

TITLE 9

Public Utilities

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Water Utility Regulations and Rates

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Article A: Rates

Sec. 9-1-1 Public Fire Protection Service—F-1.

- (a) The annual charge for public fire protection service to the Village of Crivitz shall be Ninety-nine Thousand Five Hundred Four Dollars (\$99,504.00).
- (b) This service shall include the use of hydrants for fire protection service only and such quantities of water as may be demanded for the purposes of extinguishing fires within the service area. This service shall also include water used for testing equipment and training personnel. For all other purposes, the metered or other rates set forth, or as may be filed with the Public Service Commission, shall apply.

Sec. 9-1-2 General Service—Metered—Mg-1.

(a) **Quarterly Service Charge:**

3/4-inch meter -	\$ 18.00
1-inch meter -	\$ 27.00
1-1/2-inch meter -	\$ 42.00
2-inch meter -	\$ 63.00
3-inch meter -	\$ 108.00
4-inch meter -	\$ 177.00
6-inch meter -	\$ 246.00
8-inch meter -	\$ 315.00
10-inch meter -	\$ 384.00
12-inch meter -	\$ 453.00

(b) **Volume Charge:**

First	40,000	gallons used each quarter	-	\$ 3.30 per 1,000 gallons.
Next	460,000	gallons used each quarter	-	\$ 2.90 per 1,000 gallons.
Over	500,000	gallons used each quarter	-	\$ 2.80 per 1,000 gallons.

- (c) **Billing.** Bills for water service are rendered quarterly and become due and payable upon issuance following the period for which service is rendered. A late payment charge of three percent (3%) but not less than fifty cents (\$.50) will be added to bills not paid within twenty (20) days of issuance. This one-time three percent (3%) late payment charge will be applied only to any total unpaid balance for the current billing period's usage, including unpaid late payment charges. This late payment charge is applicable to all customers. The Water Utility customer may be given a written notice that the bill is overdue no sooner than

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twenty (20) days after the bill is issued. Unless payment or satisfactory arrangement for payment is made within the next ten (10) days, service may be disconnected pursuant to Chapter PSC 185, Wis. Adm. Code. A charge will be made for processing checks that have been returned for insufficient funds.

- (d) **Combined Metering.** Volumetric meter readings will be combined for billing if the Water Utility *for its own convenience* places more than one (1) meter on a single water service lateral. Multiple meters placed for the purpose of identifying water not discharged into the sanitary sewer are *not* considered for Utility convenience and shall not be combined for billing. This requirement does not preclude the Utility from combining readings where metering configurations permit such an approach. Meter readings from individually metered separate service laterals shall *not* be combined for billing purposes.
 - (1) Buildings used in the same business, located on the same parcel and served by a single lateral may have the customer's water supply piping installed to a central point so that volume can be metered in one (1) place.

Sec. 9-1-3 General Service—Suburban—Mg-2.

- (a) **Rate.** Water customers residing outside the corporate limits of the Village of Crivitz shall be billed at the regular rates for service (Schedule Mg-1) plus a twenty-five percent (25%) surcharge.
- (b) **Billing.** Same as Schedule Mg-1.

Sec. 9-1-4 Other Charges—Oc-1.

- (a) **Non-Sufficient Funds Charge.** A Twenty-five Dollar (\$25.00) charge shall apply to the customer's account when a check rendered for utility service is returned for non-sufficient funds. This charge may not be in addition to, but may be inclusive of, other non-sufficient funds charges when the check was for payment of multiple services.
- (b) **Special Billing Charge.** A Twenty-five Dollar (\$25.00) charge to cover administrative and meter reading expenses shall apply whenever a customer requests special billing outside of the normal utility billing.
- (c) **Billing.** Same as Schedule Mg-1.

Sec. 9-1-5 General Water Service—Unmetered—Ug-1.

- (a) **Rate.** Where the Water Utility cannot immediately install its water meter, service may be supplied temporarily on an unmetered basis. Such service shall be billed at the rate of

Fifty-four and 30/100 Dollars (\$54.30) per quarter. This rate shall be applied only to single-family residential and small commercial customers and approximates the cost of eleven thousand (11,000) gallons per quarter under Mg-1. If it is determined by the Water Utility that usage is in excess of eleven (11,000) gallons per quarter, an additional charge per Schedule Mg-1 will be made for the estimated additional usage.

- (b) **Billing.** Same as Schedule Mg-1.

Sec. 9-1-6 Public Service—Mpa-1.

- (a) Water service supplied to municipal buildings, schools, sewer treatment plants, etc., shall be metered and the regular metered service rates (Schedule Mg-1) applied.
- (b) Water used on an intermittent basis for flushing sewers, street sprinkling, flooding skating rinks, drinking fountains, etc., shall be metered where meters can be set to measure the service. Where it is impossible to measure the service, the Superintendent shall estimate the volume of water used based on the pressure, size of opening and period of time water is allowed to be drawn. The estimated quantity used shall be billed at the rate of Two and 90/100 Dollars (\$2.90 per one thousand (1,000) gallons.
- (c) Billing shall be the same as Schedule Mg-1.

Sec. 9-1-7 Reconnection Charges—R-1.

	During Normal Business Hours	After Normal Business Hours
Reinstallation of meter, including valving at curb stop	\$ 40.00	\$70.00
Valve turned on at curb stop	\$ 25.00	\$50.00

NOTE: No charge for disconnection.
Billing shall be the same as Schedule Mg-1.

Sec. 9-1-8 Building and Construction Water Service—Mz-1.

- (a) For single-family and small commercial buildings, apply the unmetered rate, Schedule Ug-1.
- (b) For large commercial, industrial, or multiple apartment buildings, a temporary metered installation shall be made and general, metered rates (Mg-1) applied.
- (c) Billing shall be the same as Schedule Mg-1.

Sec. 9-1-9 Seasonal, Emergency or Temporary Service—Mgt-1.

- (a) Seasonal customers* shall pay an annual seasonal service charge equal to four (4) times the applicable service charge in Schedule Mg-1. Water use in any billing period shall be billed at the applicable volume rates in Schedule Mg-1 and the charge added to the annual seasonal service charge.
- (b) In addition, customers who have an additional meter pursuant to Schedule Am-1 shall also pay an annual seasonal rental charge equal to four (4) times the applicable additional meter rental charge in Schedule Am-1.
- (c) For disconnections of service not previously considered as seasonal, emergency or temporary, if service is resumed at the same premises by the same customer within a twelve (12) month period, and if there has been no service to another customer during the intervening period, the customer shall be billed for the pro rata share of the applicable service charge for the period of disconnection.
- (d) Further, if service has been disconnected or a meter removed, a charge under Schedule R-1 shall be applied at the time of reconnection or meter reinstallation.
- (e) Billing shall be the same as Schedule Mg-1.

*Seasonal customers are general service customers whose use of water is normally for recurring periods of less than a year. This includes service under Schedule Mg-1 and/or Schedule Am-1.

Sec. 9-1-10 Bulk Water—Bw-1.

- (a) All bulk water supplied from the water system through hydrants or other connections shall be metered, or at the direction of the Water Utility, estimated. Water Utility personnel or a utility-approved party shall supervise the delivery of water.
- (b) Bulk water sales are:
 - (1) Water supplied by tank trucks or from hydrants for the purpose of extinguishing fires outside the Utility's immediate service area;
 - (2) Water supplied by tank trucks or from hydrants for purposes other than extinguishing fires, such as irrigation or the filling of swimming pools; or
 - (3) Water supplied from hydrants or other temporary connections for general service type applications. (Water supplied for construction purposes — see Schedule Mz-1).
- (c) A charge for the volume of water used will be billed to the party using the water at Three and 30/100 Dollars (\$3.30) per one thousand (1,000) gallons. A service charge, in addition to the volumetric charge, will be Forty Dollars (\$40.00). In addition, for meters that are assigned to bulk water customers for more than thirty (30) days, the applicable service charge in Schedule Mg-1 will apply after the first thirty (30) days.

- (d) The Water Utility may require reasonable deposits for the temporary use of its equipment under this and other rate schedules. The deposit(s) collected will be refunded upon return of the utility's equipment. Damaged or lost equipment will be repaired or replaced at the customer's expense.
- (e) Billing shall be the same as Schedule Mg-1.

Sec. 9-1-11 Additional Meter Rental Charge—Am-1.

- (a) **Rates.** If a customer requests the installation of an additional meter* to receive credit for clear water not discharged into the sanitary sewer system, or if a sewerage service customer who is not a customer of the Water Utility requests the installation of a meter to determine the volume of sewage discharged into the sanitary sewer system, the Utility shall furnish and install this additional meter. This rate applies to single-family residential and small commercial customers. At Utility discretion, it may also be applied to other customers. A rental fee shall be charged for the use of this meter and the following rates shall apply:

3/4-inch meter -	\$ 9.00 per quarter
1-inch meter -	\$ 12.00 per quarter
1-1/2-inch meter -	\$ 18.00 per quarter
2-inch meter -	\$ 24.00 per quarter
3-inch meter -	\$ 39.00 per quarter
Initial meter installation charge -	\$ 40.00 per quarter

- * For the Schedule Am-1 rate to apply, the additional meter must be installed on the same service lateral as the primary meter. Also, if the metering configuration is in the Addition Method, the Schedule Am-1 rate will apply only if the additional meter is 3/4 inch or less. If the additional meter is larger than 3/4 inch in the Additional Method, then Schedule Mg-1 rates apply to the primary meter and the additional meter as separate accounts.

- (b) **Billing.** Same as Schedule Mg-1.

Sec. 9-1-12 Private Fire-Protection Service—Unmetered—Upf-1.

- (a) **Availability.** This service shall consist of permanent or continuous unmetered connections to the main for the purpose of supplying water to private fire protection systems such as automatic sprinkler systems, standpipes, and private hydrants. This service shall also include reasonable quantities of water used for testing check valves and other backflow prevention devices.

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- (b) **Quarterly Private Fire Protection Service Demand Charges.** Quarterly demand charges for private fire-protection service:

Size of Connection	Charge
2-inch or smaller	\$ 21.00
3-inch	\$ 39.00
4-inch	\$ 66.00
6-inch	\$ 132.00
8-inch	\$ 210.00
10-inch	\$ 315.00
12-inch	\$ 420.00
14-inch	\$ 525.00
16-inch	\$ 630.00

- (c) **Billing.** Same provisions as for Schedule Mg-1.

Sec. 9-1-13 Water Lateral Installation Charge—Cz-1.

- (a) Subdivision developers shall be responsible, where the main extension has been approved by the Utility, for the water service lateral installation costs from the main through the curb stop and box.
- (b) When the cost of a Water Utility main extension is to be collected through assessment by the municipality, the actual average water lateral installation costs from the main through the curb stop and box shall be included in the assessment of the appropriate properties.
- (c) The initial water lateral(s), not installed as part of a subdivision development or an assessable Utility extension, will be installed from the main through the curb stop and box by the Utility, for which the actual cost will be charged.
- (d) Billing shall be the same as Schedule Mg-1.

Sec. 9-1-14 through Sec. 9-1-19 Reserved for Future Use.

Article B: Rules and Regulations

Sec. 9-1-20 Compliance with Rules.

All persons now receiving water service from the Village of Crivitz Water Utility, or who may request service in the future, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin.

Sec. 9-1-21 Establishment of Service.

- (a) Application for water service shall be made in writing on a form furnished by the Water Utility. The application will contain the legal description of the property to be served, the name of the owner, the exact use to be made of the service, and the size of the service lateral and meter desired. (Note particularly any special refrigeration, fire protection, or water-consuming air conditioning appliances.)
- (b) Service will be furnished only if:
 - (1) Premises have a frontage on a properly platted street or public strip in which a cast iron or other long-life water main has been laid, or where property owner has agreed to and complied with the provisions of the Water Utility's filed main extension rule.
 - (2) Property owner has installed or agrees to install a service lateral from the curb stop to the point of use that is not less than six (6) feet below the surface of an established or proposed grade, and meets the Water Utility's specifications, and
 - (3) Premises have adequate piping beyond metering point.
- (c) The owner of a multi-unit dwelling has the option of being served by individual metered water service to each unit. The owner, by selecting this option, is required to provide interior plumbing and meter settings to enable individual metered service to each unit and individual disconnection without affecting service to the other units. Each meter and meter connection will be treated as a separate Water Utility account for the purpose of the filed rules and regulations.
- (d) No division of the water service lateral of any lot or parcel of land shall be made for the extension and independent meterage of the supply to an adjoining lot or parcel of land. Except for duplexes, no division of a water service lateral shall be made at the curb for separate supplies for two (2) or more separate premises having frontage on any street or public service strip, whether owned by the same or different parties. Duplexes may be served from one lateral, provided that individual metered service and disconnection is provided, and it is permitted by local ordinance.
- (e) The Water Utility may withhold approval of any application wherein full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner.

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- (f) Buildings used in the same business, located on the same parcel, and served by a single lateral may have the customer's water supply piping installed to a central point so that the volume can be metered in one (1) place.

Sec. 9-1-22 Reconnection of Service.

- (a) Where the Water Utility service has been disconnected service at the customer's request, a reconnection charge shall be made when the customer requests reconnection of service. (See Schedule R-1 for the applicable rate.)
- (b) A reconnection charge shall also be required from customers whose services are disconnected (shut off at curb stop box) because of non-payment of bills when due. (See Schedule R-1 for the applicable rate.)
- (c) If reconnection is requested for the same location by any member of the same household, or if a place of business, by any partner of the same business, it shall be considered as the same customer.

Sec. 9-1-23 Temporary Metered Service, Meter and Deposits.

An applicant for temporary water service on a metered basis shall make and maintain a monetary deposit for each meter installed as security for payment for use of water and for such other charges which may arise from the use of the supply. A charge shall be made for setting the valve and furnishing and setting the meter. See Schedule Bw-1 for the applicable rate.

Sec. 9-1-24 Water for Construction.

- (a) When water is requested for construction purposes or for filling tanks or other such uses, an application shall be made to the Water Utility, in writing, giving a statement of the amount of construction work to be done, or the size of the tank to be filled, etc. Payment for the water for construction may be required in advance at the scheduled rates. The service lateral must be installed into the building before water can be used. No connection with the service lateral at the curb shall be made without special permission from the Water Utility.
- (b) In no case will any employee of the Water Utility turn on water for construction work unless the contractor has obtained permission from the Water Utility.
- (c) Consumers shall not allow contractors, masons or other persons to take unmetered water from their premises without permission from the Water Utility. Any customer failing to comply with this provision will have water service discontinued and will be responsible for the cost of the estimated volume of water used.

Sec. 9-1-25 Use of Hydrants.

- (a) In cases where no other supply is available, permission may be granted by the Water Utility to use a hydrant. No hydrant shall be used until the proper meter, valve, and backflow preventer are installed. In no case shall any valve be installed or moved except by an employee of the Water Utility.
- (b) Before a valve is set, payment must be made for its setting and for the water to be used at the scheduled rates. Where applicable, see Schedule Bw-1 for deposits and charges. Upon completing use of the hydrant, the customer must notify the Water Utility to that effect.

Sec. 9-1-26 Operation of Valves and Hydrants; Unauthorized Use of Water; Penalty.

Any person who shall, without authority of the Water Utility, allow contractors, masons, or other unauthorized persons to take water from their premises, operate any valve connected with the street or supply mains, or open any fire hydrant connected with the distribution system, except for the purpose of extinguishing fire, or who shall wantonly damage or impair the same shall be subject to a fine as provided by municipal ordinance. Utility permission for the use of hydrants applies only to such hydrants that are designated for the specific use.

Sec. 9-1-27 Refunds of Monetary Deposits.

All money deposited as security for payment of charges arising from the use of temporary water supply on a metered basis, or for the return of a hydrant valve and fixtures if the water is used on an unmetered basis, will be refunded to the depositor on the termination of the use of water, the payment of all charges levied against the depositor, and the return of the Water Utility's equipment.

Sec. 9-1-28 Service Laterals.

- (a) No water service lateral shall be laid through any trench having cinders, rubbish, rock or gravel fill, or any other material which may cause injury to or disintegration of the service lateral, unless adequate means of protection are provided by sand filling or such other insulation as may be approved by the Water Utility. Service laterals passing through curb or retaining walls shall be adequately safeguarded by provision of a channel space or pipe casing, not less than twice the diameter of the service connection. The space between the service lateral and channel or pipe casing shall be filled and lightly caulked with an oakum, mastic cement, or other resilient material, and made impervious to moisture.

- (b) In backfilling the pipe trench, the service lateral must be protected against injury by carefully hand tamping the ground filling around the pipe. There should be at least six (6) inches of ground filling over the pipe, and it should be free from hard lumps, rocks, stones, or other injurious material.
- (c) All water service laterals shall be of undiminished size from the street main in to the point of meter placement. Beyond the meter outlet valve, the piping shall be sized and proportioned to provide, on all floors, at all times, an equitable distribution of water supply for the greatest probable number of fixtures or appliances operating simultaneously.

Sec. 9-1-29 Service Piping for Meter Settings.

Where the original service piping is installed for a new metered customer, where existing service piping is changed for the customer's convenience, or where a new meter is installed for an existing unmetered customer, the owner of the premises at his/her expense shall provide a suitable location and the proper connections for the meter. The Water Utility should be consulted as to the type and size of meter setting. The meter setting and associated plumbing shall comply with the Water Utility's standards.

Sec. 9-1-30 Turning on Water.

The water may only be turned on for a customer except by an authorized employee of the Water Utility. Plumbers may turn the water on to test their work, but upon completion must leave the water turned off.

Sec. 9-1-31 Sprinkling Restrictions and Emergency Water Conditions.

Where the municipality has a policy regarding sprinkling restrictions and/or emergency water conditions, failure to comply with such may result in disconnection of service. See PSC 185.37, Wis. Adm. Code.

Sec. 9-1-32 Failure to Read Meters.

- (a) Where the Water Utility is unable to read a meter, the fact will be plainly indicated on the bill, and either an estimated bill will be computed or the minimum charge applied. The difference shall be adjusted when the meter is again read, that is, the bill for the succeeding

billing period will be computed with the gallons or cubic feet in each block of the rate schedule doubled, and credit will be given on that bill for the amount of the bill paid the preceding period. Only in unusual cases shall more than three (3) consecutive estimated or minimum bills be rendered.

- (b) If the meter is damaged (see Surreptitious Use of Water) or fails to operate, the bill will be based on the average use during the past year unless there is some reason why the use is not normal. If the average use cannot be properly determined, the bill will be estimated by some equitable method. (See PSC 185.33, Wis. Adm. Code.)

Sec. 9-1-33 Complaint Meter Tests.

See Wis. Adm. Code, Chapter PSC 185.77.

Sec. 9-1-34 Thawing Frozen Service Laterals.

See Wis. Adm. Code, Chapter PSC 185.88.

Sec. 9-1-35 Curb Stop Boxes.

The curb stop box is the property of the Water Utility. The Water Utility is responsible for its repair and maintenance. This includes maintaining, through adjustment, the curb stop box at an appropriate grade level where no direct action by the property owner or occupant has contributed to an elevation problem. The property owner is responsible for protecting the curb stop box from situations that could obstruct access to it or unduly expose it to harm. The Water Utility shall not be liable for failure to locate the curb stop box and shut off the water in case of a leak on the owner's premises.

Sec. 9-1-36 Installation of Meters.

Meters will be owned, furnished and installed by the Water Utility or a Water Utility-approved contractor and are not to be disconnected or tampered with by the customer. All meters shall be so located that they shall be protected from obstructions and permit ready access for reading, inspection, and servicing, such location to be designated or approved by the Water Utility. All piping within the building must be supplied by the owner. Where additional meters are desired by the owner, the owner shall pay for all piping. See Schedule Am-1 for applicable rates.

Sec. 9-1-37 Repairs to Meters.

- (a) Meters will be repaired by the Water Utility and the cost of such repairs caused by ordinary wear and tear will be borne by the Water Utility.
- (b) Repair of any damage to a meter resulting from the carelessness of the owner of the premises, the owner's agent, or tenant, or from the negligence of any one of them to properly secure and protect same, including any damage that may result from allowing a water meter to become frozen or to be injured from the presence of hot water or steam in the meter, shall be paid for by the customer or the owner of the premises.

Sec. 9-1-38 Replacement and Repair of Service Laterals.

- (a) The service lateral from the main to and through the curb stop will be maintained and kept in repair and, when worn out, replaced at the expense of the Water Utility. The property owner shall maintain the service lateral from the curb stop to the point of use.
- (b) If an owner fails to repair a leaking or broken service lateral from the curb to the point of metering or use within such time as may appear reasonable to the Water Utility after notification has been served on the owner by the Water Utility, the water will be shut off and will not be turned on again until the repairs have been completed.

Sec. 9-1-39 Abandonment of Service.

If a property owner changes the use of a property currently receiving water service such that water service will no longer be needed in the future, the Water Utility may require the abandonment of the water service at the water main. In such case, the property owner may be responsible for all removal and/or repair costs, including the water main and the Utility portion of the water service lateral.

Sec. 9-1-40 Charges for Water Wasted Due to Leaks.

See Wis. Adm. Code, Chapter PSC 185.35.

Sec. 9-1-41 Inspection of Premises.

During reasonable hours any officer or authorized employee of the Water Utility shall have the right of access to the premises supplied with service, for the purpose of inspection or for the enforcement of the Water Utility's rules and regulations. Whenever appropriate, the Water Utility

will make a systematic inspection of all unmetered water taps for the purpose of checking waste and unnecessary use of water.

State Law Reference: Sec. 196.171, Wis. Stats.

Sec. 9-1-42 Deposits for Residential Service.

See Wis. Adm. Code, Ch. PSC 185.36.

Sec. 9-1-43 Deposits for Nonresidential Service.

See Wis. Adm. Code, Ch. 185.361.

Sec. 9-1-44 Deferred Payment Agreement.

See Wis. Adm. Code, Ch. 185.38.

Sec. 9-1-45 Dispute Procedures.

See Wis. Adm. Code, Ch. 185.39.

Sec. 9-1-46 Disconnection and Refuse of Service.

- (a) **Disconnection.** See Wis. Adm. Code Chapter PSC 185.37.
- (b) **Disconnection Notice.** The form of disconnection notice to be used is as follows:

DISCONNECTION NOTICE

Dear Customer:

The bill enclosed with this notice includes your current charge for Water Utility service and your previous unpaid balance.

You have 10 days to pay the Water Utility service arrears or your service is subject to disconnection.

If you fail to pay the service arrears, or fail to contact us within the 10 days allowed to make reasonable time payment arrangements, we will proceed with disconnection action.

To avoid the inconvenience of service interruption and an additional charge of (amount) reconnection, *we urge you to pay the full arrears IMMEDIATELY AT ONE OF OUR OFFICES.*

If you have entered into a Deferred Payment Agreement with us and have failed to make the time payment you agreed to, your service will be subject to disconnection unless you pay the amount due within 10 days.

If you have a reason for delaying the payment, call us and explain the situation.

PLEASE CALL THIS TELEPHONE NUMBER, (appropriate telephone number), IMMEDIATELY IF:

1. You dispute the notice of delinquent account.
2. You have a question about your Water Utility service arrears.
3. You are unable to pay the full amount of the bill and are willing to enter into a time payment agreement with us.
4. There are any circumstances you think should be taken into consideration before service is discontinued.
5. Any resident is seriously ill.

Illness Provision

If there is an existing medical emergency in your home and you furnish the Water Utility with a statement signed by either a licensed Wisconsin physician, or a public health official, we will delay disconnection of service up to 21 days. The statement must identify the medical emergency and specify the period of time during which disconnection will aggravate the existing emergency.

Deferred Payment Agreements

If you are a residential customer, and for some reason, you are unable to pay the full amount of the Water Utility service arrears on your bill, you may contact the Water Utility to discuss arrangements to pay the arrears over an extended period of time.

This time payment agreement will require:

1. Payment of a reasonable amount at the time the agreement is made.
2. Payment of the remainder of the outstanding balance in monthly installments over a reasonable length of time.
3. Payment of all future Water Utility service bills in full by the due date.

In any situation where you are unable to resolve billing disputes or disputes about the grounds for proposed disconnection through contacts with our Utility, you may make an appeal to the Wisconsin Public Service Commission, Madison, Wisconsin, by calling (800) 225-7729.

(UTILITY NAME)

Sec. 9-1-47 Collection of Overdue Bills.

An amount owed by the customer may be levied as a tax as provided in Sec. 66.0809, Wis. Stats.

Sec. 9-1-48 Surreptitious Use of Water.

- (a) When the Water Utility has reasonable evidence that a person is obtaining his/her supply of water, in whole or in part, by means of devices or methods used to stop or interfere with the proper metering of the Water Utility service, the Water Utility reserves the right to estimate and present immediately a bill for service unmetered as a result of such interference, and such bill shall be payable subject to a twenty-four (24) hours disconnection of service. If the Water Utility disconnects the service for any such reason, the Water Utility will reconnect the service upon the following conditions:
 - (1) The customer will be required to deposit with the Water Utility an amount sufficient to guarantee the payment of bills for Water Utility service.
 - (2) The customer will be required to pay the Water Utility for any and all damages to its Water Utility equipment.
 - (3) The customer must further agree to comply with reasonable requirements to protect the Water Utility against further losses.
- (b) Sections 98.26 and 943.20, Wis. Stats., as relating to water service, are hereby adopted and made a part of these rules.

Sec. 9-1-49 Vacation of Premises.

When premises are to be vacated, the Utility shall be notified in writing at once, so that it may remove the meter and shut off the water supply at the curb stop. The owner of the premises shall

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be liable for prosecution for any damage to the property of the Water Utility. (See "Abandonment of Service" for further information.)

Sec. 9-1-50 Repairs to Mains.

The Water Utility reserves the right to shut off the water supply in the mains temporarily to make repairs, alterations or additions to the plant or system. When the circumstances will permit, the Water Utility will give notification, by newspaper publication or otherwise, of the discontinuance of the water supply. No credit will be allowed to customers for such temporary suspension of the water supply.

State Law Reference: PSC 185.87, Wis. Adm. Code.

Sec. 9-1-51 Duty of Water Utility with Respect to Safety of the Public.

It shall be the duty of the Water Utility to see that all open ditches for water mains, hydrants, and service laterals are properly guarded to prevent accident to any person or vehicle, and at night there shall be displayed proper signal lighting to insure the safety of the public.

Sec. 9-1-52 Handling Water Mains and Service Laterals in Excavation Trenches.

Contractors must call Digger's Hotline and ensure a location is done to establish the existence and location of all water mains and service laterals as provided in Sec. 182.0175, Wis. Stats. Where water mains or service laterals have been removed, cut, or damaged during trench excavation, the contractors must, at their own expense, cause them to be replaced or repaired at once. Contractors must not shut off the water service laterals to any customer for a period exceeding six (6) hours.

Sec. 9-1-53 Protective Devices.

- (a) **Protective Devices in General.** The owner or occupant of every premise receiving water supply shall apply and maintain suitable means of protection of the premise supply, and all appliances, against damage arising in any manner from the use of the water supply, variation of water pressure, or any interruption of water supply. Particularly, such owner or occupant must protect water-cooled compressors for refrigeration systems by means of high and/or low pressure safety cutout devices. There shall likewise be provided means for

the prevention of the transmission of water ram or noise of operation of any valve or appliance through the piping of their own or adjacent premises.

- (b) **Relief Valves.** On all "closed systems" (i.e., systems having a check valve, pressure regulator, or reducing valve, water filter or softener) an effective pressure relief valve shall be installed at or near the top of the hot water tank, or on the hot water distribution pipe connection to the tank. No stop valve shall be placed between the hot water tank and the relief valve or on the drain pipe. (See applicable Village plumbing codes).
- (c) **Air Chambers.** An air chamber or approved shock absorber shall be installed at the terminus of each riser, fixture branch, or hydraulic elevator main for the prevention of undue water hammer. The air chamber shall be sized in conformance with applicable local plumbing codes. Where possible, the air chamber should be provided at its base with a valve for water drainage and replenishment of air.

Sec. 9-1-54 Water Main Extension Rules.

Water mains will be extended for new customers on the following basis:

- (a) Where the cost of the extension is to immediately be collected through assessment by the municipality against the abutting property, the procedure set forth under Sec. 66.0703, Wis. Stats. will apply, and no additional customer contribution to the Utility will be required.
- (b) Where the municipality is unwilling or unable to make a special assessment, the extension will be made on a customer-financed basis as follows:
 - (1) The applicant(s) will advance as a contribution in aid of construction the total amount equivalent to that which would have been assessed for all property under Subsection (a).
 - (2) Part of the contribution required in Subsection (b)(1) will be refundable. When additional customers are connected to the extended main within ten (10) years of the date of completion, contributions in aid of construction will be collected equal to the amount which would have been assessed under Subsection (b)(1) for the abutting property being served. This amount will be refunded to the original contributor(s). In no case will the contributions received from additional customers exceed the proportionate amount which would have been required under Subsection (a) nor will it exceed the total assessable cost of the original extension.
- (c) When a customer connects to a transmission main or connecting loop installed at Utility expense within ten (10) years of the date of completion, there will be a contribution required of an amount equivalent to that which would have been assessed under Subsection (a).

Sec. 9-1-55 Water Main Installations in Platted Subdivisions.

- (a) Application for installation of water mains in regularly platted real estate development subdivisions shall be filed with the Utility.

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- (b) If the developer, or a contractor employed by the developer, is to install the water mains (with approval of the Utility), the developer shall be responsible for the total cost of construction.
- (c) If the Utility or its contractor is to install the water mains, the developer shall be required to advance to the Utility, prior to the beginning of the construction, the total estimated cost of the extension. If the final costs exceed estimated costs, an additional billing will be made for the balance of the cost due. This balance is to be paid within thirty (30) days. If final costs are less than estimated, a refund of the overpayment will be made by the Water Utility.

Sec. 9-1-56 Cross-Connections.

Every person owning or occupying a premise receiving municipal water supply shall maintain such municipal water supply free from any connection, either of a direct or of an indirect nature, with a water supply from a foreign source, or of any manner of connection with any fixture or appliance, whereby water from a foreign supply or the waste from any fixture, appliance, waste or soil pipe may flow, be siphoned or pumped into the piping of the municipal water system.

State Law Reference: NR 811.09, Wis. Adm. Code

Sec. 9-1-57 Private Well Abandonment.

- (a) **Purpose.** The purpose of this Section is to prevent unused and/or improperly constructed wells from serving as a passage for contaminated surface or near surface waters or other materials to reach the usable ground water. These wells must be properly filled and sealed.
- (b) **Coverage.** All private wells located on any premises which are served by the public system of the Village of Crivitz shall be properly filled within ninety (90) days of written notice by the Village Board. Only those wells for which a well operation permit has been granted by the Operational Committee may be exempted from this requirement; subject to conditions of maintenance and operation.
- (c) **Well Operation Permits.** A permit may be granted to a well owner to operate a well for a period not to exceed one (1) year if the following requirements are met. (The application shall be made on forms provided by the Village Clerk-Treasurer.)
 - (1) The well and pump installation shall meet the requirements of NR 112, Wis. Adm. Code, or certification of the acceptability of the well has been granted by the Private Water Supply Section of the Wisconsin Department of Natural Resources.
 - (2) The well produces bacteriologically safe water as evidenced by three (3) samplings two (2) weeks apart initially, and one (1) sample per year thereafter at the owner's responsibility and cost.

- (3) The proposed use of the well can be justified as being necessary as determined by approval of the Operational Committee and authorized by the certified water operator.
- (4) No physical connection shall exist between the piping of the public water system and the private well.
- (d) **Methods.** Wells to be abandoned shall be filled according to the procedures outlined in NR 112, Wis. Adm. Code. The pump and piping must be removed and the well checked for obstructions prior to plugging. Any obstruction or liner must be removed.
- (e) **Reports and Inspection.** A well abandonment report must be submitted by the well owner to the Wisconsin Department of Natural Resources on forms provided by that agency available from the Operational Committee. The report shall be submitted immediately upon completion of the filling of the well. The filling must be observed by a representative of the Village of Crivitz.

State Law Reference: NR 112, Wis. Adm. Code.

Sec. 9-1-58 Water Utility Schedule of Depreciation Rates.

Account Number	Account Title	Depr. Rate
	<i>Source of Supply Plant</i>	
314	Wells and Springs	2.9%
	<i>Pumping Plant</i>	
321	Structures and Improvements	3.2%
325	Electric Pumping Equipment	4.4%
	<i>Water Treatment Plant</i>	
332	Water Treatment Equipment	6.0%
	<i>Transmission & Distribution Plant</i>	
342	Distribution Reservoirs and Standpipes	1.9%
343	Transmission and Distribution Mains	1.3%
344	Fire Mains	1.3%
345	Services	2.9%
346	Meters	5.5%
348	Hydrants	2.2%
	<i>General Plant</i>	
372	Office Furniture and Equipment	5.8%
373	Transportation Equipment	13.3%
379	Other General Equipment	5.8%
397	Communications Equipment – SCADA	9.2%

Note: Schedule effective January 1, 2008

CHAPTER 2

Sewer Use and User Charge System

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- 9-2-2 Definitions
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- 9-2-25 Public Utility
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ARTICLE A

Introduction; Definitions

SEC. 9-2-1 PURPOSE.

- (a) This Chapter sets uniform requirements for discharging waters and wastes into the public sewerage systems within the Village of Crivitz, hereafter referred to as the Village. This Chapter enables the Village to protect public health in conformity with administrative provisions, water quality requirements, and other discharge criteria which are required or authorized by local, State of Wisconsin and federal law.
- (b) The objectives of this Chapter are:
 - (1) To regulate the construction and use of public and private sewers and drains, and disposal of holding tank and septic tank wastes into the public sewerage system.
 - (2) To provide for annexations and connections to the public sewerage system.
 - (3) To provide a means of determining wastewater volumes, constituents, and characteristics and to issue permits to certain users.
 - (4) To set limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the system to prevent the introduction of pollutants into the wastewater treatment facilities which will interfere with the normal adequate treatment in the wastewater facilities, will pass through the system into the receiving waters, or contaminate the resulting municipal sludge.
 - (5) To recover from users of the wastewater treatment facilities on an equitable basis, the share of the wastewater treatment facilities costs attributable to such users, and to provide funds for the operation and maintenance, debt retirement and replacement of the wastewater facilities.

SEC. 9-2-2 DEFINITIONS.

- (a) Unless the text specifically indicates otherwise, the meaning of terms used in this Chapter shall be as follows:
 - (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 the most recent edition of "Standard Methods".
 - (2) Approving Authority. The Village Board or its duly authorized deputy, agent, or representative.
 - (3) Biochemical Oxygen Demand (BOD₅). 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 BOD₅ shall be made in accordance with procedures set forth in the most recent edition of "Standard Methods".
 - (4) Building Drain. 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 (5) feet (1.5 meters) outside the inner face of the building wall.

- (5) Building Sewer. The extension from the building drain to the public sewer or other place of disposal. 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) Chlorine Requirement. The amount of chlorine, in milligrams per liter, which must be added to sewage to produce a specified residual chlorine content in accordance with procedures set forth in the most recent edition of "Standard Methods".
- (7) Combined Sewer. A sewer designed to receive both wastewater and storm or surface water.
- (8) Commercial User. Any user whose premises are used primarily for the conduct of a profit-oriented enterprise in the fields of construction, wholesale or retail trade, finance, insurance, real estate or services, and who discharges primarily normal domestic sewage. This definition shall also include multi-family residences having three (3) or more units served by a single meter.
- (9) Compatible Pollutant. Biochemical oxygen demand, suspended solids, pH, fecal coliform bacteria, chemical oxygen demand, phosphorus and phosphorus compounds, or nitrogen and nitrogen compounds, plus additional pollutants identified in the WPDES permit issued to the Village for its wastewater treatment facility, provided that such wastewater treatment facility was designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree.
- (10) Composite Sample (24 hours). The combination of individual samples taken at intervals of not more than one (1) hour.
- (11) Easement. An acquired legal right for the specific use of land owned by others.
- (12) Excessive. In such magnitude that, in the judgment of the Village, it will cause damage to any facility, will be harmful to the wastewater treatment plant to the degree required to meet the requirements of the WPDES permit, can otherwise endanger life, limb, or public property and/or which can constitute a public nuisance.
- (13) Fixed Charge. The charge for the cost of debt retirement associated with the construction, erection, modification, or rehabilitation of the wastewater treatment works.
- (14) Floatable Oil. 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 or treatment system.
- (15) Flow Proportional Sample. Sample taken that is proportional to the volume of flow during the sampling period.
- (16) Garbage. The residue from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of food products and produce.
- (17) Ground Garbage. 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.

- (18) Incompatible Pollutant. Any pollutant which is not a compatible pollutant.
- (19) Institutional User. Any user whose premises are used primarily for the conduct of activities of a social, charitable, or educational character.
- (20) Interceptor Sewer. A sewer whose primary purpose is to convey sewage from a collection system or systems to a wastewater treatment plant. Size of the sewer is not a factor.
- (21) Industrial User. 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.
- (22) Industrial Waste. Any solid, liquid, or gaseous substance discharged, permitted to flow or escape from any industrial, manufacturing, commercial or business establishment or process or from the development, recovery or processing of any natural resources, as distinct from sanitary sewage.
- (23) May is permissive; see Shall.
- (24) Natural Outlet. Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface water or groundwaters.
- (25) Normal Domestic Sewage. Sanitary sewage resulting from the range of normal domestic activities, in which BOD₅ and SS concentrations do not exceed normal concentrations of:
 - a. A five (5) day, 20 degree Centigrade (20°C), BOD₅ of not more than two hundred eighty (280) mg/l.
 - b. A suspended solids content of not more than one hundred eighty (180) mg/l.
- (26) Operation and Maintenance (O&M). All costs associated with the operation and maintenance of the wastewater treatment facilities, as well as the costs associated with periodic equipment replacement necessary for maintaining the capacity and performance of the wastewater treatment facilities.
- (27) Person. Any and all persons including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency, or other entity.
- (28) pH. The logarithm 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.
- (29) Phosphorus (P). Total phosphorus in wastewater, which may be present in any of three (3) principal forms: orthophosphate, polyphosphates, or organic phosphates. Quantitative determination of total phosphorus shall be made in accordance with procedures set forth in the most recent edition of "Standard Methods".
- (30) Pretreatment. 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.
- (31) Properly Shredded Garbage. 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.

- (32) Public Authority. Any user whose premises are used for the conduct of the legislative, judicial, administrative, or regulatory activities of federal, state, local, or international units of government; government-owned educational facilities; government-owned health facilities; or government-owned recreational facilities. This does not include government-owned or operated business establishments.
- (33) Public Sewer. Any sewer provided by or subject to the jurisdiction of the Village. 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 through those sewers may not have been constructed with Village funds.
- (34) Receiving Waters. Any water course, river, pond, ditch, lake, aquifer, or other body of surface or sub-surface water receiving discharge of sewage.
- (35) Replacement. Expenditures for processing and installing equipment, accessories and appurtenances necessary during the useful life of the treatment works to maintain its designed capacity and performance.
- (36) Residential User. Any user whose premises are used primarily as a domicile for one (1) or more persons and discharges only domestic wastes, but not including multi-family dwellings classified as Commercial Users.
- (37) Sanitary Sewage. A combination of liquid and water-carried wastes discharged from toilets and/or sanitary plumbing facilities, together with such ground, surface and storm waters as may have inadvertently entered the sanitary sewer.
- (38) Sanitary Sewer. 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 that are not admitted intentionally.
- (39) Segregated Domestic Wastes. Wastes from nonresidential sources resulting from normal domestic activities. These activities are distinguished from industrial, trade and/or process discharge wastes.
- (40) Septage. The wastewater or contents of septic or holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, seepage trenches, privies or portable restrooms.
- (41) Sewage (also referred to as wastewater). A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground surface and storm waters as may be present.
- (42) Sewerage System. All properties, structures, manholes, catch basins, inlets, pipes, equipment and conduits for the purpose of collecting, treating, testing, and disposing of domestic wastewater and/or industrial or other wastewaters, as existing now or hereafter added to, expanded or improved.
- (43) Sewer. A pipe or conduit that carries wastewater or drainage water.
- (44) Sewer Service Charge. The charge levied on users of the wastewater collection and treatment facilities for capital-related expenses, replacement costs, and operation and maintenance costs of said facilities.
- (45) Sewer Use Charge. The charge levied on users of the treatment works for the user's proportional share of the cost of operation and maintenance, cost of replacement and cost of retirement of such works.
- (46) Shall is mandatory; May is permissible.
- (47) Slug. Any discharge of water or wastewater with a concentration or flow which exceeds five (5) times the average twenty-four (24) hour concentration or flow which adversely affects the system and/or performance of

- the wastewater treatment facility for a period greater than fifteen (15) minutes.
- (48) Standard Methods. 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 Associates, the American Water Works Association, and the Federation of Sewage and Industrial Wastes Associations.
 - (49) Storm Drain (sometimes termed "storm sewer"). A drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.
 - (50) Storm Water Runoff. That portion of the rainfall that is drained into the sewers.
 - (51) Superintendent. The Superintendent of the Wastewater Collection and Treatment System for the Village of Crivitz, or his authorized deputy, agent, or representative.
 - (52) Suspended Solids (SS). Total suspended matter 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 the most recent edition of "Standard Methods" and are referred to as nonfilterable residue.
 - (53) Unmetered User. A user who is not connected to the municipal water system and thereby does not have his private water supply metered.
 - (54) Unpolluted Water. 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 benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.
 - (55) User. Any person who discharges, or causes to be discharged, domestic wastewater, industrial discharges or any other wastewater into the public sewerage system.
 - (56) User Charge. The charges levied on the Village customers, municipalities and/or users of the wastewater facilities for the cost of debt retirement, operation and maintenance, and replacement of such wastewater facilities. The user charge is a component of the Sewer Service Charge.
 - (57) User Classes. Categories of users having similar flows and water characteristics; that is, levels of BOD₅, SS, P, NH₃-N, etc. For the purposes of this Chapter, there shall be four (4) user classes:
 - a. Residential,
 - b. Commercial,
 - c. Industrial, and
 - d. Public authority.
 - (58) User Charge System. That system which generates operation and maintenance, replacement and debt retirement revenues equitably for providing each user category with services.
 - (59) Volume Charge. The charge for operation and maintenance costs and replacement costs. The volume charge shall be based upon normal strength wastewater quantities.
 - (60) Wastewater. 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 groundwater, surface water and stormwater that may be present.
 - (61) Wastewater Facilities. The Village's structures, equipment and processes which are designed to collect, carry and treat domestic wastewater and industrial discharges.

- (62) Wastewater Parameters. Volume, BOD₅, suspended solids, actual customers, equivalent meters and such additional parameters as may from time to time be determined by the Village.
- (63) Wastewater Treatment Works. An arrangement of devices and structures for 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. Sometimes used a synonymous with "wastewater treatment" and "wastewater treatment plant".
- (64) Watercourse. A natural or artificial channel for the passage of water either continuously or intermittently.
- (65) WPDES Permit. The Village's permit to discharge pollutants, issued under the Wisconsin Pollutant Discharge Elimination System (WPDES), Ch. NR 210, Wis. Adm. Code, pursuant to Chapter 147, Wis. Stats.

SEC. 9-2-3 THROUGH SEC. 9-2-19 RESERVED FOR FUTURE USE.

ARTICLE B

Use of the Public Sewers

SEC. 9-2-20 MANAGEMENT.

The management, operation and control of the sewer system for the Village, is vested in the Village Board of said Village. All records, minutes and all written proceedings thereof shall be kept by the Village/Utilities Clerk; and the financial records shall be kept by the Village/Utilities Clerk.

SEC. 9-2-21 CONSTRUCTION.

The Village shall have the power to construct sewer lines for public use, and shall have the power to lay sewer pipes in and through the alleys, streets, and public grounds of the Village; and generally, to do all such work as may be found necessary or convenient in the management of the sewer system. The Village 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 Chapter, without liability therefore; and the Village shall have power to purchase and acquire for the sewer utility all real and personal property which may be necessary for construction of the sewer system, or for any repair, remodeling, or additions thereto.

SEC. 9-2-22 CONDEMNATION OF REAL ESTATE.

Whenever any real estate or any easement therein, or use thereof, shall in the judgment of the Village 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 Village shall proceed with all necessary steps to take such real estate easement, or use by condemnation in accordance with the Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if federal funds are used.

SEC. 9-2-23 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 Village.

SEC. 9-2-24 USER RULES AND REGULATIONS.

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

SEC. 9-2-25 PUBLIC UTILITY.

Said utility shall be operated by the Village as a public utility in accordance with the laws of the State of Wisconsin and the ordinances and resolutions of the Village, and the rates and charges herein set forth shall be applicable to all services furnished and made available by said utility to the Village and its inhabitants, and all other persons, firms, and corporations, both public and private, until modified by ordinance amendatory hereof or supplemental hereto. Provided, however, that such rates and charges as amended shall always be fixed, maintained and collected in such amounts as shall reduce gross revenues adequate to pay as incurred all costs of the operation and maintenance of said utility, and to accumulate an adequate reserve for the depreciation thereof, and to pay when due the principal of and the interest on all bonds of the Village which are payable from the revenues of said utility.

SEC. 9-2-26 FUNDS.

The funds received from the operation of said public utility, in accordance with the rates and charges authorized by this Chapter, shall be deposited at regular intervals in a depository to be designated by the Village and shall be set aside into a special and separate fund heretofore provided for by the Village for the reasonable and proper operation and maintenance of said utility, for a proper and adequate replacement fund, and for the payment of interest and principal of bonds issued and outstanding, or which may be hereafter issued to provide funds to construct, improve, or extend such public utility.

SEC. 9-2-27 SANITARY SEWERS.

No person(s) shall discharge or cause to be discharged any unpolluted waters as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer except stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the Approving Authority.

SEC. 9-2-28 USER CONNECTIONS.

- (a) The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Village and abutting on any street, alley or right-of-way in which there is now located or may be in the future be located a public sanitary sewer of the Village 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 Chapter within three (3) months after the date of official notice from the Approving Authority to do so.
- (b) It shall be unlawful for any person to displace, deposit or permit to be deposited in any unsanitary manner on public or private property within the Village, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage, or other objectionable waste.
- (c) It shall be unlawful to discharge to any natural outlet within the Village, or in any area under the jurisdiction of said Village, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Chapter.

SEC. 9-2-29 STORM SEWERS.

Stormwater other than that exempted under Section 9-2-27 and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the 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.

SEC. 9-2-30 PROHIBITIONS AND LIMITATIONS.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (a) No person, without approval of the Village, shall discharge any waste or other substance directly into a manhole, catch basin, or inlet. All discharges to the sewer, including trucked or hauled pollutants, shall be through an approved sewer connection.
- (b) Any gasoline, kerosene, benzene, toluene, ethylbenzene, xylene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- (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 receiving waters of the wastewater treatment works.

- (d) Any waters or wastes having a pH lower than five and one-half (5.5) or higher than nine and one-half (9.5), or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater collection or treatment facilities.
- (e) Any 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, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, sanitary napkins, disposable diapers, 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 his opinion such more severe limitations are necessary to meet the above objectives. In forming his 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 process employed, capacity of 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:
 - (1) Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F) (65° Celsius).
 - (2) Any water or waste containing fats, wax, grease, petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two degrees (32° Fahrenheit) and one hundred forty degrees Fahrenheit (140°F) (0° and 60° Centigrade).
 - (3) Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
 - (4) Any waters or wastes containing iron, chromium, copper, zinc, mercury, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment plant exceeds the limits established by the Approving Authority for such materials.
 - (5) Any waters or wastes containing taste or odor-producing substances exceeding limits which may be established by the Approving Authority.
 - (6) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Approving Authority in compliance with applicable state or federal regulations.

- (7) Water or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable 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.
- (8) 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.
- (9) Wastewater containing more than twenty-five (25) milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
- (10) Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.
- (11) Materials which exert, cause or contain:
 - a. Unusual BOD₅, chemical oxygen demand, phosphorus, nitrogen, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment plant.
 - b. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
 - c. 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 chloride and sodium sulfate).
 - d. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
- (g) No wastewater, regardless of character, shall be discharged to the sewage system in such a manner as to interfere with the designed operation of the collection system or treatment facilities, or to cause the treatment works to exceed the limits presented by the WPDES permit.

SEC. 9-2-31 SPECIAL ARRANGEMENTS.

No statement contained in this Chapter shall be construed as prohibiting any special agreement between the Village and any person whereby an 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 Chapter are recognized and adhered to.

SEC. 9-2-32 NEW CONNECTIONS.

New connections to the sewage system shall not be permitted if there is insufficient capacity in the treatment works to adequately transport and/or treat, as required by the WPDES Permit, the additional wastewater anticipated to be received from such connections.

SEC. 9-2-33 THROUGH SEC. 9-2-39 RESERVED FOR FUTURE USE.

ARTICLE C

Control of High Strength; Toxic Wastes Directed to Public Sewers

SEC. 9-2-40 SUBMISSION OF BASIC DATA.

- (a) Within three (3) months after passage of this Chapter, 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 Ch. NR 101, Wis. Adm. 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.

SEC. 9-2-41 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 Section 9-2-40, a request for extension of time may be presented for consideration of the Approving Authority.

SEC. 9-2-42 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 Article B 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:
 - (1) Reject the wastes.
 - (2) Require pretreatment to an acceptable limit for discharge to the public sewers.
 - (3) Require control over the quantities and rate of discharge and/or
 - (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.
- (b) The toxic pollutants subject to prohibition or regulation under this Chapter 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) of the Clean Water Act of 1977 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 Section 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.

SEC. 9-2-43 CONTROL MANHOLES.

- (a) Each user discharging industrial wastes into a public sewer may be required by the Approving Authority to construct and maintain one (1) 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. 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.

SEC. 9-2-44 METERING OF 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.

SEC. 9-2-45 WASTE SAMPLING.

- (a) Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a 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.

SEC. 9-2-46 ANALYSES.

- (a) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the most recent edition of "Standard Methods". 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.

SEC. 9-2-47 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.

SEC. 9-2-48 SUBMISSION OF INFORMATION.

Plans, specifications, and 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.

SEC. 9-2-49 GREASE AND/OR SAND INTERCEPTORS.

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 Section 9-2-30(f)(2), 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 owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Approving Authority. Any removal and hauling of the collected materials not performed by owner(s) personnel must be performed by currently licensed waste disposal firms.

SEC. 9-2-50 NOTIFICATION OF ACCIDENTAL DISCHARGE.

The accidental discharge of any prohibited waste into any sewer shall be reported to the Village by the person responsible for the discharge, or by the owner or occupant of the premises where the discharge occurs, immediately upon obtaining knowledge of the fact of such discharge so that steps may be taken to minimize its effect on the sewerage system. Notification of such discharge will not relieve the person of liabilities for any expense, loss or damage to the system, or for any fines imposed on the Village on account thereof.

SEC. 9-2-51 THROUGH SEC. 9-2-59 RESERVED FOR FUTURE USE.

ARTICLE D

Right of Entry, Safety and Identification

SEC. 9-2-60 RIGHT OF ENTRY.

A 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, all in accordance with the provisions of this Chapter and state laws. The 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.

SEC. 9-2-61 SAFETY.

While performing the necessary work on private premises referred to in Section 9-2-60, 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 Village employees; except as such may be caused by negligence or failure of the owner to maintain safe conditions as required in Section 9-2-43.

SEC. 9-2-62 IDENTIFICATION; RIGHT TO ENTER EASEMENTS.

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.

SEC. 9-2-63 THROUGH SEC. 9-2-79 RESERVED FOR FUTURE USE.

ARTICLE E

Sewer Construction (Building Sewers)

SEC. 9-2-80 WORK AUTHORIZED.

- (a) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Approving Authority. The fee for this permit shall be _____, and shall be paid prior to the issuance of the permit.
- (b) No contractor, plumber, pipe fitter or other person shall be permitted to work on any public sewer or building sewer without first receiving a license from the State of Wisconsin and posting a _____ bond with the Approving Authority, except in cases where State law permits building owners to their own work without being licensed. Said bond shall be released upon satisfactory inspection of the work in accordance with Section 9-2-87.
- (c) Prior to commencement of the work, the permittee shall notify the proper utilities at least forty-eight (48) hours before beginning excavations.

SEC. 9-2-81 COST OF SEWER CONNECTION.

All costs and expenses incident to the installation and connection of the building sewer shall be borne by the property owner. The property owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

SEC. 9-2-82 USE OF OLD BUILDING SEWERS.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Approving Authority, to meet all requirements for this Chapter.

SEC. 9-2-83 MATERIALS AND METHODS OF CONSTRUCTION.

The size, slope, alignment, and materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and back-filling the trench, shall all conform to the requirements of the Wisconsin Administrative Code, the State Department of Natural Resources, the building and plumbing code, and other applicable rules and regulations of the Village. In the absence of code provisions or an amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and Water Environment Federation Manual of Practice No. 9 shall apply.

SEC. 9-2-84 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.

SEC. 9-2-85 STORM AND GROUNDWATER DRAINS.

- (a) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, 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. Failure to disconnect after such notice shall authorize the Village to cause disconnection and assessment of the costs of such disconnection against the property involved. The Village may, in the alternative, institute legal action for violation of this Section. Exceptions to the above shall be made only by the Approving Authority in writing.

SEC. 9-2-86 CONFORMANCE TO PLUMBING CODES.

- (a) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village or the procedures set forth in appropriate specifications of the A.S.T.M. and the Water Environment Federation Manual of Practice No. 9. All such connections shall be made gastight 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 and securely strapped on with corrosion-resistant straps or rods, or with solvent-welded joints in the case of plastic pipe.

SEC. 9-2-87 INSPECTION OF CONNECTION.

The applicant for the building sewer permit 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.

SEC. 9-2-88 BARRICADES AND 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.

SEC. 9-2-89 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.

SEC. 9-2-90 USER USE ONLY.

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

SEC. 9-2-91 MANDATORY HOOKUP.

- (a) The owner of each parcel of land adjacent to the sewer main on which there exists a building usable for human habitation or in a block through which such system is extended, shall connect to such system within ninety (90) days of notice in writing from the Village. Upon failure to do so, the Village 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 Sec. 144.06, Wis. Stats., provided, however, that the owner may within thirty (30) days after the completion of the work file a written option with the Village Clerk stating that he cannot pay such amount in one (1) 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 six percent (6%) per annum from the completion of the work, the unpaid balance being a special tax lien, all pursuant to Sec. 144.06, Wis. Stats.
- (b) In lieu of the above, the Village at its option 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 into the sewer system of an amount equal to one hundred fifty percent (150%) of the minimum quarterly charge for sewer service payable quarterly for the period in which the failure to connect continues, and upon failure to make such payment said charge shall be assessed as a special tax lien against the property, all pursuant to Sec. 144.06, Wis. Stats.
- (c) This Chapter ordains that the failure to connect to the sewer system is contrary to the minimum health standards of said Village and fails to assure preservation of public health, comfort and safety of said Village.

SEC. 9-2-92 MAINTENANCE OF SERVICES.

- (a) The Utility shall maintain sewer service within the limits of the Village from the street main to the property line and including all controls between the same, without expenses 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 relaid and there are two (2) 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.

SEC. 9-2-93 SEPTIC TANKS PROHIBITED.

There will be no additional septic tanks or other private sewage disposal systems allowed within the corporate limits of the Village after the date of this Chapter. The maintenance and use of septic tanks and other private sewage disposal systems within the corporate limits of the Village serviced by its sewer system are hereby declared to be a public nuisance and a health hazard.

SEC. 9-2-94 VACATING OF PREMISES AND DISCONTINUANCE OF SERVICE.

Whenever premises served by the system are to be vacated, or whenever any person desires to discontinue service from the system, the Village 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.

SEC. 9-2-95 CHARGES ARE A LIEN ON PROPERTY.

All sewer services, 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 (1st) day of October and any year, shall be certified to the Village Clerk to be placed on the tax roll for collection as provided by Wisconsin Statutes.

SEC. 9-2-96 THROUGH SEC. 9-2-99 RESERVED FOR FUTURE USE.

ARTICLE F

Septic Tank and Holding Tank Disposal

SEC. 9-2-100 DISPOSAL PERMIT REQUIRED.

- (a) No person in the business of gathering and disposing of septic tank sludge or holding tank sewage shall transfer such material into any portion of the Village treatment works unless a permit for disposal has been first obtained from the Village. Written application for this permit shall be made to the Village and shall state the name and address of the applicant; the number of its disposal units, and the make, model and license number of each unit. Permits shall be nontransferable 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 of Fifteen Dollars (\$15.00) per calendar year. The time and place of disposal will be designated by the Village. The Village may impose such conditions as it deems necessary on any permit granted.
- (b) Charges for disposal shall be established in accordance with the Village of Crivitz User Charge System in accordance with Schedule 3 in Appendix "A". Bills shall be mailed on a monthly basis and if payments are not received in thirty (30) days thereof, disposal privileges shall be suspended.
- (c) Any person or party disposing of septic tank or holding sludge agrees to carry public liability insurance in an amount not less than One Million Dollars (\$1,000,000.00) to protect any and all persons or property from injury and/or damage caused in any way or manner by an act, or a 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.
- (d) All materials discharged to the treatment works shall be of domestic origin only and septic tank wastes shall be segregated from holding tank wastes. The discharger shall also certify that he will comply with the provisions of any and all applicable provisions of the Village Board and will 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 treatment works.
- (e) The person(s) or party disposing waste agrees to indemnify and save harmless the Village from any and all liability and claims for damages arising out of or resulting from work and labor performed.
- (f) The person(s) or party disposing waste shall furnish bond to the Village in the amount of One Thousand Dollars (\$1,000.00) to guarantee performance. Said performance bond shall be delivered to the Village prior to the issuance of the permit hereunder.

SEC. 9-2-101 THROUGH SEC. 9-2-119 RESERVED FOR FUTURE USE.

ARTICLE G

Basis for Sewer Service Charges

SEC. 9-2-120 SEWER USERS SERVED BY WATER UTILITY WATER METERS.

- (a) There is hereby levied and assessed upon each lot, parcel of land, building or premises having a connection with the wastewater system and being served with water solely by the water utility, a user charge based, in part, on the quantity of water used as measured by the water utility water meter used upon the premises.
- (b) In which case a user feels that a significant amount of water metered does not reach the sanitary sewer due to lawn and garden watering, etc., the user can obtain an adjustment in his user charge billing by installing, at his own expense, a second water meter and/or service that would monitor the flow of water used for watering or other similar purposes. Charges for sewer use would be made based on the difference between the two (2) meter readings only if a second meter is installed, and on actual water metered for sewer use if a second meter and service are installed.
- (c) Requests for a second meter or service must be made in writing to the Approving Authority.

SEC. 9-2-121 SEWER USERS SERVED BY PRIVATE WELLS.

Sewer users served by private wells shall be required to have water meters installed for the purpose of determining the volume of water obtained from these other sources.

SEC. 9-2-122 MEASUREMENT OF FLOW FROM INDUSTRIAL USERS.

- (a) The volume of flow used for computing the user charge shall be the metered water consumption of the user as shown in the records of meter readings maintained by the water utility, except as noted in Section 9-2-123.
- (b) The Approving Authority may provide provisions for deductions. A sewer deduction may be allowed if an establishment discharging industrial waste into the public sewerage system produces evidence satisfactory to the Approving Authority that more than twenty percent (20%) of the total annual volume of water used for all purposes does not reach the public sewerage system. The establishment may, with the permission of the Approving Authority and at the establishment's own expense, install such additional meter(s) to calculate the volume of water not discharged to the public sewerage system. Metered water not discharged to the public sewerage system shall not be subject to sewer service charges.

SEC. 9-2-123 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.

SEC. 9-2-124 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 complete sampling is preferred.

SEC. 9-2-125 FREE SERVICE.

No user shall receive free service or pay a sewer use charge less than the user's proportional share of debt retirement, operation and maintenance and replacement costs.

SEC. 9-2-126 OUTSIDE SERVICE.

All users within the Village sewer service area shall be treated equally as to sewer use charges regardless of their location with respect to the Village's municipal boundaries.

SEC. 9-2-127 THROUGH SEC. 9-3-139 RESERVED FOR FUTURE USE.

ARTICLE H

Billing Practice

SEC. 9-2-140 BILLING PERIOD.

User charges shall be billed on a quarterly basis.

SEC. 9-2-141 PAYMENT.

User charges shall be payable twenty (20) days after the billing date to the Village/Utility Clerk of the sanitary system.

SEC. 9-2-142 PENALTIES.

Charges levied in accordance with this Chapter shall be a debt to the Village. 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 ten percent (10%) of the amount of the quarterly bill (penalties shall not be compounded). Charges and penalties shall constitute a lien upon the property services and be recorded on the municipality's tax roll. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

SEC. 9-2-143 NOTIFICATION.

Each user shall be notified annually, in conjunction with a regular bill of the rate of those portions of the user charges which are attributable to wastewater treatment services.

SEC. 9-2-144 THROUGH SEC. 9-2-159 RESERVED FOR FUTURE USE.

ARTICLE I

Amount of User Charges

SEC. 9-2-160 MINIMUM QUARTERLY CHARGE (FIXED CHARGE).

- (a) The minimum quarterly charge for all users shall be based upon the size of their water meter(s) in accordance with Schedule 1 in Appendix "A" which will be considered a part of this Chapter.
- (b) The fixed charge shall include debt retirement. The fixed charges for each meter size shall be based on user charge meter equivalents in accordance with Schedule 7 in Appendix "A".

SEC. 9-2-161 NORMAL DOMESTIC SEWER SERVICE VOLUME CHARGE.

The volume charge shall recover adequate revenue for the replacement fund that is a requirement of the WDNR and operation and maintenance costs. Normal domestic sewage is defined in Section 9-2-2(a)(25). The volume charge for normal domestic sewage shall be in accordance with Schedule 2 in Appendix "A".

SEC. 9-2-162 INDUSTRIAL SEWER SERVICE CHARGE.

- (a) The volume charge to sewer users discharging wastewater having concentrations of BOD₅ and suspended solids greater than normal domestic strength shall be in accordance with Schedule 2 in Appendix "A".
- (b) The quarterly service charge will be calculated as follows:

$$\text{Service Charge} = \text{Fixed Charge} + (\text{Total Flow} \times \text{Flow Charge}/1,000 \text{ gal.}) + (\text{Total BOD Loading Greater than Domestic Strength} \times \text{BOD Charge}/\text{lb.}) + (\text{Total Suspended Solids Loading Greater than Domestic Strength} \times \text{Suspended Solids Charge}/\text{lb.})$$

NOTE: Total flows and loadings for a three (3) month period are used in calculation of quarterly service charge.

SEC. 9-2-163 SUBSTANTIAL LEAK RATE.

A reduced rate of \$1.678/1,000 gallons is established and will be considered by the Utilities Operator for water leaks he/she perceives as "substantial". The property owner shall bear the burden of providing satisfactory evidence of the water leak to the Utilities Operator. Final determination as to whether the water leak is considered substantial and, thereby qualifies for a reduced rate hereunder, shall be solely with the Utilities Operator.

SEC. 9-2-164 THROUGH SEC. 9-2-179 RESERVED FOR FUTURE USE.

ARTICLE J

Damage or Tampering With Sewage Facilities

SEC. 9-2-180 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 sewage facilities. Any persons violating this provision shall be subject to immediate arrest under a charge of disorderly conduct.

SEC. 9-2-181 LIABILITY TO DISCHARGER FOR LOSSES.

Any person who intentionally, negligently or accidentally violates any provisions of this Chapter shall become liable to the Village 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 Section 9-2-200 and without consideration for any penalties which may be imposed for a violation of this Chapter.

SEC. 9-2-182 THROUGH SEC. 9-2-199 RESERVED FOR FUTURE USE.

ARTICLE K

Violations and Penalties

SEC. 9-2-200 WRITTEN NOTICE OF VIOLATION.

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

SEC. 9-2-201 ACCIDENTAL DISCHARGE.

Any person found to be responsible for accidentally 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.

SEC. 9-2-202 CONTINUED VIOLATIONS.

Any person, partnership or corporation, or any officer, agent or employee thereof, who shall continue any violation beyond the aforesaid notice time limit provided shall, upon conviction thereof, forfeit not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Fifty Dollars (\$550.00), together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the Marinette County Jail for a period not to exceed thirty (30) days. Each day in which any violation is continued beyond the aforesaid notice time limit shall be deemed a separate offense.

SEC. 9-2-203 LIABILITY TO THE VILLAGE FOR LOSSES.

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

SEC. 9-2-204 PENALTY FOR UNMETERED SEWER USERS.

Any user who refuses to install a water meter on their private water well will be assessed a user charge equal to two (2) times the total of the fixed charge and volume charge. The fixed charge shall be based on the size water meter which would be the most appropriate under the applicable circumstances at the unmetered unit (to be determined by the Utility). The user charge shall be in accordance with Schedule 4 in Appendix "A". The volume charge shall be based on a water use of eleven thousand (11,000) gallons/quarter.

SEC. 9-2-205 THROUGH SEC. 9-2-219 RESERVED FOR FUTURE USE.

ARTICLE L

Appeals; Validity; Audit

SEC. 9-2-220 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 Chapter 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. The Approving Authority 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. If the ruling on the request for reconsideration made by the Approving Authority is unsatisfactory, the person requesting reconsideration may, within ten (10) days after notification of the Approving Authority's action, file a written appeal with the Village/Utilities Clerk.
- (b) A fee of One Hundred Dollars (\$100.00) shall accompany any appeal for a ruling by the Village Board. This fee may be refunded if the appeal is sustained in favor of the appellant.
- (c) The written appeal shall be heard by the Village Board within forty-five (45) days from the date of filing. The Village Board shall make a final ruling on the appeal within sixty (60) days from the date of filing.

SEC. 9-2-221 VALIDITY.

- (a) **Repeal of Conflicting Ordinance.** All ordinances or parts of ordinances or regulations or parts of regulations in conflict with this Chapter are hereby repealed.
- (b) **Invalidation Clause.** Invalidity of any section, clause, sentence, or provision in the Chapter shall not affect the validity of any other section, clause, sentence, or provision of this Chapter which can be given effect without such invalid part or parts.
- (c) **Amendment.** The Village through its duly qualified officers, reserves the right to amend this Chapter 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.

SEC. 9-2-222 ANNUAL AUDIT.

The Village shall conduct an annual audit, the purpose of which is to insure that each user and user class pays its proportionate share of capital costs, operation and maintenance (including replacement), and other costs of constructing and operating the treatment works within the Village service area. Following the completion of the annual audit, the Village shall revise the charges for users and user classes, if necessary, to maintain the proportionate distribution of costs among users and user classes, generate sufficient revenue to pay the total costs necessary for the proper

operation (including maintenance and replacement) of the treatment works, and to apply excess revenues collected from a class of users to the costs of operation attributable to that class for the next year and adjust the rates accordingly. The basic format of the system shall conform to that of Appendix "A" of this Chapter.

Schedule 6
Allocation of Annual Replacement Costs
(Reserved for Future Use)

APPENDIX A: USER CHARGE SYSTEM

Schedule 1

Fixed Quarterly Charges

Meter Size	Monthly Fixed Charge	Quarterly Fixed Charge
5/8"	\$ 25.11	\$ 75.33
3/4"	25.11	75.33
1"	42.80	128.40
1-1/4"	68.50	205.50
1-1/2"	94.16	282.50
2"	139.83	419.50
3"	311.03	933.10
4"	456.53	1,369.60

Schedule 2

Volume Charges

Normal Domestic Sewer Service

Volume Charge = \$2.93/1,000 gallons

Industrial Sewer Service

Flow:		=	\$2.93/1,000 gallons
BOD:	BOD > 280 mg/l	=	\$0.454/lb
SS:	SS > 170 mg/l	=	\$0.397/lb

Schedule 3

Septage Hauler (Septage & Holding Tank Waste) Rates

The treatment costs for septage and holding tank waste shall be based on the following:

Rate: \$35.00/1,000 gallons

CHAPTER 3

Cable Television

- 9-3-1 Grant of Franchise
- 9-3-1 Length of Franchise
- 9-3-3 Commencement of Construction
- 9-3-4 Use of Poles and Conduits
- 9-3-5 Construction
- 9-3-6 Indemnification
- 9-3-7 Franchise Fee
- 9-3-8 Service to Public Buildings
- 9-3-9 Technical Standards; Complaints
- 9-3-10 Annual Review
- 9-3-11 Termination of Franchise
- 9-3-12 Promulgation of Rules
- 9-3-13 Prohibition on Television Sales
- 9-3-14 Amendments to Federal Regulations
- 9-3-15 Due Process Considerations
- 9-3-16 Binding on Successors
- 9-3-17 Right of Access
- 9-3-18 Acceptance of Terms

SEC. 9-3-1 LENGTH OF FRANCHISE.

In consideration of the faithful performance and observance of the conditions and representations hereinafter specified, the Village of Crivitz, Wisconsin, hereinafter referred to as "Village", hereby grants to Lock TV, hereinafter referred to as "Company", the right to erect, maintain and operate a cable television system in, under, over, along, across and upon the present and future streets, alleys, sidewalks, public grounds, and places of the Village of Crivitz, Wisconsin, in accordance with the terms of this Chapter, the laws of the State of Wisconsin, and the rules and regulations of the Federal Communications Commission.

SEC. 9-3-2 LENGTH OF FRANCHISE.

This grant is for a period of ten (10) years from the date hereof and may be renewed for an additional five (5) year period provided the Company has complied with the terms hereof. Renewal shall be granted only after a full due process public proceeding in accordance with the then applicable procedures of the Federal Communications Commission. In the event that renewal rights are not awarded pursuant to such proceedings, the Company shall receive, prior to its termination of operations in the Village, from its successor designated by the Village, the fair market value of the cable system as a going business. If the Village and Company disagree as to such value, they will submit the matter to impartial arbitration, subject to full court review, prior to such payment and termination.

Renewed through 9/9/99 on 8/16/94 1112
Renewed through 9/9/2009 on 10/19/94 1112

SEC. 9-3-3 COMMENCEMENT OF CONSTRUCTION.

The Company shall be required to commence construction of its cable television system within six (6) months following the issuance of Federal Communications Center (FCC) certification and said system shall be extended to every resident of the Village who requests this service and be totally operational within one (1) year after the date of the FCC issues certification.

SEC. 9-3-4 USE OF POLES AND CONDUITS.

The poles, conduits and easements used for the Company's distribution system shall, to the greatest extent possible, be those of the public utilities presently providing services to the Village. This Chapter does not relieve the Company of the obligation of obtaining a pole or conduit use agreement from the utility companies or others maintaining poles or conduits in the Village.

SEC. 9-3-5 CONSTRUCTION.

- (a) All installations made by the Company shall be made in good, substantial, safe condition and maintained in such condition at all times. The Company's transmission and distribution system poles, wires and appurtenances shall be located, erected and maintained so as not to interfere with the lives or safety of persons or to interfere with new improvements the Village may deem proper to make, or to unnecessarily hinder or obstruct the free use of the streets, alleys, bridges or other public property; removal of poles and other structures to avoid such interference will be at the expense of the Company. The Village shall be notified of all construction and shall have the right to inspect and approve same.
- (b) The Company shall, upon request made by any person holding a permit from the Village to move a building or structure to large implement or equipment along or across any public way, temporarily remove, raise or lower any of its wire, cable or other equipment to the extent necessary to permit the movement of same without damaging such wire, cable or other equipment, provided the person making the request shall give the Company at least forty-eight (48) hours' advance notice of the intended move and shall pay the cost and expenses incurred by the Company in complying with such request; provided further that the Company may require payment by such person of the costs and expenses the Company estimates will be incurred in complying with such request before proceeding to remove, raise or lower such wire, cable or other equipment.
- (c) The Company shall have the right to make excavations when and where required in the construction, installation, maintenance and operation of its cable television system, provided that any excavation or any taking up of pavement, curbing or sidewalk shall be done under the supervision and direction of and pursuant to permits issued by the Village Board or a duly appointed and designated official of the Village. Such work shall be done in the manner and at such times as will cause the least public inconvenience, and such safety precautions shall be taken and such notices or warnings will be given as are necessary to afford adequate protection to the public from any danger which may arise out of such work. The Company shall replace and repair any such excavation and any pavement, curbing or sidewalk taken up in a manner to restore the same to as good a condition as it was before the work was begun. In addition, the Company shall

- show at all times the location of its system in the Village whether on, above or below the ground and furnish the Village with true and exact copies thereof.
- (d) The Company shall have the right to cut or trim trees or shrubs upon or overhanging any bridges, avenues, streets, alleys, sidewalks, parkways or other public grounds and places as may be necessary to prevent the branches of such trees or shrubs from coming into contact with its wire, cable or other facilities, provided all such cutting or trimming shall be done under the supervision and direction of the Village Board of Trustees and after notice to the owner of any private property upon which such tree or shrub may be located.

SEC. 9-3-6 INDEMNIFICATION.

The Company shall hold the Village harmless from any loss sustained by the Village from any claim or demand made upon the Village or any suit filed or judgment or execution rendered against the Village which is caused by or results from the negligence of the Company in constructing, maintaining and operating its system in the Village and the Company shall provide protection for any other person who might suffer injury or damage caused by or resulting from the Company's negligence. In order to assure the Village of the Company's performance of the obligations hereunder, the Company shall obtain and keep in force during the term of the grant of rights set forth herein a policy or policies of public liability and property damage insurance in which the Company shall cause the Village to be named as an additional insured and providing liability coverage in the amounts of Five Hundred Thousand Dollars (\$500,000.00) for injuries resulting to any one (1) person and Five Hundred Thousand Dollars (\$500,000.00) for injuries in any one (1) accident and property damage coverage in the amount of Five Hundred Thousand Dollars (\$500,000.00) resulting from any one (1) single accident. The Company further agrees to indemnify the Village and save it harmless from the claims of any person, firm or corporation for any infringement of trademark, patents and/or copyrights arising from the operation of the system.

SEC. 9-3-7 FRANCHISE FEE.

In consideration of the rights granted to it by the Village in this Chapter, the Company agrees to pay to the Village an initial franchise fee of One Hundred Dollars (\$100.00) payable upon acceptance hereof by the Company. In addition, the Company agrees to pay to the Village the annual fee of One Hundred Dollars (\$100.00) payable on the first (1st) day of January each year.

SEC. 9-3-8 SERVICE TO PUBLIC BUILDINGS.

The Company shall provide, without installation charge and without a monthly fee, one CATV service connection to all Village buildings, and all public, private and parochial grammar, high schools and colleges passed by the cable.

SEC. 9-3-9 TECHNICAL STANDARDS; COMPLAINTS.

- (a) The Company shall construct and operate a cable television system in strict accordance with the proposals submitted by it to the Village on September 9, 1984, entitled "A Proposal to Construct and Operate a Cable Television System in Crivitz, Wisconsin". It shall:

- (1) Produce a picture, whether black and white or color, that is undistorted, free from glossed images, and accompanied with proper sound on typical standard production television set in good repair, and as good as the state of the art allows.
- (2) Transmit signals of adequate strength to cause good pictures with good sound at all outlets without causing cross-modulation in the cables or interfering with other electrical or electronic systems;
- (3) Limit failure to a minimum by locating and correcting malfunctions promptly, but in no event, longer than seventy-two (72) hours after notice.
- (b) The Company shall be required to comply with Federal Communications Commission rules regarding television channel carriage and shall make every effort to carry all maximum allowable signals.
- (c) To the extent financially feasible and reasonable, the Company shall maintain its operations in such a manner that, as technological advances permit expanded programming and/or services, such expanded programming and/or services will be made available to subscribers within the Village.
- (d) As expeditiously as reasonably possible after receipt of subscriber complaints regarding cable television operations, the Company shall investigate such complaints and resolve them to the extent reasonably possible, and agents of the Company shall be available in the Village for such purposes. The Village Clerk has primary responsibility for the continuing administration of this grant and of the reasonable implementation of the foregoing complaint procedure. Notice of the foregoing will be given by the Company to each new subscriber at the time of initial regular subscription to the cable system. The Company shall at all times operate and maintain the cable system in such a manner as not to interfere with existing television and radio reception and shall prevent radiation from its cable to the antennae now erected or which may hereafter be erected in said Village.

SEC. 9-3-10 ANNUAL REVIEW.

The Company and the Village Board, or its designee, on the Village Board's initiative, shall once every year meet to review community needs and desires with respect to cable communications, to ascertain communication objectives, to evaluate the Company's performance, and to make recommendations as to future operations.

SEC. 9-3-11 TERMINATION OF FRANCHISE.

- (a) The Village reserves the right to terminate the rights granted hereunder and rescind all rights and privileges associated therewith in the event of:
 - (1) Noncompliance by the Company with any provision of this Chapter or of any supplemental written agreement entered into by and between the Village and the Company, provided however, that if the Company remedies the noncompliance within thirty (30) days of notice, the noncompliance shall not be grounds for termination.
 - (2) The Company becomes insolvent, enters into receivership or liquidation, files an application for bankruptcy or for composition of creditors, or is unable to pay debts as they mature.
 - (3) Violation by the Company of any Federal Communications Commission order or ruling or the order or ruling of any governmental body having jurisdiction over the Company pertaining to the operations of the Company

within the Village Crivitz, unless the Company is lawfully contesting the legality or applicability of such ruling or order.

- (b) In the event the Village desires to terminate this grant for any of the above reasons, it shall afford the Company a full due process public hearing on the subject. Prior to such hearing, the Company shall be given ninety (90) days notice in writing, by certified mail, which notice shall state with particularity the grounds upon which the Village relies.

SEC. 9-3-12 PROMULGATION OF RULES.

- (a) The Company shall have the authority to promulgate such rules, regulations, terms and conditions governing the conduct of its business as shall be reasonably necessary to enable the Company to exercise its rights and perform its obligations under this Chapter.
- (b) All such rules, regulations, terms and conditions promulgated under Subsection (a) shall not be in conflict with the provisions of this Chapter, or the laws of the State of Wisconsin or the rules and regulations of the Federal Communications Commission or any rules and regulations promulgated by the Village in the exercise of its regulatory authority granted hereunder.
- (c) One (1) copy of all such rules, regulations, terms and conditions promulgated under Subsection (a), together with any amendments, additions or deletions thereto, shall be kept currently on file with the Village Clerk and another copy thereof shall be maintained for public inspection during normal business hours at the Company's office; no such rule, regulation, term, condition or amendment, additions or deletions thereto shall take effect unless and until so filed and maintained.

SEC. 9-3-13 PROHIBITION ON TELEVISION SALES.

The Company shall not engage in the sale and/or repair of television sets or radio receivers within the corporate limits of the Village.

SEC. 9-3-14 AMENDMENTS TO FEDERAL REGULATION.

Any amendments by the Federal Communications Commission to the regulations governing the provisions of this Chapter shall be incorporated into this Chapter within one (1) year of adoption of the modifications by the Federal Communications Commission or at the time the franchise is renewed, whichever occurs first.

SEC. 9-3-15 DUE PROCESS CONSIDERATIONS.

This grant of rights is awarded following a full public proceeding affording due process in which the Company's legal, character, financial, technical and other qualifications, together with the adequacy and the feasibility of its construction arrangements, have been approved by the Village.

SEC. 9-3-16 BINDING ON SUCCESSORS.

The rights granted and obligations imposed herein shall vest in the Company on the effective date hereof and shall continue unless terminated as provided for herein, for the full term and any renewal hereof, and shall inure to the benefit of and be binding upon said Company, its successors and assigns.

SEC. 9-3-17 RIGHT OF ACCESS.

The Village reserves the right during the life of this grant to have access at all reasonable hours to the Company's plans, contracts, engineering, accounting, financial, statistical, customer and service records, which may be located in Marinette County, Wisconsin, relating to the property and operations of the Company in Marinette County, Wisconsin, upon a showing of regulatory need. Provided, however, said examination shall only be by the person designated by the Village Board. The Company shall keep complete records showing payments received, and shall furnish an annual accounting to the Village on the license fee payment date. The Village shall have the right, power and authority to inspect the monthly service charge records of the Company at the premises of the Company in the Village during the business hours of any work day, providing the Company is given no less than seven (7) days' advance notice.

SEC. 9-3-18 ACCEPTANCE OF TERMS.

By acceptance of a copy of this Chapter, the Company accepts the terms and conditions and rights incorporated herein.

CHAPTER 4

Miscellaneous Utilities Regulations

- 9-4-1 Meter Disconnections In Mobile Home Parks
- 9-4-2 Natural Gas Franchise
- 9-4-3 Miscellaneous Rules and Regulations

SEC. 9-4-1 METER DISCONNECTIONS IN MOBILE HOME PARKS.

Prior to disconnection, a notice of disconnection shall be posted at the Village Hall a minimum of forty-eight (48) hours prior to such disconnection if the occupant cannot be located. Failure of the mobile home occupant to provide proper notice of intent to disconnect shall result in a forfeiture or administrative charge of One Hundred Dollars (\$100.00). The unauthorized taking of metering equipment when the mobile home is removed shall also result in a forfeiture or administrative charge of One Hundred Dollars (\$100.00), plus either a return of the equipment in an undamaged condition or an additional charge for the purchase of replacement metering equipment.

SEC. 9-4-2 NATURAL GAS FRANCHISE.

- (a) The Village of Crivitz, Marinette County, Wisconsin, does hereby grant to Wisconsin Gas Company, (herein called "the Company"), a corporation organized and existing under the laws of the State of Wisconsin, its successors and assigns, upon the conditions hereinafter set forth, the right, authority and permission to construct, maintain, operate, enlarge and repair in the Village of Crivitz a system for the furnishing and distribution of natural gas and natural gaseous fuels, and to use the highways, roads, streets, alleys, lanes, boulevards, parks, public ways, public grounds and bridges in said Village for constructing, maintaining, operating, enlarging and repairing its transmission and distribution pipe lines with all the necessary, usual or convenient manholes, valves, passage ways and appurtenances for the purpose of supplying and selling natural gases and natural gaseous fuels to said Village and its residents and to any building, structure, factory, processing plant, industry or public or private house or any gas user therein.
- (b) This franchise is granted subject to the restrictions and conditions contained in applicable Sections of the Wisconsin Statutes, and further subject to such rules and regulations as the Village Board of said Village of Crivitz may from time to time prescribe.
- (c) This franchise shall be void and shall expire if the Company shall not have obtained from the Public Service Commission of Wisconsin within three (3) years from the date of publication of this Section a certificate authorizing it to transact such public utility business and to construct and operate the above described gas distribution system in said Village of Crivitz.

SEC. 9-4-3 MISCELLANEOUS RULES AND REGULATIONS.**(a) Mandatory Hookup.**

- (1) The owner of each parcel of land adjacent to a sewer main on which there exists a building usable for human habitation or in a block through which such system is extended, shall connect to such system within ninety (90) days of notice in writing from the Village. Upon failure to so do, the Village 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 Sec. 144.06, Wis. Stats., provided, however, that the owner may within thirty (30) days after the completion of the work, file a written option with the Village Clerk 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 six percent (6%) per annum from the completion of the work, the unpaid balance being a special tax lien, all pursuant to Sec. 144.06, Wis. Stats.
- (2) In lieu of the above, the Village, at its option, 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 of an amount equal to one hundred fifty percent (150%) of the minimum quarterly charge for sewer service payable quarterly for the period in which the failure to connect continues, and upon failure to make such payment said charge shall be assessed as a special tax lien against the property, all pursuant to Sec. 144.06, Wis. Stats.
- (3) This Chapter ordains that the failure to connect to the sewer system is contrary to the minimum health standards of said Village and fails to assure preservation of public health, comfort, and safety of said Village.

(b) Maintenance of Services.

- (1) The utility shall maintain sewer service within the limits of the Village from the street main to the property line and including all controls between the same, without expenses 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.
- (2) When any sewer service is to be relaid and there are two (2) 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.

(c) Penalty for Improper Use.

- (1) 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 Village, bore or otherwise cause to leak, any tunnel, aqueduct, reservoir, pipe or other thing used in the system for holding, conveying, or distributing sewage.
- (2) 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/1 (normal domestic sewage); a surcharge shall be based on the

- excess of BOD or suspended solids at a rate of \$0.50/pound. The Village reserves the right to test the sewage at any point within the connection system of the user or consumer.
- (3) No user shall discharge or cause to be discharged any of the following described liquids or solid wastes to any sanitary sewer:
- a. Any storm water, surface water, ground water, roof run-off or surface drainage.
 - b. Any gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid or gas.
 - c. 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.
 - d. Any water or wastes containing toxic or poisonous substance in sufficient quantity which injure or interfere with any sewage treatment process, constituting a hazard to humans and animals or create any hazard in the receiving treatment facility.
 - e. 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.
 - f. Any noxious or malodorous gas or substance capable of creating a public nuisance.
 - g. Any garbage that has not been properly shredded.
 - h. Any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit.
 - i. Any water or wastes which may contain more than one hundred (100) parts per million by weight of fat, oil, or grease.
 - j. Any water or wastes which have a 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.
- (d) **Damage Recovery.** The system shall have the right of recovery from all persons any expense incurred by said system for the repair or replacement of any sewer pipe damaged in any manner by any person by the performance of any work under their control, or by any negligent act.
- (e) **Penalties.** Any person who shall violate any of the provisions of this Chapter or rules and regulations of the Village of Crivitz; 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 materials which are incorporated by reference, shall upon conviction thereof be subject to a forfeiture as prescribed in Section 1-1-6, and the costs of prosecution. This, however, shall not bar the Village from enforcing the connection duties set out in Subsection (a) above for mandatory hookup.
- (f) **Septic Tanks Prohibited.** The maintenance and use of septic tanks and other private sewage disposal systems within the corporate limits of the Village of Crivitz serviced by its sewer system are hereby declared to be a public nuisance and a health hazard. From and after ninety (90) days after completion, the use of septic tanks or any private sewage disposal system within the corporate limits of the Village serviced by the sewerage system shall be prohibited.
- (g) **Vacating of Premises and Discontinuance of Service.** Whenever premises served by the system are to be vacated, or whenever any person desires to discontinue service from the system, the Village 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.

- (h) **Charges are a Lien on Property.** All sewer services, 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 Village Clerk to be placed on the tax roll for collection as provided by Wisconsin Statutes.
- (i) **Unit of Service Definition.**
 - (1) 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 (1) consumer. Suites in houses, or apartment 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.
 - (2) 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 Village shall set a separate rate for such complex.
- (j) **Adoption of Other Rules.** 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 Sewer Utility of the Village.
- (k) **Disconnection for Delinquent Account.** A bill for service is delinquent if unpaid after the due date shown on the bill. The utility may disconnect service for a delinquent bill under the procedures set forth by Section 9-1-41(b).