

CHAPTER 20 – SEWER USE AND CHARGES

TABLE OF CONTENTS

ARTICLE I (SEWER USE).....	1
20.01 SEWER COMMISSION.....	1
20.02 DEFINITIONS.....	2
20.03 USE OF PUBLIC SEWERS.....	8
20.04 CONTROL OF HIGH STRENGTH TOXIC WASTES DIRECTED TO PUBLIC SEWERS.....	12
20.05 GREASE AND/OR SAND INTERCEPTORS.....	14
20.06 RIGHT OF ENTRY, SAFETY AND IDENTIFICATION.....	16
20.07 SEWER CONSTRUCTION (BUILDING SEWERS).....	17
20.08 SEPTIC TANK HOLDING AND DISPOSAL.....	20
20.09 DAMAGE OR TAMPERING WITH SEWER FACILITIES.....	20
20.10 VIOLATIONS AND PENALTIES.....	20
20.11 APPEALS.....	21
20.12 VALIDITY.....	21
20.13 AUDIT.....	21
ARTICLE II (SEWER CHARGE SYSTEM).....	21
20.14 BASICS FOR SEWER USER CHARGES.....	21
20.15 SANITARY SEWER CONNECTION CHARGES.....	23
20.16 BUILDING PRACTICE.....	25
20.17 AMOUNT OF USER CHARGES.....	25
20.18 AUDIT.....	26
SCHEDULE 1 – RESIDENTIAL EQUIVALENT CONNECTION DETERMINATION.....	26
ATTACHMENT A – OCONOMOWOC CHARGES.....	32
ATTACHMENT B – MARY LANE INTERCEPTOR CHARGE.....	32
ATTACHMENT C – IXONIA INTERCEPTOR CHARGE.....	33
ATTACHMENT D – LAC LA BELLE COLLECTION SYSTEM CHARGE.....	33
APPENDIX D-3.....	33

ARTICLE I (SEWER USE)

20.1 SEWER COMMISSION.

The Board of Trustees of the Village of Lac La Belle hereby creates a Sewer Commission and Authorizes said commission to take all actions and exercise all authority as granted to the Approving Authority under this ordinance.

- (1) Said commission shall consist of three (3) members, appointed by the Village President, including the designation of a chairman, and confirmed by the Board of Trustees and

serving a term of two years. The term of said commission members shall begin on the May following the election of the Village President for a regular two (2) year term. A vacancy on the commission occurring prior to the expiration of the commissioner's term shall expire on April 30 of the next year in which a regular election for Village President is held. All members of the commission shall be residents of the Village of Lac La Belle at the time that they are appointed to the commission, and a commissioner may no longer serve on the commission after terminating his or her residence within the Village of Lac La Belle.

- (2) The commission shall meet as often as necessary to perform the responsibilities of the Approving Authority under this ordinance. The commission shall comply with all applicable ordinances and statutes concerning notice of meetings and the conduct of meetings in public.
- (3) The Village Clerk is hereby designated as the clerk of the commission and shall prepare minutes of all meetings except as not required because the meeting or a portion thereof is held in validly called closed session.

20.2 DEFINITIONS.

- (1) AMMONIA NITROGEN (NH₃-N). One of the oxidation states of nitrogen, in which nitrogen is combined with hydrogen in molecular form as NH₃ or in ionized form as NH₄⁺. Quantitative determination of Ammonia Nitrogen shall be made in accordance with procedures set forth in "Standard Methods."
- (2) APPROVING AUTHORITY. Shall mean the Village Board of the Village of Lac La Belle or its duly authorized deputy, agent, or representative.
- (3) BIOCHEMICAL OXYGEN DEMAND (BOD). Shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at twenty degrees Centigrade (20° C), expressed as milligrams per liter. Quantitative determination of BOD shall be made in accordance with procedures set forth in "Standard Methods."
- (4) BUILDING DRAIN. Shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (5') or 1.5 meters outside the inner face of the building wall.
- (5) BUILDING SEWER. Shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection. Once constructed, the portion of the building sewer located within the public right of way or easement shall be considered an integral part of the public sewer, and maintenance of this portion shall become the responsibility of the Village.
- (6) COMBINED SEWER. Shall mean any sewer intended to serve as a sanitary sewer and storm sewer.
- (7) COMPOSITE SAMPLE. Twenty-four (24) hours shall be the combination of individual sewer and storm sewer.

- (8) COMPATIBLE POLLUTANT. Means biochemical oxygen demand, suspended solids, pH, or fecal coliform bacteria, plus additional pollutants identified in the WPDES Permit for the publicly owned treatment works receiving the pollutants if such works were designed to treat such additional pollutants, and in part does remove such pollutants to a substantial degree.
- (9) CHLORINE REQUIREMENT. Shall mean the amount of chlorine, in milligrams per liter, which must be added to wastewater to produce a specified residual chlorine content in accordance with procedures set forth in "Standard Methods."
- (10) EASEMENT. Shall mean in acquired legal right for the specific use of land owned by others. A permanent easement shall be a maximum of twenty feet (20') wide, ten feet (10') on each side of the sewer line as actually constructed.
- (11) FIXED CHARGE. Shall mean the charge of the cost of debt retirement associated with construction, erection, modification, or rehabilitation of the wastewater treatment works.
- (12) FLOATABLE OIL. Is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.
- (13) FLOW PROPORTIONAL SAMPLE. A sample taken that is proportional to the volume of flow during the sampling period.
- (14) GARBAGE. Shall mean the residue from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of food products and produce.
- (15) GROUND GARBAGE. Shall mean the residue from the preparation, cooking, and dispensing of food that has been shredded to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one-half (1/2) inch in any dimension.
- (16) INCOMPATIBLE POLLUTANT. Means wastewater with pollutants that will adversely affect or disrupt the quality of wastewater treatment if discharged to a wastewater treatment facility.
- (17) INDUSTRIAL USER. (Am. MSC '86) Per Federal Register, Vol. 43, No. 188, September 27, 1978, quoted as follows:
 - (a) Any nongovernmental, nonresidential user of a publicly owned treatment works which discharges more than the equivalent of twenty-five thousand (25,000) gals. per day (gdp) of sanitary wastes and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:
 - (i) Division A Agriculture, Forestry and Fishing
 - (ii) Division B Mining
 - (iii) Division D Manufacturing
 - (iv) Division E Transportation, Communications, Electric, Gas and Sanitary Services Division I Services

- (b) Discharges in the above divisions that have a volume exceeding twenty-five thousand (25,000) gpd or the weight of biochemical oxygen demand (BOD) or suspended solids (SS) equivalent to that weight found in twenty-five thousand (25,000) gpd of sanitary waster are considered industrial users. Sanitary wastes, for purposes of this calculation of equivalency, are the wastes discharged from residential users and containing 250 mg/l BOD and 270 mg/l SS. Means any user whose premises are used primarily for the conduct of a profit-oriented enterprise in the fields of manufacturing, transportation, communications or utilities, mining, agriculture, forestry, or fishing.
- (18) INDUSTRIAL WASTE. Any trade or process waste as distinct from segregated domestic wastes or wastes from sanitary conveniences.
- (19) INTERCEPTING SEWER. A sewer whose primary purpose is to convey wastewater from a collection system or systems to a wastewater treatment plant. Size of the sewer is not a factor.
- (20) NATURAL OUTLET. Shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface water or groundwater.
- (21) NORMAL DOMESTIC WASTEWATER. Shall mean sanitary wastewater resulting from normal domestic activities, in which BOD's, SS, and P concentrations do to exceed normal concentrations of:
 - (a) A five (5) day, twenty degrees Celsius (20°C), BOD of not more than 250 mg/l.
 - (b) A suspended solids content of not more than 270 mg/l.
 - (c) A phosphorus concentration of not more than 13 mg/l.
- (22) 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.
- (23) pH shall mean the logarithm (base 10) of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of seven (7) and a hydrogen ion concentration of 10^{-7} .
- (24) PHOSPHORUS (P). Total phosphorus in wastewater, which may be present in any of three principal forms: orthophosphate, polyphosphates, and organic phosphates. Quantitative determination of total phosphorus shall be made in accordance with procedures set forth in "Standard Methods."
- (25) PRETREATMENT. Shall mean an arrangement of devices and structures, for the preliminary treatment or processing of wastewater required to render such wastes acceptable for admission to the public sewers.
- (26) PUBLIC SEWER. Shall mean any sewer provided by or subject to the jurisdiction of Village of Lac La Belle. It shall also include sewers within or outside the Village boundaries that serve one or more persons and ultimately discharge into the Village sanitary sewer system, even though those sewers may not have been constructed with Village funds.

- (27) REPLACEMENT COSTS. Means expenditures for processing and installing equipment, accessories, and appurtenances necessary during the useful life of the treatment works to maintain its design capacity and performance. Operation and Maintenance Costs include replacement costs. Replacement funds will be contained in a separate designated account established for such purpose.
- (28) RESIDENTIAL EQUIVALENT CONNECTION (REC). Is an average residential household contributing two-hundred (200) gallons of wastewater per day with BOD and suspended solids of not more than 250 mg/l and 270 mg/l respectively.
- (29) RESIDENTIAL USER. Shall mean any user whose premises are used primarily as a domicile for one or more persons and discharges only normal domestic wastes.
- (30) SANITARY WASTEWATER. Shall mean a combination of water carried wastes from residences, business buildings, institutions and industrial plants (other than industrial wastes from such plants), together with such ground, surface and storm waters as may be present.
- (31) SANITARY SEWER. Shall mean a sewer that carries sanitary and industrial water carried wastes from residents, commercial buildings, industrial plants, and institutions, together with minor quantities of ground, storm and surface water that are not admitted intentionally.
- (32) SEGREGATED DOMESTIC WASTES. May be defined as wastes from nonresidential sources resulting from normal domestic activities. These activities are distinguished from industrial, trade and/or process discharge wastes.
- (33) SEWAGE. Is the spend water of a community. The preferred term is “wastewater” as defined in this section.
- (34) SEWAGE SYSTEM. Shall mean the composite network or underground conduits carrying wastewater and appurtenances incidental thereto (i.e., manholes, lift stations, service lateral).
- (35) SEWER. Shall mean a pipe or conduit that carries wastewater or drainage water.
- (36) SEWER AVAILABILITY CHARGE. Is a charged assessed for having the availability to connect to public sanitary sewers that discharge to the Oconomowoc wastewater treatment facility.
- (37) SEWER CONNECTION CHARGE. Is a charge assessed for connecting to public sanitary sewers that discharge to the Oconomowoc wastewater treatment facility.
- (38) SEWER SERVICE CHARGE. Shall mean a charge levied on users of the wastewater collection and treatment facilities for capital-related expenses as well as operation and maintenance costs of said facilities.
- (39) SEWER USER CHARGE. Shall mean the charge levied on users of a treatment works for the users’ proportional share of the cost of operation and maintenance (including replacement) of such works.
- (40) SHALL. Is mandatory; MAY is permissible.
- (41) SLUG. Shall mean any discharge of water or wastewater which in concentration of any given constituent or in quality 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.
- (42) STANDARD METHODS. Shall mean the examination and analytical procedures set forth in the most recent edition of “Standard Methods for the Examination of Water, Sewage and Industrial Wastes” published jointly by the American Public Health Association, the American Water Works Association, and the Federal of Sewage and Industrial Wastes Associations.
- (43) STORM DRAIN. Sometimes termed “storm sewer” shall mean a drain or sewer for conveying storm water, groundwater, subsurface water, or unpolluted water from any source.
- (44) STORM WATER RUNOFF. Shall mean that portion of the rainfall that is drained into the sewers.
- (45) SURCHARGE. Shall be the portion of the volume change that is the cost to treat the additional pounds of pollutants in the volume of wastewater above the pounds of pollutants that would result from the same volume of wastewater if it was of normal domestic strength wastewater. A unit price is assigned (\$/lb. of pollutant) to treat the additional pounds of pollutants.
- (46) SUSPENDED SOLIDS (SS). Shall mean that either float on the surface of, or are in suspension in water, wastewater, or other liquid, and that are removable by laboratory filtering as prescribed in “Standard Methods” and are referred to as filterable residue.
- (47) UNMETERED USER. Shall mean a user who is not connected to a municipal water system and thereby does not have his private water supply metered.
- (48) 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 discharge to the sanitary sewers and wastewater treatment facilities provided.
- (49) USER CHARGE SYSTEM. Is the system which generates operation, maintenance and replacement (O, M&R) revenues equitably for providing each user class with service.
- (50) USER CLASSES. Are categories of user having similar flows and water characteristics; that is, levels of biochemical oxygen demand, suspended solids, phosphorus, ammonia nitrogen, etc. For the purposes of this Ordinance, there shall be three (3) user categories:
- (a) CATEGORY A. Shall be those sanitary sewer users who discharge wastewater with concentrations of BOD5 and suspended solids no greater than two-hundred fifty (250) and two-hundred seventy (270) milligrams per liter (mg/l).
 - (b) CATEGORY B. Shall be those sanitary sewer users who discharge wastewater with concentrations of BOD5 and/or suspended solids greater than two-hundred fifty (250)/two-hundred seventy (270) milligrams per liter (mg/l) but no greater than four-hundred (400) milligrams per liter (mg/l).

- (c) CATEGORY C. Shall be those sanitary sewer users who discharge wastewater with concentrations of BOD5 and/or suspended solids greater than four-hundred (400) milligrams per liter (mg/l).
- (51) VOLUME CHARGE. Is a sewer use charge based upon the volume of wastewater to be transported.
- (52) WASTEWATER. Shall mean that 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 groundwater, surface water, and storm water that may be present.
- (53) WASTEWATER FACILITIES. Shall mean the “wastewater treatment works” defined below exclusive of interceptor sewers, and wastewater collection systems. All wastewater treatment is provided by the City of Oconomowoc and all references to treatment facilities refer to those facilities owned and operated by the City of Oconomowoc.
- (54) WASTEWATER TREATMENT WORKS. Shall mean an arrangement of devices and structures from the storage, treatment recycling, and reclamation of wastewater, liquid industrial wastes, and sludge. These systems include interceptor sewers, outfall sewers, wastewater collection systems, individual systems, pumping, power and other equipment and their appurtenances; any works that are an integral part of the treatment process or are used for ultimate disposal of residues from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal or industrial wastes.
- (55) WATERCOURSE. Shall mean a natural or artificial channel for the passage of water either continuously or intermittently.
- (56) WPDES PERMIT. Permit issued under the Wisconsin Pollutant Discharge Elimination System, Chapter NR 120, Wisconsin Administrative Code which establishes effluent limitations and monitoring requirements for the municipal treatment facility.

20.3 USE OF PUBLIC SEWERS.

- (1) SANITARY SEWERS. No person(s) shall discharge or cause to be discharged subsurface drainage, detention settlings, or cooling water to any sanitary sewer except storm water runoff from limited areas, which storm water may be polluted at times, may be discharged to the sanitary sewer by permission of the Approving Authority.
- (2) USER CONNECTIONS.
 - (a) The Owner(s) of all houses, buildings, or properties located within the Village’s legal boundaries on or before January 1, 2005 and used for human occupancy, employment, recreation, or other purposes, including milk houses, situated within the Village and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer, is (are) hereby required at the Owner(s) expense to install suitable toilet facilities therein, and

connect such facilities directly to the proper public sewer in accordance with the provisions of this Ordinance within six (6) months after the date of official notice from the Approving Authority to do so.

(b) The Owner(s) of all houses, buildings, or properties annexed by the Village after January 1, 2005 may file a request with the Village Board to defer connection to the sewerage system. Upon granting of such deferment, the owner(s) shall pay to the Village the sewer availability charges provided for in sec. 20.15 of this code. Such deferment shall cease when any of the following events occur with respect to the house, building, or property:

- (i) Change or intensification in use;
- (ii) Change in ownership;
- (iii) Land division by certified survey map or plat;
- (iv) Modification of any structure which results in an increase of more than fifty (50) percent of its current fair market value.

Upon the occurrence of any of these events, the owner(s) of the houses, buildings, or properties shall connect directly to the proper public sewer in accordance with the provisions of this Ordinance within six (6) months after the date of official notice from the Approving Authority to do so.

(c) If any person fails to comply after the expiration of the time provided by the notice, the Village may impose a penalty equal to one-hundred-fifty percent (150%) of the minimum quarterly charge found in the user charge system for each quarter until such time as the connection is made by the Owner. After a period of twelve (12) months from the date of official notice, the Village may cause connection to be made. In the latter case, the expense thereof shall be assessed as a special tax against the property. The Owner may, within thirty (30) days after the completion of the work, file a written option with the Village stating that he or she cannot pay the amount in one sum and asking that it be levied not to exceed five (5) equal annual installments, and the amount shall be so collected with interest at the rate of ten percent (10%) per year from the completion of the work, the unpaid balance to be a special tax lien.

(d) The sewer service charges contained in the user charge system shall take effect as of the day a connection to the sewer is made.

(e) No portable or temporary sanitary facilities shall be allowed within the Village without approval of the Approving Authority.

(3) **STORM SEWERS.** Storm water other than that exempted under subsection (a), and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Approving Authority and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the Approving Authority, to a storm sewer or natural outlet.

- (4) PROHIBITIONS AND LIMITATIONS. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described water or waters to any public sewer.
- (a) Any gasoline, benzene, naphtha, fuel oil, other flammable or explosive liquid, solid, or gas.
 - (b) Any wax, grease or oil, plastic or any other substance that will solidify or become discernibly viscous at temperatures between thirty-two degrees Fahrenheit (32°F) to one-hundred fifty degrees Fahrenheit (150°F) or zero degrees Celsius (0°C) to sixty-five degrees Celsius (65°C).
 - (c) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from eh treatment works.
 - (d) Any wastewater or wastes having a pH lower than 6.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works.
 - (e) 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 wastewater facilities such as, but not limited to, ashes cinders, sand, mud, straw, shavings, metal, glass rags, feathers, tar plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
 - (f) The following described substances, materials waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Approving Authority may set limitations lower than the limitations established in the regulations below if in their opinion such more severe limitations are necessary to meet the above objectives. In forming an opinion as to the acceptability, the Approving Authority will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Approving Authority are as follows:
 - (i) Wastewater having a temperature higher than one-hundred fifty degrees Fahrenheit (150°F) or sixty-five degrees Celsius (65°).

- (ii) Wastewater containing more than twenty-five (25) milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.
- (iii) Any water or waste which may contain more than one-hundred (100) mg/l of fat, oil, or grease.
- (iv) Any garbage that has not been properly shredded to such a degree that all particles will be carried freely in suspension in the municipal sewers. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- (v) Any waters or wastes containing iron, hexavalent chromium, trivalent chromium, copper, zinc, mercury, cyanide, nickel, cadmium, phenols, tin and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Approving Authority for such materials.
- (vi) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Approving Authority in compliance with applicable state or federal regulations.
- (vii) Quantities of flow, concentrations of both which constitute a "slug" as defined herein.
- (viii) Water or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amendable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (ix) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
- (x) Any cyanide or cyanogen's compounds capable of liberating hydrocyanic gas or acidification in excess of 0.5 mg/l by weight as cyanide in the wastes.
- (xi) Any wastes or wastewater of such character and quantity that unusual attention or expense is required to handle them in the sewer system.
- (xii) Any pollutants which create a fire or explosion hazard in the wastewater treatment facilities or sewerage system, including, but not limited to , waste streams with a closed cup flashpoint of less than one-hundred forty degrees Fahrenheit (140°F) or sixty degrees Celsius (60°C) using the test methods specified in 40 CFR 261.21.
- (xiii) Materials which exert or cause:

1. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment plant.
 2. Unusual volume of flow or concentration of wastes constituting “slugs” as defined herein.
 3. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller’s earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium sulfate or sodium chloride).
 4. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions) in the wastewater treatment facilities discharge.
 5. Damage to the collection system or impairment of the treatment process.
- (5) No wastewater, regardless of character, shall be discharged to the sewage system in such a manner as to interfere with the designated operation of the collection system or treatment facilities, or to cause the treatment works to exceed the limits presented by the WPDES Permit.
- (6) SPECIAL ARRANGEMENTS. No statement contained in this chapter shall be constructed as prohibiting any special agreement between the Village and any person whereby, with consent of the City of Oconomowoc, and industrial waste of unusual strength or character may be admitted to the sewage disposal works, either before or after pretreatment, provided that there is no impairment of the functioning of the sewage disposal works by reason of the admission of such wastes, and no extra costs are incurred by the Village without recompense by the person provided that all rates and provisions set forth in this Ordinance are recognized and adhered to.
- (7) NEW CONNECTIONS. New connections to the sewage system shall not be permitted if there is insufficient capacity in the treatment works to adequately transport the additional wastewater anticipated to be received from such connections.

20.4 CONTROL OF HIGH STRENGTH TOXIC WASTES DIRECTED TO PUBLIC SEWERS.

- (1) SUBMISSION OF BASIC DATA.
- (a) Within three (3) months after passage of this Ordinance, establishments discharging industrial wastes to a public sewer shall prepare and file with the Approving Authority a report that shall include pertinent data relating to the quantity and characteristics of the wastes discharged to the wastewater works. Such information shall be provided as per Chapter NR 101 of the Wisconsin Administrative Code.
 - (b) Similarly, each establishment desiring to make a new connection to public sewer for the purpose of discharging industrial wastes shall prepare a file with the Approving

- Authority a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.
- (2) EXTENSION OF TIME. When it can be demonstrated that circumstances exist which would create an unreasonable burden on the establishment to comply with the time schedule imposed by subsection A, a request for extension of time may be presented for consideration of the Approving Authority.
- (3) HIGH STRENGTH – TOXIC DISCHARGES.
- (a) If any waters or wastes are discharged, or proposed to be discharged to the public sewers, which waters or wastes contain substances or possess the characteristics enumerated in sec. 20.03(4) of this code and which in the judgment of the Approving Authority, may have deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life, health, or constitute a public nuisance, the Approving Authority may:
- (i) Reject the wastes;
 - (ii) Require pretreatment to an acceptable limit for discharge to the public sewers;
 - (iii) Require control over the quantities and rates of discharge; and/or
 - (iv) Require payment to cover the added cost of handling and treating the wastes not covered by the existing taxes or sewer charges under the provisions of § 20.02(E).
- (b) The toxic pollutants subject to prohibition or regulation under this Article shall include, but need not be limited to, the list of toxic pollutants or combination of pollutants established by Section 307(a) of the Clean Water Act of 1977 and subsequent amendments. Effluent standards or prohibitions for discharge to the sanitary sewer shall also conform to the requirements of Section 307(a) and associated regulations.
- (c) Pretreatment standards for those pollutants which are determined not to be susceptible to treatment by the treatment works or which would interfere with the operation of such works shall conform to the requirements and associated regulations of 307(b) of the Clean Water Act of 1977 and subsequent amendments. The primary source for such regulations shall be 40 CFR 403, General Pretreatment Regulations for Existing and New Sources of Pollution.
- (4) CONTROL MANHOLES.
- (a) Each user discharging industrial wastes into a public sewer may be required by the Approving Authority to construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of his wastes, including domestic sewage.
- (b) Control manholes or access facilities shall be located and built in a manner acceptable to the Approving Authority. If measuring devices are to be permanently installed they shall be of a type acceptable to the Approving Authority.
- (c) Control manholes, access facilities, and related equipment shall be installed by the establishment discharging the waste, at its expense, and shall be maintained by it so

as to be in safe condition, accessible, and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the Approving Authority prior to the beginning of construction.

(5) METER OF WASTE.

Devices for measuring the volume of waste discharged may be required by the Approving Authority if this volume cannot otherwise be estimated. Metering devices for determining the volume of waste shall be installed, owned, and maintained by the discharger. A maintenance schedule must be accepted by the Approving Authority. Following approval and installation such meters may not be removed without the consent of the Approving Authority.

(6) WASTE SAMPLING.

- (a) Industrial wastes discharged into the public sewers shall be subject to periodic inspection and determination of character and concentration of said wastes. The determination shall be made by the industry as often as may be deemed necessary by the Approving Authority.
- (b) Sampling shall be conducted in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the Approving Authority.
- (c) Installation, operation and maintenance of the sampling facilities shall be the responsibility of the establishment discharging the waste and shall be subject to the approval of the Approving Authority. Access to sampling locations shall be granted to the Approving Authority or its duly authorized representative at all times. Every care shall be exercised in the collection of samples to ensure their preservation in a state comparable to that at the time the sample was taken.

(7) ANALYSES.

- (a) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, location times, durations, and frequencies are to be determined on an individual basis subject to approval by the Approving Authority.
- (b) Determination of the character and concentration of the industrial wastes shall be made by the establishment discharging them, or its agent, as designated and required by the Approving Authority. The Approving Authority may also make its own analyses on the wastes and these determinations shall be binding as a basis for charges.

(8) PRETREATMENT.

Where required, in the opinion of the Approving Authority, to modify or eliminate wastes that are harmful to the structures, processes or operation of the wastewater treatment

works, the person shall provide at his expense such preliminary treatment or processing facilities as may be determined required to render his wastes acceptable for admission to the public sewers.

(9) SUBMISSION OF INFORMATION.

Plans, specifications, any other pertinent information relating to proposed flow equalizations, pretreatment or processing facilities shall be submitted for review of the Approving Authority prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

20.5 GREASE AND/OR SAND INTERCEPTORS.

- (1) Grease, oil, and sand interceptors shall be provided when, in the opinion of the Approving Authority, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in sec. 20.03(4) or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Approving Authority, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the Owners) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Approving Authority. Any removal and hauling of the collected materials not performed by Owners) personnel must be performed by currently licensed waste disposal firms.
- (2) GREASE INTERCEPTRO PERMIT REQUIRED. Any property owner, or property owner's agent or lessee, who is required by the Approving Authority to install and maintain a grease interceptor, shall obtain a grease interceptor permit from the Village.
- (3) APPLICATION. Application for a permit shall be made on forms provided by the Village, disclosing therein the following:
 - (a) The name(s) and telephone number(s) of the person(s) responsible for the maintenance of the grease interceptor;
 - (b) The means by which the captured material is to be disposed;
 - (c) The name of any currently licensed waste disposal firms contracted to dispose of the captured material; and
 - (d) The record of dates and means of disposal of all captured material during the previous permit years.
- (4) INSPECTION. Upon receipt of an application, the Village Plumbing Inspector shall make, or shall cause to be made, an inspection of the grease interceptor to assure that the permitted premises and the grease interceptor are in compliance with Wisconsin

Administrative Code Section COMM 82.34. Inspections shall thereafter be made at such times as the Village Plumbing Inspector shall deem necessary.

- (5) FEE. The applicant shall pay an investigation and compliance fee to cover the Village's cost of administering this compliance program. This fee relates solely to the inspection and monitoring described in this section and is separate from all other fees charged by the Village. The fee, which shall be established by the Village Board by resolution from time to time, shall be paid at the time the applicant makes application.
- (6) MAINTENANCE REPORTS. Maintenance reports detailing all maintenance performed during the previous year shall be submitted to the Approving Authority annually, by January 31. Any user delinquent in filing a maintenance report shall be notified of the delinquency and the penalty for failure to report. Any user who has not submitted the required annual maintenance report by March 1, shall be assessed a penalty not exceeding two-hundred dollars (\$200.00) per day with each day constituting a separate violation. The penalty shall be assessed from March 1 until the maintenance report has been received by the Approving Authority.
- (7) EXPIRATION; RENEWAL; TRANSFER. Grease interceptor permits shall expire on of every other year. Renewals shall be handled in the same manner as original applications. Permits issued under this section are personal and may not be transferred.
- (8) REVOCATION OF PERMIT. Permits issued under this section may be revoked, or withheld, by the Village Plumbing Inspector whenever the Village Plumbing Inspector determines that the permit holder has violated any provision of Wisconsin Administrative Code Section COMM 82.34, including but not limited to allowing deleterious waste material to be introduced into the Village sewer. Continued operation under a revoked permit shall constitute a violation of sec. 20.10 of this Article.
- (9) APPEALS. Appeals from any order or decision of the Village Plumbing Inspector under this section shall be made pursuant to sec. 20.11.

20.6 RIGHT OF ENTRY, SAFETY AND IDENTIFICATION.

- (1) RIGHT OF ENTRY. The collection system operator or other duly authorized employee of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation and testing, in accordance with the provisions of this Ordinance and state laws. The operator, or other duly authorized employee of the Village shall have no authority to inquire into any process beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastewater treatment.
- (2) SAFETY. While performing the necessary work on private premises referred to in subsection (1), the duly authorized Village employees shall observe all safety rules applicable to the premises established by the Owner or occupant and the Village shall indemnify the Owner against loss or damage to its property by Village employees and

against the liability claims and demands for personal injury or property damage asserted against the Owner and growing out of gauging and sampling operation of the Village employees; except as such may be caused by negligence or failure of the Owner to maintain safe conditions.

- (3) IDENTIFICATION, RIGHT TO ENTER EASEMENTS. The operator and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement, all subject to the terms, if any, of the agreement.

20.7 SEWER CONSTRUCTION (BUILDING SEWERS).

- (1) WORK AUTHORIZED.
 - (a) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer, building sewer or appurtenance thereof without first obtaining written permits from the Approving Authority.
 - (b) The connection of the building sewer to the building drain shall require a Connection Permit, the fee for which shall be twenty-five dollars (\$25.00). All fees shall be paid prior to the issuance of the permit(s).
 - (c) No contractor, plumber, pipe fitter or other person shall be permitted to do work on any public sewer or building sewer without first receiving licenses from the State of Wisconsin and the Village and posting a ten-thousand dollar (\$10,000.00) cash deposit, bond, or letter of credit in a form acceptable to the Village Attorney with the Approving Authority, and having a Certificate of Insurance naming the Village as coinsured. The cost of the license to work within the Village shall be one-hundred dollars (\$100.00). Said bond shall receive prior approval of Village legal counsel, and shall be released upon satisfactory inspection of the work in accordance with sec. 20.06 of this Article.
 - (d) Prior to commencement of the work, the permittee shall notify the Village at least forty-eight (48) hours before beginning excavations.
- (2) CONNECTION CHARGE.

Connection charges shall be assessed pursuant to section sec. 20.15 of this chapter.
- (3) COST OF SEWER CONSTRUCTION.
 - (a) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the Owner, who may request that the work be performed by the Approving Authority or who may employ an independent contractor to do the work. In the latter case, the Owner shall indemnify the Village from any loss or

damage that may directly or indirectly be occasioned by the installation, modification, or connection of the building sewer.

- (b) Except as herein provided, all charges accruing to the Owner under this Chapter may be treated as special assessments in accordance with the provisions of the Wisconsin Statutes.
- (4) USE OF OLD BUILDING SEWERS. Old building sewers may be used in connection with new buildings only when they are found on examination and tested by Approving Authority, to meet all requirements for this Ordinance.
- (5) MATERIALS AND METHODS OF CONSTRUCTION. The size, slope, alignment, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Wisconsin Administrative Code, the State Department of Natural Resources, the Waukesha County and Village of Lac La Belle building and plumbing code, and other applicable rules and regulations of the Village. All building sewers shall be constructed of Sch 40. In the absence of code provisions or an amplification thereof, the procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.
- (6) BUILDING SEWER GRADE. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- (7) STORM AND GROUNDWATER DRAINS.
 - (a) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, sump pumps or other sources of surface runoff or groundwater to a building sewer or building drain which is connected directly or indirectly to a public sanitary sewer.
 - (b) All existing downspouts or groundwater drains, etc., connected directly or indirectly to a public sanitary sewer must be disconnected no later than sixty (60) days from the date of an official written notice by the Approving Authority. Exceptions to the above shall be made only by the Approving Authority in writing.
- (8) CONFORMANCE TO PLUMBING CODE.
 - (a) The connection of the building sewer into the public sewer shall conform to the requirements of the Waukesha County building and plumbing code and other applicable rules and regulations of Village of Lac La Belle or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9 when not otherwise specified. All such connections shall be made gas tight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Approving Authority before installation.
 - (b) All connections to existing sewer mains shall be made with a saddle “T” or “Y” fitting set upon a carefully cut opening centered in the upper quadrant of the main sewer pipe with solvent-welded joints.

- (9) INSPECTION OF CONNECTION. The applicant for the building sewer permits shall notify the Approving Authority when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Approving Authority. The permit fees shall include the cost of one inspection by the Approving Authority. The Owner shall pay the costs of any additional inspections that may be required for quality assurance.
- (10) BARRICADES: RESTORATION. All excavations for the building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.
- (11) SEWER MAIN EXTENSIONS.
- (a) In addition to all other pertinent sections of this Ordinance, any person requesting an extension of the public sanitary sewer main shall be responsible for all of the following duties.
- (i) All costs and expenses incident to the installation of a sewer main extension, including engineering and any fees associated with the connection or hookup to the sewer, shall be borne by the person requesting the extension. This person shall secure and furnish proof of an escrow account for the estimated amount of the total sewer costs, the amount to be determined by the Village. The account shall be so arranged and a special agreement executed between the person, the bank, and the Village Board to allow the latter to withdraw monthly amounts from the account sufficient to cover monthly payments to subcontractors under contract with the Village for the sewer installation. The amounts of monthly withdrawals, as determined by the Village Board, shall be billed to the person requesting the extension and shall be due within ten (10) days of the date of billing.
- (ii) Design of any proposed sewer extension shall be performed by an engineering consultant selected by the Approving Authority. The resulting construction plans and specifications shall be reviewed and approved by the Approving Authority prior to submittal to the Wisconsin Department of Natural Resources. All plans shall conform to the standards of the WDNR, and such additional requirements and standards that the Approving Authority may establish, and shall be prepared by a professional engineer registered to practice in the State of Wisconsin. Construction inspection and contract administration shall be performed by the Village's engineer.
- (iii) The person requesting the sewer extension shall assist in securing all required utility easements, the location and width of which shall be determined by the Village. The Village will furnish blank easement forms to the person who will be responsible for the proper legal description of the easement parcel and for

the proper execution of the easement by the grantor. All completed easements shall be submitted to the Village, designated as the grantee for its review, and shall be recorded at the Waukesha County Register of Deeds office by the Village.

- (iv) The person requesting the sewer extension shall also execute any other special agreements deemed necessary by the Approving Authority.

20.8 SEPTIC TANK HOLDING AND DISPOSAL.

No septic tank or holding tank wastes shall be discharged to the collection system operated by Village of Lac La Belle. The Village does not have facilities to provide wastewater treatment facilities to accept such wastes. Such wastes typically have pollutant levels far in excess of domestic strength as defined in this Ordinance. Due to their high strength and lack of receiving or treatment facilities, such wastes shall not be accepted by the Village.

20.9 DAMAGE OR TAMPERING WITH SEWER FACILITIES.

- (1) WILLFUL, NEGLIGENT OR MALICIOUS DAMAGE. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewer facilities. Any persons violating this provision shall be subject to immediate arrest under a charge of disorderly conduct.
- (2) LIABILITY TO DISCHARGER FOR LOSSES. Any person who intentionally, negligently or accidentally violates any provisions of this Ordinance shall become liable to Village of Lac La Belle or any downstream user, for any expense, loss or damage occasioned by reason of such violation which the Village or any downstream user may suffer as a result thereof. This section shall be applicable whether or not a written notice of the violation was given as provided in sec. 20.10(1) and without consideration for any penalties which may be imposed for a violation of this Ordinance.

20.10 VIOLATIONS AND PENALTIES.

- (1) PENALTIES. Any person found to be violating any provision of this Ordinance shall be subject to the penalties provided in sec. 15.04 of the Village Code of Ordinances provided, however, that the minimum forfeiture for the first day of each violation shall be five-thousand dollars (\$5,000.00) and the minimum forfeiture for each day thereafter for each violation shall be two-hundred dollars (\$200.00).
- (2) DISCHARGE OF DELETERIOUS SUBSTANCES. Any person found to be responsible for causing or allowing a deleterious discharge into the sewer system which causes damage to the treatment facility and/or receiving body of water shall, in addition to a fine, pay the amount to cover damage, both values to be established by the Approving Authority.

- (3) LIABILITY TO THE VILLAGE FOR LOSSES. Any person violating any provision of this Ordinance shall become liable to Village of Lac La Belle for any expenses, loss, or damage occasioned by reason of such violation which the Village Board may suffer as a result thereof.

20.11 APPEALS.

- (1) PROCEDURES.
 - (a) Any User, permit applicant, or permit holder affected by any decision, action, or determination, including cease and desist orders, made by the Approving Authority interpreting or implementing the provisions of this Ordinance or in any permit issued herein, may file with the Approving Authority a written request for reconsideration within ten (10) days setting forth in detail the facts supporting the user's request for reconsideration.
 - (b) The Village Board shall render a decision on the request for reconsideration to the user, permit applicant or permit holder in writing within fifteen (15) days of receipt of request.

20.12 VALIDITY.

- (1) REPEAL OF CONFLICTING ORDINANCE. All ordinances or parts of ordinances or regulations or parts of regulations in conflict with the Ordinance are hereby repealed.
- (2) INVALIDATION CLAUSE. Invalidity of any section, clause, sentence, or provision in the Ordinance shall not affect the validity of any other section, clause, sentence, provision of this Ordinance which can be given effect without such invalid part or parts.
- (3) AMENDMENT. Village of Lac La Belle, through its duly qualified officers, reserves the right to amend this Ordinance in part or in whole wherever it may deem necessary, but such right will be exercised only after due notice to all persons concerned and proper hearing on the proposed amendment.

20.13 AUDIT.

- (1) ANNUAL AUDIT. Village of Lac La Belle shall conduct an annual audit, the purpose of which shall be to demonstrate the continued proportionality and sufficiency of the user charges relative to changes in system operation and maintenance costs.

ARTICLE II (SEWER CHARGE SYSTEM)

20.14 BASICS FOR SEWER USER CHARGES.

- (1) UNMETERED USERS. Charges for unmetered users, except as provided in subsection B below, shall be determined on the basis of “Residential Equivalent Connection” (REC) in accordance with Schedule 1 of this ordinance, which utilizes average water consumption for given classes of users.
- (2) METERED USERS.
 - (a) In the event that the discharge from a user differs significantly from the norm with respect to volume or strength, in the opinion of the Approving Authority, the Authority may require that such user install a water meter or meters for the purpose of determining the volume of water obtained from private sources and discharged to the sewers. Where sewage meters are already installed, water meters and they shall be installed under the supervision of the Village, all costs being at the expense of the person requiring the meter.
 - (b) Village of Lac La Belle shall charge for each meter, a rental charge set by the Village to compensate for the cost of furnishing and servicing the meter. The rental charge shall be billed at the time that the sewer service charge is billed.
 - (c) The user charge for metered users shall be based on the quantity of water used as measured by the meter upon the premises except as provided by subsection (3).
- (3) MEASUREMENT OF FLOW FROM HIGH STRENGTH OR TOXIC WAST DISCHARGES.
 - (a) The volume of flow used for computing the user charge shall be metered water consumption of the user as shown in the records of meter readings maintained by the Village, except as noted in subsection (4).
 - (b) Provision for deductions: In the event that an establishment discharging industrial waste into the public sewers produces evidence satisfactory to the Village that more than twenty percent (20%) of the total annual volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the Approving Authority and the person.
Satisfactory evidence shall be evidence obtained by approved metering.
- (4) METERING OF INDUSTRIAL WASTE. Devices for measuring the volume of waste discharged may be required by the Approving Authority if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of waste shall be installed, owned, and maintained by the discharger. A maintenance schedule must be accepted by the Approving Authority. Following approval and installation such meters may not be removed without the consent of the Approving Authority.
- (5) WASTE SAMPLING. Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the Approving Authority. The use of flow proportional composite sampling is preferred.

- (6) FREE SERVICE. No user shall receive free service or pay a sewer use charge less than the user's proportional share of operation, maintenance and replacement costs.
- (7) OUTSIDE SERVICE. All users within the sewer service area of the Village of Lac La Belle shall be treated equally as to sewer use charges regardless of their location with respect to the Village boundaries.

20.15 SANITARY SEWER CONNECTION CHARGES.

(1) CONNNECTION CHARGES. The Owner of each new user connection shall be assessed a connection charged based upon a user's potential needed capacity in the treatment facility in accordance with Schedule 1. Each new user, and any existing user that increases its use or intensity of use requiring additional capacity in the treatment facility, shall be charged a connection charge or an additional connection charge. Such connection charge shall apply to all connections to the village's sewer system resulting from new construction or the change of an existing user whereby additional capacity shall be required from the treatment facility. Metering of user's flow shall be utilized for non-residential users to determine user fees charged such user by the Village. Metering shall also be used as a means of verification by the Village or Approving Authority, but shall not be used to reduce a user's connection charge from that determined through use of Schedule 1, or metered as contained in this section. The connection charge shall be determined separately by the Approving Authority for each building in accordance with Schedule 1 unless the Approving Authority determines that the information in the Schedule does not accurately reflect the user's wastewater discharge to the sewerage system, in which case the Approving Authority will assign an initial connection charge to the user. Thereafter, the user shall be subject to additional connection charges based upon actual usage. Such charges shall be in addition to the building sewer construction costs, sewer service charges, and any other charges resulting from the connection to the public sewer.

(a) Residential Development.

The sanitary sewer connection charge per REC shall be as follows:

2005	2006	2007	2008	2009
\$14,585.00	\$15,314.25	\$16,079.96	\$16,883.96	\$17,728.16

These connection charges are based on an increase at the rate of five percent per year. However, all connection charges are subject to review by the Approving Authority, and this schedule may be revised at any time by the Approving Authority.

- (b) Nonresidential Development.
 - (i) The property owner shall submit a good faith estimation of the intended water and sewer usage for any nonresidential development prepared by a qualified engineer licensed by the State of Wisconsin.
 - (ii) Based on the information supplied by the property owner, the Village shall calculate the residential equivalent user for that development in accordance with Schedule 1. All REC calculations shall be rounded up to the nearest 0.5 REC. A minimum fee based on one REC shall be established for all nonresidential connections.
 - (iii) The Village Board may, in its discretion, assign a sewer connection charge different from that calculated by Schedule 1 if the Village Board considers the additional maintenance burden placed on the sewerage system by the additional commercial customer, the number of connections purchased by the owner(s), and the overall benefits to the Village of providing sewer service to a particular commercial enterprise and finds that variance from Schedule 1 will promote the commercial benefit and the health, safety, welfare and convenience of the public.
 - (iv) Based upon the information obtained under subparagraph (iii), the Village shall recalculate the number of RECs, and may recalculate the connection charge pursuant to subsection (1)(b)(ii) above. If the recalculated charge exceeds that of the original charge, the difference between the recalculated charge and the amount paid for the original charge shall become due and payable at the time the adjustment is made. There will be no refund notwithstanding the result of the recalculation.
- (2) METERING. Metering of user's flow shall be utilized to determine user fees charged commercial users by the village. Metering shall also be used as a means of verification of connection charges by the Village or Commission, but shall not be used to reduce a user's connection charge from that determined pursuant to subsection (1)(b)(ii) or (1)(b)(iii) above.
- (3) COLLECTION OF SEWER CONNECTION CHARGES. The Village shall collect connection charges from new users or from existing users prior to issuance of building permits or use permits. Existing users who increase their use of the system shall be subject to an invoice on an annual basis for additional connection charges equivalent to the number of increased RECs being utilized.
- (4) CONNECTION CHARGE INSTALLMENT PAYMENTS PERMITTED. The Village Board may, in its discretion, grant a request by the owner(s) of a property to pay the connection charges provided for in this section over a ten-year period of time. If a request for installment payments is granted pursuant to this subsection, the owner(s) shall be responsible for

payment of principal with interest on the unpaid balance at the Village's cost of capital rate.

20.16 BUILDING PRACTICE.

- (1) BILLING PERIOD. Service charges shall be billed on an annual basis.
- (2) PAYMENT. User charges shall be calculated on a prospective basis and invoiced on the preceding year's real property tax bill. User charge payments shall be due on January 31st of each year. User charges for persons requesting new or additional connection(s) to the Village system shall be prorated on the basis of the number of remaining months in the calendar year at the time of issuance of any building permit(s). User charges shall be paid to, and as a condition of, issuance of any building permit.
- (3) PENALTIES.
 - (a) Charges levied in accordance with this Ordinance shall be a debt due to the Village of Lac La Belle. If the debt is not paid within twenty (20) days after it is due and payable, it shall be deemed delinquent. There shall be an added penalty of three percent (3%) of the amount of the quarterly billed (penalties shall not be compounded).
 - (b) Charges and penalties shall constitute a lien upon the property services and be recorded on the Village's tax roll. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.
- (4) NOTIFICATION. Each user shall be notified quarterly, in conjunction with a regular bill for the rate those portions of the user charges which are attributable to wastewater treatment services.

20.17 AMOUNT OF USER CHARGES.

- (1) UNMETERED USERS. The total annual service charge for all unmetered users shall be the sum of the following charges:
 - (a) Oconomowoc Fixed Charge;
 - (b) Oconomowoc Volume Charge;
 - (c) Mary Lane Interceptor Charge;
 - (d) Ixonia Interceptor Charge;
 - (e) Lac La Belle Collection System O, M & R Charge;
 - (f) Lac La Belle Collection System Fixed Charge;These charges are discussed in Attachments A-D.
- (2) The basis for charges shall be Residential Equivalent Connection (REC), which shall be determined from Schedule 1 of this Ordinance. No user shall be charged less than 1 REC.
- (3) METERED USERS. The total annual service charge for all metered users shall be the sum of the following charges as employed in subsection (1) of this section:
 - (a) Oconomowoc Fixed Charge;
 - (b) Oconomowoc Volume Charge;
 - (c) Mary Lane Interceptor Charge;

- (d) Ixonia Interceptor Charge;
- (e) Lac La Belle Collection System O, M & R Charge;
- (f) Lac La Belle Collection System Fixed Charge.

20.18 AUDIT

- (1) Village of Lac La Belle shall conduct an annual audit, the purpose of which shall be to demonstrate the continued proportionality and sufficiency of the user charges relative to changes in system operation, maintenance, and replacement costs.

SCHEDULE 1 – RESIDENTIAL EQUIVALENT CONNECTION DETERMINATION

Definition: 1 REC – 1 Residence – 3.3 People – 200 Gallons Per Day – 11,400 Gallons Per Week

- (1) 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:

TABLE INSET:

Residential Users	REC
Condominium	1.00
Single-Family Home	1.00
Duplex	2.00
Multiple-Family (2 bedrooms)	1.00/Unit
Multiple-Family (1 bedroom or less)	0.75/Unit
Multiple-Family (1 and 2 bedrooms)	0.50/Unit

- (2) For unmetered commercial and industrial users of the sewerage system, their wastewater flow shall be determined from the following table unless the Approving Authority determines that the information in the table does not accurately reflect the user’s wastewater discharge to the sewerage system, in which case the Approving Authority 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 average residential user is defined as contributing two-hundred (200) gallons of wastewater per day with a BOD and suspended solids concentration of two-hundred fifty (250) mg/l and two-hundred seventy (270) mg/l, respectively. The minimum REC for any account shall not be less than 1.00 REC. Upon completion of the REC computations, all RECs will be rounded up to the nearest 0.5 REC.

TABLE INSET:

SIC Code	Description	Gallons Per Employee Hour
0742	Veterinary services for animal specialties	20.0
0752	Animal specialty services	16.0
0782	Lawn and garden services	10.0
1146	Industrial sand	5.0
1521	General contractors – Residential	2.3
1541	General contractors – Industrial buildings and warehouses	2.3
1611	General contractors – Public works	2.3
1711	Plumbing, heating and 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 and other prepared meats	110.0
2065	Candy and other confectionery products	50.0
2087	Flavoring extracts and syrups, N.E.C.	75.0
2397	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 and printing	10.0
2731	Books: Publishing and printing	10.0
2751	Commercial printing, letterpress and screen	10.0
2752	Commercial printing, lithographic	10.0
2789	Book binding and related work	10.0
2795	Lithographic platemaking and related services	25.0
2819	Industrial inorganic chemicals, N.E.C.	10.0
2834	Pharmaceutical preparation	10.0
2841	Soap and other detergents	15.0
SIC Code	Description	Gallons Per Employee Hour
2893	Manufacturing of printing ink	30.0
2899	Chemicals and chemical preparations, N.E.C.	10.0
3079	Miscellaneous plastic products	85.0
3111	Leather tanning and finishing	345.0
3272	Concrete products, except block and brick	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 forging	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 and fittings	2.3
3499	Fabricated metal products, N.E.C.	25.0
3531	Construction machinery and equipment	5.0
3544	Spec. dies and tools, die sets, jigs and fixtures, molds	10.0
3562	Ball and roller bearings	5.0
3565	Industrial patterns	5.0
3569	General industrial machinery and 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 and 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 and 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
SIC Code	Description	Gallons Per Employee Hour
4811	Telephone communication	2.3
4832	Radio broadcasting	2.3
5042	Toys and hobby goods and supplies	2.3
5063	Electrical apparatus and equipment	2.3
5054	Electrical appliances	2.3
5072	Hardware – wholesale distribution	2.3
5082	Construction and mining machinery and equipment	2.3
5084	Industrial machinery and equipment	2.3
5142	Frozen foods	10.0
5149	Wholesale groceries and related products, N.E.C.	10.0
5199	Wholesale nondurable goods, N.E.C.	10.0
5211	Lumber and other building materials dealers	2.3
5231	Paint, glass, wallpaper	2.3
5251	Hardware – retail sales	2.3
5261	Retail nurseries, lawn and garden supply stores	10.0
5271	Mobile home dealers	2.3
5311	Department stores	2.3
5331	Variety stores	2.3
5411	Grocery stores with meat and produce departments	16.0
5412	Grocery stores without meat and produce departments	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
5651	Shoe stores	2.3
5681	Furriers and fur shops	5.0
5711	Furniture, floor coverings, appliances	2.3
5812	Eating places (restaurants)	20.0
5813	Drinking places (taverns)	45.0
5912	Drugstores and proprietary stores	2.3
SIC Code	Description	Gallons Per Employee Hour
5921	Liquor stores	2.3
5931	Used merchandise stores	2.3
5941	Sporting goods stores and bicycle shops	2.3
5942-9	Miscellaneous stores	2.3
5992	Florists	10.0
5999	All other retail stores	2.3
6022-9	Banks	2.3
6122-63	Savings and 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 home sites	2.3
6531	Real estate agents and managers	2.3
6553	Cemetery subdividers and developers	2.3
6722	Management investment offices	2.3
7011	Hotels, motels, tourist courts	0.5REC/Unit
7211	Power laundries, family and commercial	105.0
7212	Cleaning and laundry pickup stations	2.3
7215	Fac. Coin-op laundries and dry cleaning	910.0
7221	Photographic studios	2.3
7231	Beauty shops	16.0
7241	Barber shops	10.0
7261	Funeral service and 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
7351	Employment agencies	2.3
7391	Research and development laboratories	10.0

7395	Photofinishing labs	10.0
7512	Passenger car rental and leasing, w/o drivers	10.0
7531	Top and body repair shop	5.0
7534	Tire retreading and repair shops	20.0
7538	General automotive repair shops	5.0
7542	Car washes	115.0
SIC Code	Description	Gallons Per Employee Hour
7622	Radio and 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 and recreation clubs	75.0
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 and secondary schools	20.0
8221	Colleges, universities and professional schools	25.0
8231	Libraries and information centers	20.0
8249	Vocational schools, N.E.C.	20.0
8421	Arboreta, botanical and 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 and 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
999	All offices, N.E.C.	2.3

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

ATTACHMENT A – OCONOMOWOC CHARGES

The Oconomowoc fixed, volume, and equal value charge are determined by the Oconomowoc Wastewater Treatment Facility and are approved by the Oconomowoc City Council. These rates are reviewed periodically and adjusted as required.

The Village of Lac La Belle, Town of Ixonia Sanitary District No. 2 and the Mary Lane Sanitary District are not within the Oconomowoc's boundaries, including the Village of Lac La Belle, are charged at one-hundred percent (100%) of the rates assessed to the users within the Oconomowoc City limits plus a capital recovery charge. The assessed equalized value charge is a charge assessed to each user based on the equalized assessed property value. This charge is not included at this time in the user charge system because this charge shall be recovered by property taxes in the Village of Lac La Belle. The Valley may elect to include this cost in the user charge system in the future.

The basis for the total volume charge billed to the Village shall be the metered flow leaving the Village. The basis of the charge assessed to the unmetered users within the Village of Lac La Belle shall be RECs in accordance with Schedule 1 of this Ordinance. The billing category will be determined by quarterly sampling of the wastewater prior to discharging into the Ixonia Interceptor. The basis of the Oconomowoc charge assessed to the metered users within the Village of Lac La Belle shall be a metered flow and sample information in accordance with sec. 20.14 of this Ordinance. However, when information on actual usage is not available, volume changes must be based on estimated contributions using similar land and building uses in other communities as a guide.

ATTACHMENT B – MARY LANE INTERCEPTOR CHARGE

The Mary Lane Interceptor Charge will reflect Lac La Belle's portion of costs incurred in the operation and maintenance of the interceptor sewer to the City of Oconomowoc. The Village's portion will be based on actual metered flow.

Three communities, Lac La Belle, Ixonia, and Mary Lane, will discharge wastewater to the interceptor system operated and maintained by the Mary Lane Sanitary District No. 2 and all of the flow from the Village of Lac La Belle is routed through the Mary Lane interceptor, for the purposes of calculating the interceptor charges, it is assumed that all of the flow from Lac La Belle and Ixonia is routed through Highway 16 interceptor. This agreement was negotiated between Lac La Belle, Ixonia, and Mary Lane and is included in the inter-municipal agreements between these communities. The total flow from the three communities will be pumped by the lift station located at the junction of Mary Lane Road and Highway 16 to the Oconomowoc wastewater treatment facility.

ATTACHMENT C – IXONIA INTERCEPTOR CHARGE

The Ixonia interceptor charge will reflect Lac La Belle’s portion of cost incurred in the operation, maintenance and replacement of the interceptor from Lac La Belle Drive to pump station # 2, pump station # 2, metering systems and force mains. In accordance with the inter-municipal agreement between Lac La Belle and Ixonia Sanitary District No. 2 the costs will be split up according to actual metered flows.

ATTACHMENT D – LAC LA BELLE COLLECTION SYSTEM CHARGE

The Lac La Belle O, M & R charge will reflect the costs incurred by the Village in the operation and maintenance of the Village’s collection system. The cost to operate and maintain the collection system must be paid by the users of the system in approximate proportion to their usage. Where metered water usage data is available, this can be used as a basis for equitable sewer charges. However, when information on actual usage similar land and building uses in other communities as a guide (Schedule 1: Residential Equivalent Connection Determination)

Operation and maintenance costs are defined, per the requirements of the Wisconsin Fund grant program, to include replacement costs. That is, a separate fund must be established in which monies will be accumulated to pay the cost “for obtaining and installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance [of the collection system] during [its] service life.” The O, M & R budget includes an annual contribution for this purpose.

The cost of operating the Village’s collection system will vary from year to year. All operation charges will be assessed on the basis of Residential Equivalent Connection (REC).

The Lac La Belle Fixed Charge (Minimum Annual Billing), the calculation of which is made pursuant to the formula on Appendix D-3, provides for debt retirement for Village of Lac La Belle. All users are to be assessed on the basis of Residential Equivalent Connection for purposes of debt service.

APPENDIX D-3

DERMINATION OF LAC LA BELLE FIXED CHARGE

$$\text{Fixed Charge} = \frac{\text{Projected Annual Debt Service (\$)}}{\text{Total Village RECs}}$$