expense, loss or damage occasioned by such violation including reasonable attorney's fees and other expenses of litigation and upon conviction of any violation of this Ordinance, shall be fined an amount within a range as shown in Chapter 42 of the Municipal Code per violation, plus damages. Each day a condition is allowed to exist which is contrary to all or any part of this Ordinance shall constitute a new violation. Change of ownership or occupancy of premises delinquent under the provisions of this Ordinance shall not be cause for reducing or eliminating charges due and penalties for violations. (AMENDED 6/11/96--ORDINANCE NO. E-335)

(2) If any user shall discharge a waste or wastewater including septage that is inhibiting to the sewer system or wastewater treatment facility said user shall pay a penalty in an amount as shown in Chapter 42 of the Municipal Code per violation upon conviction. Each day a violation

occurs shall constitute a separate violation. Said penalty shall be added to the monthly or quarterly billing statement, if not paid within 30 days of conviction or such other time as set by the court. (AMENDED 6/11/96-- ORDINANCE NO. E-335)

(3) In addition to the Court proceedings and penalties described in the foregoing sections of this Ordinance, whenever a person violates any provision of this Ordinance or fails to comply with any order of the City, the City may order that an action be commenced on behalf of the City in the Circuit Court for Washington County for the purpose of obtaining an injunction restraining the person violating the Ordinance or failing to comply with the Order, from making any further discharges into the Sewer System of the City.

(4) Any licensed disposer discharging to the wastewater treatment facility or to a public sewer, found to be violating a provision of this ordinance or of any conditions of the approval for septage disposal, may have their approval immediately revoked. This revocation shall be done in writing and state the reason for revoking the septage disposal approval.

**25.19 RESIDENTIAL EQUIVALENT CONNECTION TABLE AND UNMETERED WASTEWATER FLOW ASSIGNMENTS.** For unmetered users of the sewerage system the following table shall be used to determine the Residential Equivalent Connection (REC) or estimated gallons of wastewater discharged to the sewerage system except as provided for in Section 25.13.

<u>RESIDENTIAL</u>	<u>REC</u>
Condominium	1.0
Single family home	1.0
Duplex	2.0
Multiple Family (2 bedrooms)	1.0/unit
Multiple Family (1 bedroom or less)	0.75/unit

For unmetered commercial and industrial users of the sewerage system their wastewater flow shall be determined from the following table unless the Plant & Collection Systems Director determines that the information in the tables does not accurately reflect the users wastewater discharge to the sewerage system in which case the Plant & Collection Systems Director will assign a wastewater flow to the user. The REC may be determined by dividing the wastewater flow obtained from the table by the flow of the average residential user. The minimum REC for any account shall not be less than 1.00 REC. Upon completion of the REC computations all REC's will be rounded to the nearest 0.25 REC. (AMENDED 3/11/97-- ORDINANCE NO. E-357)

**25.20 SEVERABILITY.** The provisions of this ordinance are severable. If a section, subsection, paragraph, sentence, clause or phrase shall be determined by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

<u>SIC</u> <u>CODE</u>	<u>DESCRIPTION</u>	<u>GALLONS PER</u> <u>EMPLOYEE HOUR</u>
0742	Veterinary Services for Animal Specialities	20.0
0752	Animal Speciality Services	16.0
0782	Lawn and Garden Services	10.0
1446	Industrial Sand	5.0
1521	General Contractors - Residential	2.3
1541	General Contractors - Ind. Bldgs. & Warehouses	2.3
1611	General Contractors - Public Works	2.3
1711	Plumbing, Heating & Air Conditioning	2.3
1731	Electrical Work	2.3
1761	Roofing and Sheet Metal Work	2.3
1799	Special Trade Contractors, N.E.C.	2.3
2013	Sausage & Other Prepared Meats	110.0
2065	Candy and Other Confectionery Products	50.0
2087	Flavoring Extracts & Syrups, N.E.C.	75.0
2394	Canvas and Related Products	2.3
2431	Millwork	5.0
2434	Wood Kitchen Cabinets	5.0
2522	Metal Office Furniture	2.3
2721	Periodicals: Publishing & Printing	10.0
2731	Books: Publishing & Printing	10.0
2751	Commercial Printing, Letterpress & Screen	10.0
2752	Commercial Printing, Lithographic	10.0
2789	Bookbinding and Related Work	10.0
2795	Lithographic Platemaking & Related Services	25.0
2819	Industrial Inorganic Chemicals, N.E.C.	10.0
2834	Pharmaceutical Preparations	10.0
2841	Soap & Other Detergents	15.0
2893	Mfg. of Printing Ink	30.0
2899	Chemicals & Chemical Preparations N.E.C.	10.0
3079	Miscellaneous Plastics Products	85.0
3111	Leather Tanning & Finishing	345.0
3272	Concrete Products, Except Block & Brick	35.0
3273	Ready-Mixed Concrete	90.0
3293	Gaskets, Packings, and Sealing Devices	2.3
3325	Steel Foundries, N.E.C.	115.0
3341	Secondary Smelting & Refining of Nonferrous Metals	2.7
3441	Fabricated Structural Metal	25.0
3442	Metal Doors, Sash, Frames, Molding and Trim	2.3
3444	Sheet Metal Work	40.0
3451	Screw Machine Products	10.0
3462	Iron and Steel Forgings	5.0
3469	Metal Stampings, N.E.C.	5.0
3471	Electroplating, Plating, Polishing, Anodizing, etc.	50.0
3479	Coating, Engraving and Allied Services, N.E.C.	100.0
3495	Wire Springs	2.3
3498	Fabricated Pipe & Fittings	2.3
3499	Fabricated Metal Products, N.E.C.	25.0

<u>SIC</u> <u>CODE</u>	<u>DESCRIPTION</u>	<u>GALLONS PER</u> <u>EMPLOYEE HOUR</u>
3531	Construction Machinery & Equipment	5.0
3544	Special Dies & Tools, Die Sets, Jigs & Fixture, Molds	10.0
3562	Ball and Roller Bearings	5.0
3565	Industrial Patterns	5.0
3569	General Industrial Machinery & Equipment, N.E.C.	4.0
3576	Scales and Balances, Except Laboratory	2.3
3599	Machinery, Except Electrical, N.E.C.	10.0
3613	Switchgear & Switchboard Apparatus	5.0
3632	Household Refrigerators and Home and Farm Freezers	2.3
3694	Electrical Equipment for Internal Combustion Engines	2.3
3714	Motor Vehicle Parts & Accessories	75.0
3999	Manufacturing Industries, N.E.C.	2.3
4141	Local Passenger Transportation Charter Service	2.3
4151	School Buses	2.3
4212	Local Trucking Without Storage	10.0
4213	Trucking, Except Local	2.3
4225	General Warehousing and Storage	2.3
4311	U.S. Postal Service	2.3
4722	Travel Agency	2.3
4811	Telephone Communication	2.3
4832	Radio Broadcasting	2.3
5042	Toys and Hobby Goods & Supplies	2.3
5063	Electrical Apparatus & Equipment	2.3
5064	Electrical Appliances	2.3
5072	Hardware - Wholesale Distribution	2.3
5082	Construction & Mining Machinery & Equipment	2.3
5084	Industrial Machinery & Equipment	2.3
5142	Frozen Foods	10.0
5149	Wholesale Groceries & Related Products, N.E.C.	10.0
5199	Wholesale Non-Durable Goods, N.E.C.	10.0
5211	Lumber & Other Building Materials Dealers	2.3
5231	Paint, Glass, Wallpaper	2.3
5251	Hardware - Retail Sales	2.3
5261	Retail Nurseries Lawn & Garden Supply Stores	10.0
5271	Mobile Homes Dealers	2.3
5311	Department Stores	2.3
5331	Variety Stores	2.3
5411	Grocery Stores with Meat & Produce Department	16.0
5412	Grocery Stores without Meat & Produce Department	6.0
5441	Candy, Nut, and Confectionery Stores	10.0
5462	Retail Bakeries - Baking and Selling	10.0
5499	Miscellaneous Food Stores	2.3
5511	Motor Vehicle Dealers	5.0
5531	Auto and Home Supply Stores	2.3
5541	Gasoline Service Stations	15.0
5551	Boat Dealers	5.0
5611	Clothing Stores	2.3

<u>SIC</u> <u>CODE</u>	<u>DESCRIPTION</u>	<u>GALLONS PER</u> <u>EMPLOYEE HOUR</u>
5661	Shoe Stores	2.3
5681	Furriers & Fur Shops	5.0
5711	Furniture, Floor Coverings, Appliances	2.3
5812	Eating Places (Restaurants)	20.0
5813	Drinking Places (Taverns)	45.0
5912	Drug Stores and Proprietary Stores	2.3
5921	Liquor Stores	2.3
5931	Used Merchandise Stores	2.3
5941	Sporting Goods Stores & Bicycle Shops	2.3
5942-9	Miscellaneous Stores	2.3
5992	Florists	10.0
5999	All Other Retail Stores	2.3
6022-59	Banks	2.3
6122-63	Savings & Loans	2.3
6311	Insurance Companies	2.3
6411	Insurance Agents	2.3
6512	Operators of Nonresidential Buildings	2.3
6515	Operators of Residential Mobile Homes Sites	2.3
6531	Real Estates Agents and Managers	2.3
6553	Cemetery Subdividers and Developers	2.3
6722	Management Investment Offices	2.3
7211	Power Laundries, Family & Commercial	105.0
7212	Cleaning & Laundry Pick-up Stations	2.3
7215	Fac. Coin-Operated Laundries & Dry Cleaning	910.0
7221	Photographic Studios	2.3
7231	Beauty Shops	16.0
7241	Barber Shops	10.0
7261	Funeral Service & Crematories	15.0
7299	Miscellaneous Services, N.E.C.	2.3
7311	Advertising Agencies, Employment Services	2.3
7332	Blueprinting and Photocopying Services	2.3
7361	Employment Agencies	2.3
7391	Research and Development Laboratories	10.0
7395	Photofinishing Labs	10.0
7512	Passenger Car Rental & Leasing, w/o Drivers	10.0
7531	Top and Body Repair Shops	5.0
7534	Tire Retreading & Repair Shops	20.0
7538	General Automotive Repair Shops	5.0
7542	Car Washes	115.0
7622	Radio & Television Repair	2.3
7699	Repair Shops and Related Services, N.E.C.	2.3
7832	Motion Picture Theatres, not Drive-Ins	20.0
7911	Dance Halls, Studios, and Schools	20.0
7922	Theatrical Producers	20.0
7933	Bowling Alleys	50.0
7992	Public Golf Courses	45.0
7997	Membership Sports & Recreation Clubs	75.0

<u>SIC</u> <u>CODE</u>	<u>DESCRIPTION</u>	<u>GALLONS PER</u> <u>EMPLOYEE HOUR</u>
7999	Roller Rinks, Gymnasiums, Museums	20.0
8011	Offices of Physicians	10.0
8021	Offices of Dentists	10.0
8031	Offices of Osteopaths	10.0
8041	Offices of Chiropractors	10.0
8051	Skilled Nursing Care Facilities	20.0
8091	Health and Allied Services, N.E.C.	10.0
8111	Attorneys	2.3
8211	Elementary & Secondary Schools	20.0
8221	Colleges, Universities & Prof. Schools	25.0
8231	Libraries, & Information Centers	20.0
8249	Vocational Schools, N.E.C.	20.0
8421	Arboreta, Botanical & Zoological Gardens	45.0
8621	Professional Membership Organizations	2.3
8641	Civic, Social and Fraternal Associations	15.0
8661	Religious Organizations (hours occupied only)	20.0
8699	Membership Organizations, N.E.C.	2.3
8911	Engineering, Architectural & Surveying Services	2.3
8931	Accountants	2.3
9199	General Government, N.E.C.	2.3
9221	Police Protection	2.3
9224	Fire Protection	2.3
9451	Administration of Veteran's Affairs	2.3
9999	All Offices, N.E.C.	2.3

NOTE: Parsonages should be regarded as single-family residences.