

ORDINANCE NO. 2020-01

AN ORDINANCE OF
ALLENTON SANITARY DISTRICT NO. 1
IN THE TOWN OF ADDISON, WASHINGTON COUNTY, WISCONSIN

**ORDINANCE TO REPEAL AND RECREATE THE 1987
SEWER USE ORDINANCE**

An Ordinance Regulating the User of Public and Private Sewers and Drains, Private Sewage Disposal, the Installation and Connection of Building Sewers, the Discharge of Waters and Wastes into the Public Sewer System of the Allenton Sanitary District No. 1 and Providing Penalties for Violation Thereof.

The Commission of the Allenton Sanitary District No. 1, Washington County, Wisconsin do ordain as follows:

TABLE OF CONTENTS

ARTICLE I DEFINITIONS- ALPHABETICAL

ARTICLE II USE OF THE PUBLIC SEWERS

Sec. 201	Sanitary Sewers.....	6
Sec. 202	User Connections	6
Sec. 203	Laterals.....	6
Sec. 204	Storm Sewers	6
Sec. 204	Prohibitions and Limitations	7
Sec. 205	Special Arrangements	9
Sec. 206	New Connections	9

ARTICLE III CONTROL OF HIGH STRENGTH - TOXIC WASTES DIRECTED TO PUBLIC SEWERS

Sec. 301	Submission of Basic Data	10
Sec. 302	Extension of Time	10
Sec. 303	High Strength - Toxic Discharges.....	10
Sec. 304	Control Manholes.....	11
Sec. 305	Metering of Waste.....	11
Sec. 306	Waste Sampling	11
Sec. 307	Analyses	11
Sec. 308	Pretreatment	12
Sec. 309	Submission of Information.....	12
Sec. 310	Grease and/or Sand Interceptors	12

ARTICLE IV RIGHT OF ENTRY, SAFETY AND IDENTIFICATION

Sec. 401	Right of Entry.....	13
Sec. 402	Safety.....	13
Sec. 403	Identification, Right to Enter Easements.....	13

ARTICLE V SEWER CONSTRUCTION (BUILDING SEWERS)

Sec. 501	Work Authorized.....	14
Sec. 502	Connection Charge	14
Sec. 503	Cost of Sewer Connection	14
Sec. 504	Use of Old Building Sewers	14
Sec. 505	Materials and Methods of Construction.....	14
Sec. 506	Building Sewer Grade.....	15
Sec. 507	Storm and Groundwater Drains	15
Sec. 508	Conformance to Plumbing Codes	15
Sec. 509	Water Meters.....	15
Sec. 510	Inspection of Connection	16
Sec. 511	Barricades/Restoration	16
Sec. 512	Sewer Main Extensions.....	16

ARTICLE VI	SEPTIC TANK AND HOLDING TANK DISPOSAL	
	Sec. 601 No Person	17
ARTICLE VII	DAMAGE OR TAMPERING WITH SEWAGE FACILITIES	
	Sec. 701 Willful, Negligent or Malicious Damage	19
	Sec. 702 Liability to Discharger for Losses	19
ARTICLE VIII	VIOLATIONS AND PENALTIES	
	Sec. 801 Written Notice of Violation.....	20
	Sec. 802 Accidental Discharge	20
	Sec. 803 Continued Violations.....	20
	Sec. 804 Liability to the District for Losses.....	20
ARTICLE IX	APPEALS	
	Sec. 901 Procedures.....	21
ARTICLE X	VALIDITY	
	Sec. 1001 Repeal of Conflicting Ordinance.....	22
	Sec. 1002 Invalidation Claus.....	22
	Sec. 1003 Amendment	22
ARTICLE XI	AUDIT	
	Sec. 1101 Annual Audit	23
ARTICLE XII	ENACTING CLAUSE	
	Sec. 1201 Date of Effect	24
	Sec. 1202 Date of Enactment	24

ARTICLE I - DEFINITIONS

AMMONIA NITROGEN- (NH₃-N) - One of the oxidation states of nitrogen, in which nitrogen is combined with hydrogen in molecular form as NH₃ or in ionized form as NH₄⁺. Quantitative determination of Ammonia Nitrogen shall be made in accordance with procedures set forth in "Standard Methods."

APPROVING AUTHORITY shall mean the Allenton Sanitary District No. 1 Commission or its duly authorized deputy, agent, or representative.

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

BUILDING DRAIN shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside 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.

BUILDING SEWER shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection. Once constructed, the portion of the building sewer located within the public right of way or easement shall be considered an integral part of the public sewer for purposes of access. The owner shall be responsible for all maintenance.

COMBINED SEWER shall mean any sewer intended to serve as a sanitary sewer and a storm sewer.

COMMERCIAL USER shall mean 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 or more units served by a single meter.

COMPOSITE SAMPLE (24 hours) shall be the combination of individual samples taken at intervals of not more than one hour.

COMPATIBLE POLLUTANT means biochemical oxygen demand, suspended solids, pH, or fecal coliform bacteria, plus additional pollutants identified in the WPDES permit for the publicly owned treatment works receiving the pollutants if such works was designed to treat such additional pollutants, and in part does remove such pollutants to a substantial degree.

CHLORINE REQUIREMENT shall mean 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 "Standard Methods."

EASEMENT shall mean an acquired legal right for the specific use of land owned by others.

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

FLOW PROPORTIONAL SAMPLE A sample taken that is proportional to the volume of flow during the sampling period.

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

GROUND GARBAGE shall mean the residue from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be 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.

INCOMPATIBLE POLLUTANT means any pollutant which is not a compatible pollutant.

INDUSTRIAL USER shall mean 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.

INDUSTRIAL WASTE shall mean any trade or process waste as distinct from segregated domestic wastes or wastes from sanitary conveniences.

INSTITUTIONAL USER shall mean any user whose premises are used primarily for the conduct of activities of a social, charitable, or educational character.

INTERCEPTING SEWER shall mean 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.

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

NORMAL DOMESTIC SEWAGE shall mean 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 day, 20°C, BOD of not more than 240 mg/l.
- b) A suspended solids content of not more than 250 mg/l.
- c) An ammonia nitrogen content of not more than 27 mg/l.

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

pH shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .

PHOSPHORUS (P) - Total phosphorus in wastewater, which may be present in any of three principal forms: orthophosphate, polyphosphates, and organic phosphates. Quantitative determination of total phosphorus shall be made in accordance with procedures set forth in "Standard Methods."

PRETREATMENT shall mean an arrangement of devices and structures, for the preliminary treatment or processing of wastewater required to render such wastes acceptable for admission to the public sewers.

PUBLIC AUTHORITY shall mean 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.

PUBLIC SEWER shall mean any sewer provided by or subject to the jurisdiction of the Allenton Sanitary District No. 1. It shall also include sewers within or outside the Sanitary District boundaries that serve one or more persons and ultimately discharge into the District sanitary sewer system, even though those sewers may not have been constructed with Sanitary District funds.

PUBLICLY OWNED TREATMENT WORKS (POTW) – shall mean a sewage treatment plant that is owned, and usually operated, by a government agency.

SANITARY SEWAGE shall mean a combination of water carried wastes from residences, business buildings, institutions, and industrial plants (other than industrial wastes from such plants); together with such ground, surface and storm waters as may be present.

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

SEGREGATED DOMESTIC WASTES may be defined as wastes from nonresidential sources resulting from normal domestic activities. These activities are distinguished from industrial, trade and/or process discharge wastes.

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

SEWAGE SYSTEM shall mean the composite network of underground conduits carrying wastewater and appurtenances incidental thereto (i.e. manholes, lift stations, service lateral).

SEWER shall mean a pipe or conduit that carries wastewater or drainage water.

SHALL is mandatory; MAY is permissible.

SLUG LOAD OR SLUG DISCHARGE shall mean any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 204 of these rules and regulations. A Slug Discharge is any discharge of a non-routine, episodic nature including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the POTW's regulations, local limits, or permit conditions.

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

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

STORM WATER RUNOFF shall mean that portion of the rainfall that is drained into the sewers.

SUSPENDED SOLIDS (SS) shall mean solids that either float on the surface of, or are in suspension in water, wastewater, or other liquid, and that are removable by laboratory filtering as prescribed in "Standard Methods" and are referred to as nonfilterable residue.

UNPOLLUTED WATER is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

USER CLASSES are categories of users having similar flows and water characteristics; that is, levels of biochemical oxygen demand, suspended solids, phosphorus, ammonia nitrogen, etc. For the purposes of this ordinance, there shall be five user classes: residential, commercial, multi-family, industrial, and public authority.

WASTEWATER shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.

WASTEWATER FACILITIES shall mean the treatment works defined under "Wastewater Treatment Works" exclusive of interceptor sewers, and wastewater collection systems.

WASTEWATER TREATMENT WORKS shall mean 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.

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

WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT(WPDES) any permit or requirement issued by the Wisconsin Department of Natural Resources pursuant to the Act for the purpose of controlling sewage, Industrial Wastes, or other wastes under the authority of Section 402 of the Act, and Ch. 147, Wis. Stats.

ARTICLE II - USE OF THE PUBLIC SEWERS

SEC. 201 - SANITARY SEWERS No person(s) shall discharge or cause to be discharged any unpolluted waters as storm water, groundwater, roof runoff or subsurface drainage to any sanitary sewer except storm water runoff from limited areas, which storm water may be polluted at times, may be discharged to the sanitary sewer by permission of the Approving Authority.

SEC. 202 - USER CONNECTIONS The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within Allenton Sanitary District No. 1 and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer, is (are) hereby required at the owner(s) expense to install suitable toilet facilities therein, and connect such facilities directly to the proper public sewer in accordance with the provisions of this Ordinance within three (3) months after the date of official notice from the Approving Authority to do so.

If any person fails to comply after the expiration of the time provided by the notice, the Sanitary District may impose a penalty equal to sixty (60) dollars per quarter. In the case of unmetered water consumption, water use will be estimated by the District. The estimated water use will be based on use in similar facilities within the District wherever possible. The Sanitary District may cause the connection to the public sewer to be made. In the latter case, the expense thereof shall be assessed as a special tax against the property.

SEC. 203 – LATERALS All sewer services within the Sanitary District from the street main to and throughout the premises must be maintained free of defective conditions, including excessive inflow and infiltration (I & I). The owner of the property adjacent to the sewer services is responsible for the expense of such maintenance. Any damage to the sewer lateral resulting from negligence or carelessness on the part of the property owner, a tenant, or any agent of the owner, will be repaired at the expense of the property owner.

The property owner is responsible for all costs of Private Lateral repair, replacement, and maintenance from the main sewer line into the building. Any and all fences, trees, shrubs, swimming pools, decks, sheds, porches or other landscaping, paving, or structures that will need to be removed in order to facilitate the remediation of the Private Sewer Lateral shall be removed and replaced by the property owner at their expense, including the final restoration of the yard.

The Sanitary District has the authority to contract for repairs or replacements of laterals in the right-of-way and special assess the cost to the property owner.

SEC. 204 - STORM SEWERS Storm water other than that exempted under Section 201, Article II, and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewer or storm sewers or to a natural outlet approved by the Approving Authority and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the appropriate state agencies, to a storm sewer or natural outlet.

SEC. 205 - PROHIBITIONS AND LIMITATIONS

A. General Prohibitions No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference with the operation or performance of the POTW. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other national, state, or local pre-treatment standards or requirements.

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.

B. Specific Prohibitions No user shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- (1) Pollutants which create or contribute to a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21 (NR 661.21 Wis. Adm. Code);
- (2) Pollutants which will cause or contribute to corrosive structural damage to the POTW but in no case discharges having a pH less than 5.5 or more than 10.5, unless the industrial user has a pH variance approved by the Allenton Sanitary District.
- (3) Solid or viscous pollutants in amounts which will cause or contribute to the obstruction of the flow in sewers or other interference with the operation of the POTW;
- (4) Pollutants, including oxygen-demanding pollutants (BOD, etc), released in a discharge of such volume or strength as to cause or contribute to the interference in the POTW;
- (5) Heat in amounts which will inhibit or contribute to the inhibition of biological activity in the POTW treatment plant resulting in interference or causing damage to the POTW, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C) unless alternate temperature has been approved;
- (6) Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through;
- (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the

Allenton Sanitary District Wastewater Treatment System in a quantity that may cause acute worker health and safety problems;

- (8) Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair (including pollutants which result in the presence of toxic gases, vapors, or fumes);
- (9) Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent;
- (10) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
- (11) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, de-ionized water, noncontact cooling water, and unpolluted wastewater, unless specifically authorized by the Allenton Sanitary District;
- (12) Sludges, screenings, or other residues from the pretreatment of industrial wastes;
- (13) Medical wastes, except as specifically authorized by the Allenton Sanitary District in an individual wastewater discharge permit or a general permit;
- (14) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test; wastewater containing toxic or poisonous components in sufficient quantity to injure or interfere with any wastewater treatment process, to constitute hazards to humans or animals, or to create any hazard in waters which receive treated effluent from the sewer system treatment plant. Toxic wastes shall include, but are not limited to, waste containing cyanide, chromium, cadmium, mercury, copper, and nickel ions;
- (15) Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;
- (16) Fats, oils, or greases of animal or vegetable origin in concentrations that can upset or cause problems at the treatment plant;
- (17) Wastewater causing a reading on an explosion hazard meter at any point in the Allenton Sanitary District system for any single reading over 10 percent of the lower explosive limit of the meter;
- (18) Wastewater containing any component which would cause the treatment plant to be in noncompliance with sludge use, recycle or disposal criteria pursuant to guidelines or regulations developed under section 405 of the Federal Clean Water Act, the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or other regulations or criteria for sludge management and disposal as required by the State of Wisconsin EPA;
- (19) Unusual volume of flow or concentration of waste constituting "slugs" as defined herein.

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.

Pollutants, substances or wastewater prohibited by this Section shall not be processed or stored in such manner that they could be discharged to the POTW.

SEC. 206 - SPECIAL ARRANGEMENTS No statement contained in this Article shall be construed as prohibiting any special agreement between the Sanitary District 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 Sanitary District without recompense by the person provided that all rates and provisions set forth in this Ordinance are recognized and adhered to.

SEC. 207 - 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.

ARTICLE III - CONTROL OF HIGH STRENGTH - TOXIC WASTES DIRECTED TO PUBLIC SEWERS

SEC. 301- SUBMISSION OF BASIC DATA Following passage of this Ordinance, establishments discharging industrial wastes to a public sewer shall prepare and file with the Approving Authority a report that shall include pertinent data relating to the quantity and characteristics of the wastes discharged to the wastewater works. The Sanitary District shall establish a time limit for the submission of the reports. Such information shall be provided as per Chapter NR 101 of the Wisconsin Administrative Code.

Similarly, each establishment desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and 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. 302 - EXTENSION OF TIME When it can be demonstrated that circumstances exist which would create an unreasonable burden on an establishment to comply with the time schedule imposed by Section 301, a request for extension of time may be presented for consideration of the Approving Authority.

SEC. 303 - HIGH STRENGTH - TOXIC DISCHARGES 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 II and which in the judgement 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 rates of discharge.
- (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 205.

The toxic pollutants subject to prohibition or regulation under this Article shall include, but need not be limited to, the list of toxic pollutants or combination of pollutants established by Section 307(a) of the Clean Water Act of 1977 and subsequent amendments. Effluent standards or prohibitions for discharge to the sanitary sewer shall also conform to the requirements of Section 307(a) and associated regulations.

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. 304 - CONTROL MANHOLES Each user discharging industrial wastes into a public sewer may be required by the Approving Authority to construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of his wastes, including domestic sewage.

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. 305 - 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. 306 - WASTE SAMPLING Commercial and Industrial wastes discharged into the public sewers shall be subject to periodic inspection and sampling, allowing for a determination of character and concentration of said wastes to be made. The inspection and sampling shall be conducted by the Approving Authority as often as may be deemed necessary. All costs associated with said inspections or sampling will be the responsibility of the discharging agent.

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.

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 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. 307 - ANALYSES All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, location times, durations, and frequencies are to be determined on an individual basis subject to approval by the Approving Authority.

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. 308 - 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. 309 - SUBMISSION OF INFORMATION Plans, specifications, any other pertinent information relating to proposed flow equalizations, pretreatment or processing facilities shall be submitted for review of the Approving Authority prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

SEC. 310 - 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 204(B)(16), Article II, 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. Chemical and biological treatments such as drain cleaners, enzymes, bacteria, acid, or any other chemical or biological additives to emulsify or remove grease are strictly prohibited.

ARTICLE IV - RIGHT OF ENTRY, SAFETY, AND IDENTIFICATION

SEC. 401 - RIGHT OF ENTRY The Superintendent of the Allenton Sanitary District No. 1, Plumbing Inspector, or other duly authorized employee of the Sanitary District bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, testing, all in accordance with the provisions of this Ordinance and state laws. The Superintendent, Plumbing Inspector, or other duly authorized employee of the Sanitary District 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. 402 - SAFETY While performing the necessary work on private premises referred to in section 401, the duly authorized Sanitary District employees shall observe all safety rules applicable to the premises established by the owner or occupant and the Sanitary District shall indemnify the owner against loss or damage to its property by Sanitary District employees and against the liability claims and demands for personal injury or property damage asserted against the owner and growing out of gauging and sampling operation of the District employees, except as such may be caused by negligence or failure of the owner to maintain safe conditions.

SEC. 403 - IDENTIFICATION, RIGHT TO ENTER EASEMENTS The Superintendent of Allenton Sanitary District No. 1 and other duly authorized employees of the Sanitary District bearing proper credentials and identification shall be permitted to enter all private properties through which the District 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.

ARTICLE V - SEWER CONSTRUCTION (BUILDING SEWERS)

SEC. 501 - WORK AUTHORIZED No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer, building sewer or appurtenance thereof without first obtaining written permits from the Approving Authority.

Work performed on the public sewer or building sewer shall require a Sewer Construction Permit. The connection of the building sewer to the building drain shall require a Connection Permit.

No contractor, plumber, pipe fitter or other person shall be permitted to do work on any public street or building sewer without first receiving a license from the State of Wisconsin. Except in cases where State law permits building owners to do their own work without being licensed.

Prior to commencement of the work, the permittee shall notify the Allenton Sanitary District No. 1 at least forty-eight (48) hours before beginning excavations.

The permittee shall also provide the information required by Section 509, Water Meters, herein.

SEC. 502 - CONNECTION CHARGE The owner of each new user connection shall be assessed a connection charge based upon benefits accrued to each parcel of land from the installation of sanitary sewers. All connection charges shall be in accordance with the approved User Charge System and shall be in addition to the building sewer construction costs, sewer service charges, and any other charges resulting from the connection to the public sewer.

SEC. 503 - COST OF SEWER CONSTRUCTION All costs and expenses incident to the installation and connection of the building sewer shall be borne by the Owner, who may request that the work be performed by the Approving Authority or who may employ an independent contractor to do the work. In the latter case, the Owner shall indemnify the Sanitary District from any loss or damage that may directly or indirectly be occasioned by the installation, modification, or connection of the building sewer.

Except as herein provided, all charges accruing to the Owner under this Article may be treated as special assessments in accordance with the provisions of the Wisconsin Statutes.

SEC. 504 - 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 Ordinance.

SEC. 505 - MATERIALS AND METHODS OF CONSTRUCTION The size, slope, alignment, materials of construction of building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the Wisconsin Administrative Code, the State Department of Natural Resources, the Washington County building and plumbing code, and other applicable rules and regulations of the Allenton Sanitary District No. 1. In the absence of code provisions or an amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

SEC. 506 - 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. 507 - STORM AND GROUNDWATER DRAINS 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.

All existing downspouts or groundwater drains, etc, connected directly or indirectly to a public sanitary sewer must be disconnected no later than 60 days from the date of an official written notice by the Approving Authority. Exceptions to the above shall be made only by the Approving Authority in writing.

SEC. 508 - CONFORMANCE TO PLUMBING CODES The connection of the building sewer into the public sewer shall conform to the requirements of the Washington County building and plumbing code and other applicable rules and regulations of the Allenton Sanitary District No. 1 or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9 when not otherwise specified. All such connections shall be made gastight and watertight. Any deviation from the pre-described procedures and materials must be approved by the Approving Authority before installation.

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. 509 - WATER METERS Except as otherwise provided, all persons discharging sewage into the public sanitary sewer system shall have water meters installed for the purpose of determining the volume of water consumed.

Water meters shall be furnished by the Sanitary District and installed under its supervision. Water meters 3 inches and larger shall be purchased by the Owner. All meters will be maintained by the Approving Authority.

Applications for Connection Permits (Section 501) shall provide sufficient information to enable the Sanitary District to adequately size the water meter required for the premises in accordance with the approved User Charge System. The information provided shall also be adequate to allow the District to determine the need for a remote-reading installation or other special treatment, including winterization procedures.

All costs and expenses incident to the installation of the watermain and necessary appurtenances shall be borne by the Owner.

All water service lines shall be of sufficient size to provide an ample flow of water under maximum use to all fixtures and points of service for the building or buildings served by the

meter(s). Such size shall be determined by standards set by the Wisconsin Department of Industry, Labor, and Human Relations (DILHR). All materials employed shall conform to DILHR standards. Service controls shall include a valve on both sides of the meter. Service lines of 1½ inches or more in diameter shall have a bypass around the meter. The Owner shall provide appropriate connections for the meter required by the Sanitary District.

SEC. 510 - INSPECTION OF CONNECTION The applicant for the building sewer permit(s) shall notify the Approving Authority when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Approving Authority. The permit fee(s) shall include the cost of one inspection by the Approving Authority. The Owner shall pay the costs of any additional inspections that may be required for quality assurance.

SEC. 511 - BARRICADES/RESTORATION All excavations for the building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Sanitary District.

SEC. 512 - SEWER MAIN EXTENSIONS In addition to all other pertinent sections of this Ordinance, any person requesting an extension of the public sanitary sewer main shall be responsible for all of the following duties:

- (1) All costs and expenses incident to the installation of the sewer main extension, including engineering, shall be borne by the person requesting the extension.
- (2) When design of the proposed sewer extension is performed by an engineering consultant selected by the person requesting the extension, the resulting construction plans and specifications shall be reviewed and approved by the Sanitary District's engineer and by the Approving Authority prior to submittal for the Wisconsin Department of Natural Resources. All plans shall conform to the standards of the WDNR, and such additional requirements and standards that the Approving Authority may establish and shall be prepared by a professional engineer registered to practice in the State of Wisconsin. Construction inspection and contract administration shall be performed by the Sanitary District's engineer.
- (3) The person requesting the sewer extension shall assist in securing all required utility easements, the location and width of which shall be determined by the Sanitary District. The District will furnish blank easement forms to the person who will be responsible for the proper legal description of the easement parcel and for the proper execution of the easement by the grantor. All completed easements shall be submitted to the District, designated as the grantee for its review, and shall be recorded at the Washington County Register of Deeds office by the District.
- (4) The person requesting the sewer extension shall also execute any other special agreements deemed necessary by the Approving Authority.

ARTICLE VI - SEPTIC TANK AND HOLDING TANK DISPOSAL

SEC. 601 - NO PERSON in the business of gathering and disposing of holding tank sewage shall transfer such material into any portion of the treatment works unless a permit for disposal has been first obtained from the Sanitary District Commission. Written application for this permit shall be made to the Commission 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 non-transferrable 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 \$25.00 per calendar year for each licensed unit and a satisfactory credit report on the applicant. The time and place of disposal will be designated by the Commission. The Commission may impose such conditions as it deems necessary on any permit granted.

Charges for disposal shall be established in accordance with the Allenton Sanitary District No. 1 User Charge System. Invoices shall be mailed on a monthly basis and if payments are not received within thirty (30) days thereof, disposal privileges may be suspended.

Any person or party disposing of holding tank sewage or septic tank wastes agrees to carry public liability insurance (general and automobile) in an amount not less than One Million Dollars (\$1,000,000.00) and workmen's compensation insurance meeting statutory limitations in order to protect any and all persons or property from injury and/or damage caused in any way or manner by an act, or failure to act, by any of his employees. The person(s) shall furnish a certificate certifying such insurance to be in full force and effect.

The Approving Authority reserves the right to review all permit applications on a case by case basis.

All materials discharged to the treatment works under the permit shall be of domestic origin only. At no time will Allenton Sanitary District No. 1 accept holding tank or septic wastes from commercial or industrial facilities without the specific authorization of the superintendent and the Approving Authority. The discharger shall also certify that he will comply with the provisions of any and all applicable provisions of the Allenton Sanitary District No. 1 and will not deposit or drain any pollutants, substances, materials, or wastewater as specified in Section 2.04(B) into any part of the treatment works. The Allenton Sanitary District reserves the right to sample any materials discharged as deemed necessary. All costs associated with such sampling will be the responsibility of the hauling agent and will be reflected on the agents monthly invoice.

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

All waste haulers must fill out a report form providing the date, time, name and address of the producer. The volume, waste characteristics and the name and billing address of the hauler.

All discharges shall be at the location specified by the Approving Authority.

Violation of any of these provisions shall render the discharger subject to immediate revocation of his disposal privileges and may make him liable to the penalty provisions of this Ordinance. The Allenton Sanitary District No. 1 also retains the right to suspend or revoke any disposal privileges immediately upon notice if, in the opinion of the Approving Authority, the acceptance of such wastewater would cause the treatment works to violate the provisions of its WPDES permit due to the volume or character of the wastes. In such cases, the Approving Authority shall give priority to wastewater generated within the Allenton Sanitary District No. 1 and within the Town of Addison.

ARTICLE VII - DAMAGE OR TAMPERING WITH SEWAGE FACILITIES

SEC. 701 - 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. 702 - LIABILITY TO DISCHARGER FOR LOSSES Any person who intentionally, negligently or accidentally violates any provisions of this Ordinance shall become liable to the Allenton Sanitary District No. 1 or any downstream user, for any expense, loss or damage occasioned by reason of such violation which the District 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 801 and without consideration for any penalties which may be imposed for a violation of this Ordinance.

ARTICLE VIII - VIOLATIONS AND PENALTIES

SEC. 801 - WRITTEN NOTICE OF VIOLATION Any person found to be violating any provision of this Ordinance shall be served by the Allenton Sanitary District No. 1 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. 802 - 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. 803 - 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 \$100.00 nor more than \$10,000.00 per day per violation. The said violator shall also cover all fees incurred by the Allenton Sanitary District No. 1 including, but not limited to, legal fees, and costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the Washington 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. 804 - LIABILITY TO THE DISTRICT FOR LOSSES Any person violating any provision of this Ordinance shall become liable for the Allenton Sanitary District No. 1 for any expense, loss, or damage occasioned by reason of such violation which the Commission may suffer as a result thereof.

ARTICLE IX - APPEALS

SEC. 901 - PROCEDURES Any user, permit applicant, or permit holder affected by any decision, action, or determination, including cease and desist orders, made by the Approving Authority interpreting or implementing the provisions of this Ordinance, or in any permit issued herein, may file with the Sanitary District Commission a written request for reconsideration within ten (10) days setting forth in detail the facts supporting the user's request for reconsideration.

The Commission shall render a decision on the request for reconsideration to the user, permit applicant or permit holder in writing within thirty (30) days of receipt of request.

ARTICLE XI - AUDIT


SEC. 1101 - ANNUAL AUDIT The Allenton Sanitary District No. 1 shall conduct an annual audit, the purpose of which shall be to demonstrate the continued proportionality and sufficiency of the user charges relative to changes in system operation and maintenance costs.

ARTICLE XII - ENACTING CLAUSE

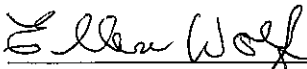
SEC. 1201 - DATE OF EFFECT This Ordinance shall take effect and be in force from and after its passage, approval, recording and publication, as provided by law.

SEC. 1202 - DATE OF ENACTMENT (APPROVAL) Passed and adopted by the Allenton Sanitary District No. 1 in the County of Washington, and the State of Wisconsin, on this 17th day of September, 2020.

ALLENTON SANITARY DISTRICT


By: Robert Bingen, President

ATTEST:


Ellen Wolf, Secretary
Allenton Sanitary District