

ORDINANCE NO. #2010-04  
REPLACING ORDINANCE #2001-01

AN ORDINANCE ESTABLISHING THE SEWER UTILITY OF THE TOWN OF LAND O LAKES OF VILAS COUNTY AND ESTABLISHING SEWER RATES, RULES AND REGULATIONS CONCERNING THE GOVERNMENT THEREOF AND ALSO CONCERNING GOVERNMENT OF SEWER USERS, LICENSED PLUMBER AND OTHER, AND PENALTIES. THE TOWN OF LAND O LAKES OF VILAS COUNTY, WISCONSIN, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1.00

DEFINITIONS

The following definitions are applicable to this ordinance:

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. 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 walls of the building and conveys it to the building sewer.

BUILDING SEWER shall mean the extension from the building drain to the public sewer or other place of disposal beginning outside the inner face of the building wall.

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

INDUSTRIAL WASTE shall mean the wastewater from industrial process, trade of business, as distinct from sanitary sewage, including cooling water and the discharge from sewage pretreatment facilities.

PERSON shall mean any and all persons, including 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 Hydrogen-ion concentration of  $10^{-7}$ .

SANITARY SEWER shall mean a sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

SHOCK 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 system and/or performance of the wastewater treatment works.

STANDARD METHODS shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods of Water, Sewage, and Industrial Wastes" published jointly by the American Public Health Association, the American Water Works Association, and the Federation of Sewage and Industrial Wastes Associations.

STORM DRAIN (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, ground water, subsurface water of unpolluted water from any source.

SUSPENDED SOLIDS shall mean solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for Examination of Water and Wastewater" and is referred to as nonfilterable residue.

WASTEWATER shall mean the spent water of a community. 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; together with any ground water, surface water, and stormwater that may be present, but not intentionally admitted.

WASTEWATER TREATMENT WORKS shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used synonymous with waste treatment.

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 which establishes effluent limitations and monitoring requirements for the municipal wastewater treatment facility.

## SECTION 2.00

2.01 The management, operation and control of the sewer system for the Town of Land O Lakes is vested in the Land O Lakes Sanitary District #1 of said Town; all record, minutes and all written proceedings thereof shall be kept by the Secretary of the Land O Lakes Sanitary District #1; the Treasurer of the Land O Lakes Sanitary District #1 shall keep all the financial records.

2.02 The sewer utility of the Town of Land O Lakes shall have the power to construct sewer lines for public use, and shall have the power to lay sewer pipes in and through alleys, streets, and public grounds of the Town of Land O Lakes; and generally, to do all such work as may be found necessary or convenient in the management of the sewer system. The Land O Lakes Town Board 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 performance of their duties under this Ordinance, without liability therefore; and the Land O Lakes Sanitary District #1 shall have power to purchase and acquire for the Town of Land O Lakes all real and personal property which may be necessary for construction of the sewer system, or for any repair, remodeling, or additions thereto.

2.03 Condemnation of Real Estate. Whenever any real estate or any easement therein, or use thereof, shall in the judgment of the Town of Land O Lakes 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 Town of Land O Lakes shall proceed with all necessary steps to take such real estate easement, or use by condemnation in accordance with Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if Federal Funds are used.

2.04 Title to Real Estate and Personalty. 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 said Land O Lakes Sanitary District #1.

## SECTION 3.00

User Rules and Regulation: The rules, regulation, and sewer rates of the Land O Lakes Sanitary District #1 of Town of Land O Lakes hereinafter set forth shall be considered a part of the contract with every person, company, or corporation who is connected with the sewer system of the Land O Lakes Sanitary District #1 and every such person, company, or corporation by connecting with the sewer system shall be considered as expressing his or their assent to be bound thereby. Whenever any of said rules and regulations, or such others as the said Land O Lakes Sanitary District #1 of Land O Lakes may hereafter adopt are violated, the service shall be shut off from the building of 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 Land O Lakes Sanitary District #1, and on payment of all arrears, the expenses and established charges of shutting off and putting on, and such other terms as the Land O Lakes Sanitary District #1 may determine, and a satisfactory understanding with the party that no further cause for complaint shall arise. In case of such violation, the said Land O Lakes Sanitary District #1 furthermore, may declare any payment made for the service by the part or parties committing such violations, to be forfeited, and the same shall thereupon be forfeited. The right is reserved to Land O Lakes Sanitary District #1 to change said rules, regulations, and sewer rates from time to time as they may deem advisable; and to make special rates and contracts in proper cases.

#### SECTION 4.00

The following rules and regulations for the government or licensed plumbers, sewer users, and others, are hereby adopted and established:

##### 4.01 PLUMBERS

A. No plumber, pipe fitter, or other person will be permitted to do any plumbing or pipe fitting work in connection with the sewer system without proof of insurance and receiving a license from the State of Wisconsin.

##### 4.02 USERS

A. Application for Service Every person connecting with the sewer system shall file an application in writing to the Land O Lakes Sanitary District #1, in such forms as is prescribed for that purpose. Blanks for such applications will be furnished at the office of the Land O Lakes Sanitary District #1. The application must state fully and truly all the use which will be allowed except upon further application and permission regularly obtained from said Land O Lakes Sanitary District #1. 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 Land O Lakes Sanitary District #1 of the Town of Land O Lakes are referred to herein as "Users".

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 Land O Lakes Sanitary District #1 may reject the application. If the Land O Lakes Sanitary District #1 shall approve the application, it shall issue a permit as shown on the application.

B. Payment for Connection Application Prior to the issuance of the application for service all users that were not a part of the original project and did not pay a special assessment or contribution will be required to make payment to the utility as follows:

Residential	\$	<u>500.00</u>
Commercial	\$	<u>750.00 - 1000.00</u>
Industrial	\$	<u>1000.00 (+)</u>
Fixture Breakdown:		
1st Fixture:		\$3.00
2nd Fixture:		\$2.00
Each Additional Fixture:		\$1.00
Inspection Rough & Finish		\$50.00
Each Additional Inspection:		\$25.00

(NOTE: It is intended that these amounts equal or exceed the cost(s) paid by the original users of the system).

If the lateral construction cost to the utility exceeds the above amount, then the user will be required to the former costs.

C. Tap Permits After sewer connections have been introduced into any building or upon any premises, no plumber shall make any alterations, extension, or attachments, unless the party ordering such tapping or other work shall exhibit the proper permit for the same from the Land O Lakes Sanitary District #1. Tap permits may be waived by the Land O Lakes Sanitary District #1.

D. 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.

E. User Use Only No user shall allow others or other services to connect the sewer system through his lateral.

F. User to Permit Inspection Every user shall permit the Land O Lakes Sanitary District #1, or their 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 to them relative to its use.

G. Utility Responsibility It is expressly stipulated that no claim shall be made said Land O Lakes Sanitary District #1 or Town of Land O Lakes 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 service within any district of the said Town of Land O Lakes, the Land O Lakes Sanitary District #1 shall, if practicable, give notice to each and every consumer within such effected district of the time when such service will be so shut off.

#### 4.03 EXCAVATIONS

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

B. 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.

C. 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 Land O Lakes Sanitary District #1 and Town of Land O Lakes. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.

#### 4.04 TAPPING THE MAINS

A. No person, except those having special permission from the Land O Lakes Sanitary District #1, or persons 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 permit or order from said Land O Lakes Sanitary District #1.

B. Pipes should always be tapped on the top-half, and not within six inches (15 cm) of the joint, or within 24 inches (60 cm) of another lateral connection.

#### 4.05 INSTALLATION OF HOUSE LATERALS

A. All service pipes (laterals) on private property will be installed in accordance with *State of Wisconsin Administrative Code Comm 82 "Design, Construction, Installation, Supervision, and Inspection of Plumbing"*; specifically, *Section 82.30 "Sanitary Drain Systems"*

B. All building sewers under construction will be inspected by a designated representative of the Land O Lakes Sanitary District #1. The building sewers and/or private inceptor main sewers shall be inspected upon completion of placement of the pipe before backfilling, and tested before or after backfilling. Any sewer that is backfilled prior to inspection shall be re-excavated to allow said inspection.

4.06 SEPTIC TANK AND HOLDING TANK DISPOSAL

No person in the business of gathering and disposing of septic tank sludge or holding tank sewage shall transfer such material into any disposal area or sewer manhole located within the Land O Lakes Sanitary District #1 boundaries unless a permit for disposal has been first obtained from the Board. Written application for this permit shall be made to the Board and shall state the name and address of the applicant; the number of its disposal units; and the size, make, model, and license number of each unit. Permits shall be non-transferable except in the case of replacement of the disposal unit for which a permit shall have been originally issued. The permit may be obtained upon payment of a fee, (\$25.00 per calendar year). The Board may impose such conditions as it deems necessary on any permit granted.

Charges for a disposal shall be set by the Town of Land O Lakes. Bills shall be mailed on a monthly basis and if payments are not received in 30 days thereof, disposal privileges shall be suspended.

Any person or party disposing of septic tank or holding tank sludge agrees to carry public liability in an amount not less than one hundred thousand dollars (\$100,000) to protect any and all persons or property from injury and /or damage caused in any way or manner by any act, or failure to act, by any of his employees. The person(s) shall furnish a certificate certifying such insurance to be in full force and effect.

Any materials dumped into treatment system shall be of domestic origin only and that he will comply with the provisions of any and all applicable ordinances of the Town of Land O Lakes, and shall not deposit or drain any gasoline, oil, acid, alkali, grease, rags, waste, volatile or inflammable liquids, or other deleterious substances into any manhole nor allow any earth, sand, or other solid material to pass into any part of the sewerage system.

The person(s) or party disposing waste agrees to indemnify and save harmless the Town of Land O Lakes and Land O Lakes Sanitary District #1 from any all liability and claims for damages arising out of or resulting from work and labor performed.

The person(s) or party disposing waste shall furnish bond to Town of Land O Lakes in the amount of \$1000.00 to guarantee performance. Said performance bond shall be delivered to Town of Land O Lakes prior to issuance of the permit hereunder.

SECTION 5.00 SEWER USER CHARGE SYSTEM

- 5.01 It shall be the policy of the Land O Lakes Sanitary District #1 to obtain sufficient revenues to pay the cost of (a) the annual debt retirement payment on any bonded indebtedness, (b) any required cash reserve account payment, and (c) operations and maintenance of the sewage works, including a replacement fund (i.e. cash account to be used for future expenditures for obtaining or installing equipment, accessories of appurtenances which are necessary to maintain the capacity and performance of sewage works during the service life for which such works were designed and constructed), through a system of user charges as defined in this section. The system shall assure that each user of the sewage works pays a proportionate share of the cost of such works.
- 5.02 All sewer users shall be classified by the utility as (a) residential/commercial (domestic strength), or (b) industrial customers.
- 5.03 User charges shall consist of (a) a minimum monthly billing, on the basis of user charge factors, and (b) a unit price per volume of water utilized.

The minimum monthly billing shall be sufficient to pay the annual debt retirement and FmHA Reserve Account costs. A portion of the debt service and Reserve Account may be budgeted by levying an ad valorem tax in accordance with State Statutes. The unit price per volume shall be sufficient to pay the annual cost of operation and maintenance, including any replacement fund, of the sewage works. Users will be notified annually of the portion of user charges or ad valorem taxes attributable to wastewater treatment services. Water meter readings shall be used to determine the actual water volume used. The unit price portion of the 1<sup>st</sup> and 12<sup>th</sup> month sewer bill may be based on the average volume of water used during the previous 12 months except that no "zero" usage month will be averaged. All other monthly sewer bills will be based on actual water used. If a portion of the water furnished to any customer is not discharged into the sewer system, the quantity of such water will be deducted in computing the charge for sewer service, provided a meter has been installed to measure such water. The customer must at his own expense make necessary changes in the water piping and install couplings so that a meter can be set. A charge for the actual cost of providing a meter may be required to be paid by the customer.

- 5.04 The methodology of determining the user charges is given in Appendix A. The utility shall provide the initial estimates of water volumes, number of meters, costs, etc., to calculate the first year's user charges. The user charges, and this ordinance, shall be reviewed not less than annually. Such review shall be performed by the Land O Lakes Sanitary District #1 and the Land O Lakes Sanitary District #1 Treasurer. User charges shall be adjusted, as required, to reflect actual volumes of water used and actual costs.



5.05 Where it is not possible to obtain a water meter reading, or in cases where no water meter exists, the customer shall be assigned an average water volume by the city, based on previous meter reading, and this shall be so stated on the bill. The difference shall be adjusted when the meter is again read.

5.06 Sewer Rates

- A. There shall be charged to each user of the sewer system a sewer charge as follows:
1. A minimum charge based on the size of water meter in service as per the following schedule:

5/8" & 3/4" Meters	\$ 23.54 monthly
1" " "	\$ 27.15 monthly
1 1/2" " "	\$ 46.67 monthly
2" ""	\$ 50.91 monthly
<u>List all Users Larger than 2"</u>	
Gateway Lodge 3"	\$ 55.16 monthly

2. A variable charge based on the amount of water consumed as defined in Section 5.03, of \$ 8.50 per 1,000 gallons of water per month.

B. All charges for sewerage service shall be made monthly and shall be made payable within 30 days of billing. A failure to receive a bill shall not excuse non-payment. Sewerage service charges shall be a lien on the property served in accordance with 66.0821 (4) (d) of the Wisconsin State Statutes.

- 5.07 Excess revenues collected from a user class will be applied to operation, maintenance, and replacement costs attributable to that class for the next year.
- 5.08 The User Charge System takes precedence over pre-existing agreements inconsistent with the Governing regulations of the Wisconsin Fund Grant Program.

SECTION 6.00 MISCELLANEOUS RULES AND REGULATIONS

6.01 Mandatory Hookup

A. The owner of each parcel of land adjacent to a sewer main on which there exists a building useable for human habitation or in a block through which such system is extended, shall connect to such system within thirty (30) days of notice in writing from the Land O Lakes Sanitary District #1. Upon failure to do so the Land O Lakes Sanitary District #1 may cause such connection to be made and bill the property owner for such

costs. If such costs are not paid within thirty (30) days, such notice shall be assessed as a special tax lien against the property, all pursuant to *Section 144.06 (281.45) Wisconsin Statutes* provided, however, that the owner may within thirty (30) days after the completion of the work file a written opinion with the Land O Lakes Sanitary District #1 secretary stating that he cannot pay such amount in one sum and ask that there be levied in not to exceed five (5) equal installments and that the amount shall be so collected with interest at the rate of eight (8) percent per annum from the completion of the work, the unpaid balance being a special tax lien, all pursuant to *Section 144.06 (281.45) Wisconsin Statutes*.

B. In lieu of the above the Land o Lakes Sanitary District #1 at its opinion may impose a penalty for the period that the violation continues, after ten (10) days written notice to any owner failing to make a connection to the sewer system in an amount of \*\$100.00 per month for each residential unit equivalent payable quarterly (monthly), for the period in which the failure to connect continues, and upon failure to make such payment said charges shall be assessed as a special tax lien against the property, all pursuant to *Section 144.06 (281.45) Wisconsin Statutes*.

\* Penalty to be as great as the average residential user cost (per residential unit equivalent) plus 10% for administrative costs.

C. This ordinance ordains that the failure to connect to the sewer system is contrary to the minimum health standards of said Land O Lakes Sanitary District #1 and fails to assure preservation of public health, comfort, and safety of said Land O Lakes Sanitary District #1.

#### 6.02 Maintenance of Services

A. The utility shall maintain sewer service within the limits of the Land O Lakes Sanitary District #1 from the street main to the property line and including all controls between the same, without expense to the property owner, except when they are damaged as a result of negligence or carelessness on the part of the property owner, a tenant, or an agent of the owner, in which case they will be repaired at the expense of the property owner. All sewer services from the point of maintenance by the system to and throughout the premises must be maintained free of defective conditions, by and at the expense of the owner or occupant of the property.

B. When any 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 sewer service shall be installed for each building.

6.03 Penalty for Improper Use

A. It shall be unlawful for any person to willfully injure the sewer system, or any building, machinery, or fixture pertaining thereto, or, to willfully and without authority of the Land O Lakes Sanitary District #1, bore or otherwise cause to leak, any tunnel, aqueduct, reservoir, pipe or other thing used in the system for holding, conveying, or collecting sewage.

B. It shall be unlawful for any person to introduce sewage into the system which shows an excess of a BOD or suspended solids concentration of over 200 mg/l (normal domestic sewage); a surcharge shall be based on the excess of BOD or suspended solids at a rate of \$0.10/pound. The Land O Lakes Sanitary District #1 reserves the right to test the sewage at any point within the connection system of the user or consumer. A user may not use dilution as a means to achieve a lower concentration of BOD or suspended solids. Users discharging toxic pollutants shall pay for any increased O & M or replacement costs caused by the toxic pollutants.

C. No user shall discharge or cause to be discharged any of the following liquids or solid wastes to any sanitary sewer:

1. Any storm water, surface water, ground water, roof run-off or surface drainage.
2. Any gasoline, benzene, Naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
3. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feather, tar, plastics, wood, paunch manure, or any other solid or sticky substance capable of causing obstruction of the flow in sewers or other interference with the proper operation of the sewage works.
4. Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constituting a hazard to humans and animals or create any hazard in the receiving treatment facility.
5. Any water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such material at the sewage treatment plant.
6. Any noxious or malodorous gas or substance capable of creating a public nuisance.
7. Any garbage that has not been properly shredded.

8. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit.
9. Any water or wastes which may contain more than 1000 parts per million by weight of fat or grease.
10. Any water or wastes having pH lower than 5.5 or higher than 9.0 having any corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

6.04 Damage Recovery

A. In addition to any other penalty provided by this Ordinance or other law, the Town of Land O Lakes shall have the right of recovery from any responsible persons of any expense incurred by the Town for penalties imposed on the Town due to a violation of this Ordinance or other law, correction of conditions impairing the proper operation of the sewer system and the repair or replacement of any sewer pipe or other property of the sewer system damaged in any manner by any negligent or intended act or omission by such person or by other under their control.

6.05 Penalties

A. Any person who shall violate any of the provisions of this ordinance or rules or regulations of the Town of Land O Lakes or the Land O Lakes Sanitary District #1; or who shall connect a service pipe without first having obtained a permit therefore; or who shall violate any provisions of the Wisconsin Statutes, Wisconsin Administrative Code, or any other material which are incorporated by reference, shall upon conviction thereof forfeit not less than \$10 nor more than \$200 and the costs of prosecution. This, however, shall not bar the Land O Lakes Sanitary District #1 from enforcing the connection duties set out in Section 6.01 for mandatory hookup.

6.06 Septic Tanks

A. The maintenance and use of septic tanks and other private sewage disposal systems within the area of the Land O Lakes Sanitary District #1 serviced by its sewer system are hereby declared to be a public nuisance and health hazard. From and after October 3, 2001, the use of septic tanks or any private sewage disposal system within the area of the Land O Lakes Sanitary District #1 serviced by the sewerage system shall be prohibited, except in areas that public sewer system is not available as determined by the Land O Lakes Sanitary District Board.

B. Where public sanitary sewer is not available to houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, the Land O

Lakes Sanitary District #1 Board may allow such structures to be connected to a private wastewater disposal system complying with the provisions of this ordinance.

C. Before commencement of the construction of a private wastewater disposal system, the owner shall first obtain a written permit from the office of the Land O Lakes Sanitary District #1.

D. The type, capacity, location and layout of a private wastewater disposal system shall comply with all requirements of Vilas County Zoning Administration.

E. The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all time, at no expense to the Land O Lakes Sanitary District #1 or the Town of Land O Lakes.

F. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by Vilas County Zoning Administration, the Town of Land O Lakes, or by any other laws, ordinances or codes.

G. At such time as a public sewer becomes available to a property served by a private wastewater disposal system the building sewer shall be connected to said sewer within ninety (90) days and the private wastewater disposal system shall be cleaned of sludge and filled with sand, gravel, or similar material.

H. PRIVATE WASTEWATER DISPOSAL PERMIT AND FEES

The Land O Lakes Sanitary District #1 may grant a permit to a private wastewater disposal system owner to operate a private wastewater disposal system for a period not to exceed 3 years. An owner may request renewal of a private wastewater disposal system permit providing public sewer is not available at that time.

I. PRIVATE WASTEWATER DISPOSAL SYSTEM FEES

Any applicant for an initial well operation permit for a private wastewater disposal system shall pay at the time of application fee of \$25.00. A minimum base user fee of \$265.00 shall be paid annually. A private wastewater disposal system permit application shall not be considered complete until the permit application fee and base user fee is paid. All other rights and responsibilities shared by the customers of the Land O Lakes Sanitary District #1 shall also apply to the Private Wastewater Disposal System Customers.

6.07 Vacating of Premises and Discontinuance of Service

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

6.08 Charges are a lien on Property

A. All sewer service, charges, and special assessments shall be a lien on a lot, part of a lot, or land on which sewer services were supplied. All sums which have accrued during the preceding year and which are unpaid by the first day of October and any year, shall be certified to the Town Clerk to be placed on the taxroll for collection as provided by Wisconsin Statutes.

6.09 Unit of Service Definition

A. A unit of service shall consist of any residential, commercial, industrial, or charitable aggregation of space or area occupied for a distinct purpose such as a residence, apartment, flat, store, office, industrial plant, church, or school. Each unit of service shall be regarded as one consumer. Suites in houses, or apartments, with complete housekeeping functions such as cooking), shall be classed as apartment houses; thus houses and apartments having suites of one, two, or more rooms with toilet facilities, but without kitchen for cooking, are classed as rooming houses.

When a consumer's premises has several buildings, for which services are eligible and such buildings are used in the same business and connected by the user, the Land O Lakes Sanitary District #1 shall set a separate rate for such complex.

6.10 Adoption of Other Rules

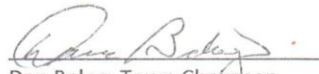
A. There is hereby adopted all the rules and regulations of the State Plumbing and State Building Codes and the building rules of the Department of Industry, Labor, and Human Relations' and the Department of Natural Resources of the State of Wisconsin insofar as the same are applicable to the Town of Land O Lakes. All extensions of the system will comply with administrative rules *NR 108 and NR 110 of the Department of Natural Resources*.

6.11 Severability


A. If any section, subsection, sentence, clause or phrase of the ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The Town of Land O Lakes hereby declares that it would have passed this ordinance and section, subsection, clause, and phrase thereof, irrespective of the fact that any one or more section, subsection, sentences, clauses, and phrases be declared unconstitutional.

Adopted at Regular Town Board Meeting of the Town of Land O Lakes, Wisconsin, this

11th day of August, 2010

  
Dan Balog, Town Chairman,  
Town of Land O Lakes

ATTESTED

  
Flossie Knoth  
Clerk/Treasurer