

Chapter A300

SANITARY DISTRICT REGULATIONS

[HISTORY: Adopted by the Sanitary District Commission of the Town of Scott Sanitary District No. 1 11-12-1985 by Ord. No. 1-1986; amended 12-18-2012. Subsequent amendments noted where applicable.]

§ A300-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

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

BUILDING DRAIN — That part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of the building and conveys it to the building sewer.

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

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

GENERAL PERMIT — A document issued by the Wisconsin State Department of Natural Resources which establishes effluent limitations and monitoring requirements for the municipal wastewater treatment facility.

INDUSTRIAL WASTE — The wastewater from industrial process, trade or business and distinct from sanitary sewage, including cooling water and the discharge from sewage pretreatment facilities.

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

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

SANITARY DISTRICT — The Town of Scott Sanitary District No. 1.

SANITARY DISTRICT COMMISSION — The Town of Scott Sanitary District No. 1 Commission members.

SANITARY SEWER — A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of

groundwater, stormwater, and surface water that are not admitted intentionally.

SHOCK — Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period or duration longer than 15 minutes more than five times the average twenty-four-hour concentration of flows during normal operation and shall adversely affect the system and/or performance of the wastewater treatment works.

STANDARD METHODS — The examination and analytical procedures set forth in the most recent edition of Standard Methods for the Examination of Water and Wastewater, published jointly by the American Public Health Association, the American Water Works Association, and the Water Environment Federation.¹

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

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

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 but not intentionally admitted.

WASTEWATER TREATMENT WORKS — An arrangement of devices and structures for treating wastewater, industrial wastes, and sludge, sometimes used as synonymous with "waste treatment."

WATERCOURSE — A natural or artificial channel for the passage of water, either continuously or intermittently.

§ A300-2. Sanitary District.

- A. Sanitary District Commission. The management, operation, and control of the sewer system for the Sanitary District are vested in the Sanitary District Commission of said Town of Scott Sanitary District No. 1 of Sheboygan County; all records, minutes, and all written proceedings thereof shall be kept by the Secretary of the Sanitary District; the Treasurer of the Sanitary District shall keep all the financial records.
- B. Authority of the Sanitary District. The Sanitary District 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 Sanitary District and, generally, to do all such work as may be found necessary or convenient in the management of the sewer system.
- C. Condemnation of real estate. Whenever any real estate or any easement therein or use thereof shall, in the judgment of the Sanitary District Commission, be necessary to the sewer system and whenever, for any cause, an agreement for the purchase thereof cannot

1. Editor's Note: Amended at time of adoption of Code.

be made with the owner thereof, the Sanitary District shall proceed with all necessary steps to take such real estate, easement, or use by condemnation in accordance with Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if federal funds are used.

- D. 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 with said sewer system and all buildings, machinery, and fixtures pertaining thereto shall be the property of said Sanitary District.

§ A300-3. Sewer rules and regulations and sewer rates. ²

Sewer rules and regulations and sewer rates of the Sanitary District hereinafter set forth shall be considered a part of the contract with every person, company, or corporation who or which is connected with the sewer system of the Sanitary District, and every such person, company, or corporation by connecting with the sewer system shall be considered as expressing his or its assent to be bound thereby. Whenever any of said rules and regulations, or such others as said Sanitary District 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 reestablished except by order of the Sanitary District Commission and on payment of all arrears, the expenses and established charges of shutting off and putting on, and such other terms as the Sanitary District Commission may determine, and a satisfactory understanding with the party that no further cause for complaint shall arise. In case of such violation said Sanitary District Commission 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 Sanitary District to change said rules, regulations, and sewer rates from time to time as it may deem advisable and to make special rates and contracts in all proper cases.

§ A300-4. Rules and regulations for plumbers and sewer users.

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

- A. Plumbers. No plumber, pipe fitter, or other person will be permitted to do any plumbing or pipe fitting work in connection with the sewer system without first receiving a license from the State of Wisconsin.
- B. Users.
- (1) Application for service.
- (a) Every person connecting with the sewer system shall file an application in writing with the Sanitary District on such forms as are prescribed for that purpose. Blanks for such applications will be furnished at the office of the Sanitary District. The application must state fully and truly all the use which will be allowed except upon further application and permission regularly

2. Editor's Note: Amended at time of adoption of Code.

obtained from said Sanitary District. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. Persons connected to the sewer system of the Sanitary District are referred to herein as "users."

- (b) The application may be for service to more than one building, or more than one unit of service through one service connection, and, in such case, charges shall be made accordingly.
- (2) Tap permits. After sewer connections have been introduced into any building or upon any premises, no plumber shall make any alterations, extensions, or attachments, unless the party ordering such tapping or other work shall exhibit the proper permit for the same from the Sanitary District.
- (3) 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.
- (4) User use only. No user shall allow others or other services to connect to the sewer system through his lateral.
- (5) User to permit inspection. Every user shall permit the Sanitary District, or its duly authorized agent, at all reasonable hours of the day, to enter his premises or building to examine the pipes and fixtures and the manner in which the drains and sewer connection operate, and he must at all times, frankly and without concealment, answer all questions put to him relative to its use.
- (6) District responsibility. It is expressly stipulated that no claim shall be made against said Sanitary District or its acting representative by reason of the breaking, clogging, stoppage, or freezing of any service pipes nor from any damage arising from repairing mains, making connections or extensions, or any other work that may be deemed necessary. The right is hereby reserved to cut off the service at any time for the purpose of repairs or any other necessary purpose, any permit granted or regulation to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer service within any area of said Sanitary District, the Sanitary District shall, if practicable, give notice to each and every consumer within such affected district of the time when such service will be so shut off.
- (7) Permits and fees. Permits and fees are addressed on a separate fee schedule. The current Sanitary District fee schedule is on file at the office of the Sanitary District Secretary-Treasurer.³

C. Excavation.

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

3. Editor's Note: Amended at time of adoption of Code.

- (2) No person shall leave any such excavation made in any street or highway open at any time without barricades, and during the night warning lights must be maintained at such excavations.
- (3) In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than nine inches in depth and each layer thoroughly compacted to prevent settling. This work together with the replacing of sidewalks, ballast, and paving must be done so as to make the street as good, at least, as before it was disturbed and satisfactory to the Sanitary District.

D. Tapping the mains.

- (1) No person, except those having special permission from the Sanitary District, or persons in its service and approved by it, will be permitted under any circumstances to tap the mains or collection pipes. The kind and size of the connections with the pipe shall be that specified in the permit or order from said Sanitary District.
- (2) Pipes should always be tapped on the top half and not within six inches (15 centimeters) of the joint or within 24 inches (60 centimeters) of another lateral connection.

E. Installation of house laterals.

- (1) All service pipes (laterals) on private property will be installed in accordance with Wisconsin Administrative Code Chapter SPS 382, Design, Construction, Installation, Supervision, and Inspection of Plumbing.
- (2) All laterals shall be inspected by a licensed inspector.⁴
- (3) No property owner can deny access to an easement located on his/her property for the construction of a building sewer approved by the Sanitary District.
- (4) All property owners installing building sewers on easements not located on their property shall return the surface of the easement to its original condition at no expense to the owner of the easement.

F. Septic tank and holding tank disposal. No person in the business of gathering and disposing of septic tank sludge or holding tank sewage shall transfer such material into any disposal area, sewer manhole, or septic tank located within the Sanitary District boundaries.

§ A300-5. Charges; billing.

A. Sewer user charge system; revenues. It shall be the policy of the Sanitary District to obtain sufficient revenues to pay the cost of operation and maintenance of the sewage works, including a replacement fund (i.e., a cash account to be used for future expenditures for obtaining or installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance of the sewage works during the service life for which such works were designed and constructed), through a system of user charges as defined in this section. The system shall assure that each user of the sewage works pays a

4. Editor's Note: Amended at time of adoption of Code.

proportionate share of the cost of such works.

B. Billing.

- (1) All sewer service charges shall consist of a quarterly billing based on the number of unit charge equivalents (UCE) assigned to that customer.
- (2) The quarterly billings shall be sufficient to pay the replacement fund costs and to pay the annual cost of operation and maintenance of the sewage works. Users will be notified annually of the portion of user charges attributable to wastewater treatment services.

C. Assignment of unit charge equivalents.

- (1) Unit charge equivalents (UCE) are hereby assigned as follows:

Type of Unit	Number of UCE
Single residence	
Duplex	
Athletic field	
Fire station	
Community property	
Church property	
Commercial property	

- (2) The Sanitary District Commission will reassign users into appropriate sewer service charge categories if wastewater flow monitoring and sampling programs, UCE formulas, and/or other related information indicates a change of categories is warranted. The Sanitary District Commission will also assign new users into appropriate sewer service charge categories on the same basis. All assignments of unit charge equivalents (UCE) shall assure that all sewer users in the district are being billed on a proportionate basis for the amount and character of sewage contributed. However, in no event shall fractional parts of a UCE be used.

D. Unit charges. A unit charge equivalent (UCE) is hereby imposed upon each lot, parcel of land, building or premises served by the sewage system or otherwise discharging sewage, including nondomestic and industrial waste, into the system. Such unit charge equivalents shall be payable as herein provided, and the charge per UCE shall be determined by allocating on a prorated basis the costs of operation and maintenance of the sewage works, including a replacement fund, to the total number of UCEs assigned at any one time.

E. Minimum charge.

- (1) The sewer rate shall be an amount per quarter per unit charge equivalent (UCE) as provided on the fee schedule promulgated pursuant to § A300-4B(7). The sewer service charges, and this chapter, shall be reviewed not less than annually. Such review shall be performed by the Sanitary District. Sewer service charges shall be

adjusted, as required, to reflect the actual number and size of users and actual costs.⁵

- (2) The Sanitary District shall annually formulate a budget and hold public hearings thereon. Such budget shall list all existing indebtedness and all anticipated revenue from all sources during the ensuing year and shall likewise list all proposed appropriations for each activity and account during said ensuing year. Such budget shall also show actual revenues and expenditures for the preceding year, actual revenues and expenditures for not less than the first six months of the current year and estimated revenues and expenditures for the balance of the current year. Such budget shall also show for informational purposes by fund all anticipated unexpended or unappropriated balances and surpluses.
- (3) A summary of the budget required herein and notice of the place where the budget in detail is available for public inspection and notice of the time and place for holding the public hearing thereon shall be published once at least 15 days prior to the time of the public hearing. Not less than 15 days after the publication of the proposed budget and the notice of hearing thereon a public hearing shall be held at the time and place stipulated at which any resident or taxpayer of the Sanitary District shall have an opportunity to be heard on the proposed budget. The budget hearing may be adjourned from time to time. Upon completion of the public hearing, the budget shall be voted upon by the members of the Sanitary District Commission. In the event that the Sanitary District Commission shall make changes to the budget after approval, it shall publish a notice thereof within 10 days after any change is made.⁶

F. Frequency of charges. All charges for sewer service shall be made quarterly and shall be payable on the first day of January, April, July, and October in each year, with the first such payment being payable on the first day of January 1986. A penalty equal to the amount allowable by state statute will be added to those bills not paid on or before the 20th day after the due date of the bill. Failure to receive a bill shall not excuse nonpayment.⁷

G. Charges in arrears.

- (1) On October 15 in each year notice shall be given to the owner or occupant of all lots or parcels of real estate to which sewer service has been furnished prior to October 1 and for which charges are owing and in arrears at the time of giving such notice. Such notice shall be in writing and shall state the amount of such arrears, including penalty charges, and shall further state that unless the same is paid by November 1 thereafter, the same will be levied as a tax against the lot or parcel of real estate to which the sewer service was furnished and for which payment is delinquent as above specified.⁸
- (2) Such notice may be served by delivery to either such owner or occupant personally or by letter addressed to such owner or occupant at the post office address of such lot or

5. Editor's Note: Amended at time of adoption of Code.

6. Editor's Note: Amended at time of adoption of Code.

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parcel of real estate. On November 16 the Sanitary District shall certify and file with the Town Clerk of the Town of Scott a list of all lots or parcels of real estate, the owners or occupants of which have received the notice of arrears as above specified and for which arrears still remain unpaid, and stating the amount of such arrears together with the added penalty thereon as herein provided. Each such delinquent amount, including such penalty, shall thereupon become a lien upon the lot or parcel of real estate to which the sewer service was furnished and payment for which is delinquent, and the Town Clerk shall insert the same as a tax against such lot or parcel of real estate. All proceedings in relation to the collection of general property taxes and to the return and sale of property for delinquent taxes shall apply to said tax if the same is not paid within the time required by law for payment of taxes upon real estate.

H. Operation, maintenance and replacement fund accounts.

- (1) The annual replacement revenues shall be maintained in a separate account by the Sanitary District to be used solely for the purpose of purchasing replacement parts and/or equipment. Funds may be withdrawn from this account, for authorized use, only with the approval of the Sanitary District Commission.
- (2) All revenues for the replacement fund and for operation and maintenance of the wastewater collection and treatment facilities must be used solely for the replacement fund and operation and maintenance of the wastewater collection and treatment facilities. Excess revenues collected will be applied to operation and maintenance costs for the next year.

I. Annual notification. The Sanitary District shall notify its sewer users annually about the user charge rates.

§ A300-6. Mandatory hookup.

- A. 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 180 days of notice in writing from the Sanitary District. Upon failure to so do, the Sanitary District shall cause such connection to be made and bill the property owner for such costs. If such costs are not paid within 30 days, such costs shall be assessed as a special tax lien against the property, all pursuant to § 281.45, Wis. Stats.; provided, however, that the owner may, within 30 days after the completion of the work, file a written statement with the Sanitary District Commission stating that the property owner cannot pay such amount in one sum and asking that the amount be levied in not to exceed five equal installments and that the amount shall be so collected with interest equal to the amount allowable by state statute from the completion of the work, the unpaid balance being a special tax lien, all pursuant to § 281.45, Wis. Stats.⁹
- B. In lieu of the above, the Sanitary District may impose a penalty for the period that the violation continues, after 10 days' written notice to any owner failing to make a connection to the sewer service, payable monthly for the period in which the failure to connect

9. Editor's Note: Amended at time of adoption of Code.

continues, and upon failure to make such payment said charge shall be assessed as a special tax lien against the property, all pursuant to § 281.45, Wis. Stats.

- C. This chapter ordains that the failure to connect to the sewer system is contrary to the minimum health standards of said Sanitary District and fails to assure preservation of public health, comfort, and safety of said Sanitary District.

§ A300-7. Maintenance of services. ¹⁰

The Sanitary District shall maintain all portions of the sewer system and septic tanks, excluding building sewers, without expense to the property owner, except when they are damaged as a result of negligence or carelessness on the part of the property owner, tenant, agent of the owner, users or others, in which case they shall be repaired at the expense of the property owner and/or users. Any damage to the public septic tank or its appurtenances caused by vehicles driven over or on the public septic tank shall be considered to be negligence on the part of the property owner and/or users. All building sewers from the point of entry into the public septic tank to the building shall be owned and maintained free of defective conditions by and at the expense of the owner or occupant of the property.

§ A300-8. Improper connection or use.

- A. It shall be unlawful for any person to willfully injure the sewer system, or any building, machinery, or fixture pertaining thereto, or to willfully and without authority of the Sanitary District bore or otherwise cause to leak any tunnel, aqueduct, reservoir, pipe or other thing used in the system for holding, conveying, or collecting sewage.
- B. It shall be unlawful for any person to introduce sewage into the system which shows an excess of BOD or suspended solids concentration of over 200 milligrams per liter BOD and 250 milligrams per liter suspended solids (normal domestic sewage); a surcharge shall be based on the excess of BOD or suspended solids at a rate per pound of BOD and per pound of suspended solids as provided on the fee schedule promulgated pursuant to § A300-4B(7). The Sanitary District reserves the right to test the sewage at any point within the connection system of the user or consumer. Users discharging toxic pollutants shall pay for any increased operation and maintenance (O&M) or replacement costs caused by the toxic pollutants.¹¹
- C. No user shall discharge or cause to be discharged any of the following described liquid or solid wastes to any sanitary sewer:
 - (1) Any stormwater, surface water, groundwater, roof runoff, surface drainage, iron filter backwash or water softener discharge.
 - (2) Any flammable liquid, solid, gas or petroleum product. This would also include any paint or finishing products.¹²

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11. Editor's Note: Amended at time of adoption of Code.

12. Editor's Note: Amended at time of adoption of Code.

- (3) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or sticky substance capable of causing obstruction of the flow in sewers or other interference with the proper operation of the sewage works.
- (4) Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constituting a hazard to humans and animals, or create any hazard in the receiving treatment facility.
- (5) Any water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such material at the sewage treatment plant.
- (6) Any noxious or malodorous gas or substance capable of creating a public nuisance.
- (7) Any garbage that has not been properly shredded.
- (8) Any liquid or vapor having a temperature higher than 150° F.
- (9) Any water or wastes which may contain more than 100 parts per million by weight of fat, oil, or grease.
- (10) Any water or wastes having a pH lower than 5.5 or higher than 9.0 or having any corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (11) Any personal hygiene product, including diapers and pre-moistened wipes.¹³

D. If any water or wastewaters are discharged into the sewer system which, in the judgment of the Sanitary District Commission, may have a deleterious effect upon the wastewater collection or treatment facilities, the Sanitary District Commission may reject the waste, require pretreatment to an acceptable condition, or require control over the quantities and rates of discharge.

§ A300-9. Damage recovery.

The Sanitary District shall have the right of recovery from all persons of any expense incurred by said Sanitary District for the repair or replacement of any sewer pipe, pumps or other wastewater treatment facilities damaged in any manner by any person by the performance of any work under his control or by any negligent act.

§ A300-10. Violations and penalties.

Any person who shall violate any of the provisions of this chapter or rules or regulations of the Sanitary District or who shall connect a service pipe without first having obtained a permit therefor 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, forfeit not less than \$250 nor more than \$2,000 and the costs of prosecution. This, however, shall not bar the Sanitary District from enforcing the connection duties set out in § A300-6 for

13. Editor's Note: Added at time of adoption of Code.

mandatory hookup.

§ A300-11. Private septic systems and holding tanks. ¹⁴

The maintenance and use of private septic systems, holding tanks and other private sewage disposal systems within the boundary of the Sanitary District serviced by its sewage system are hereby declared to be a public nuisance and a health hazard. From and after January 1, 1986, the use of such private septic systems, holding tanks or any such private sewage disposal system within the boundary of the Sanitary District shall be prohibited unless a special permit is obtained from the Sanitary District Commission. Upon abandonment of a private septic system or holding tank, the tank shall be pumped and then filled with gravel or sand. Final inspection and certification by a Sanitary District representative that the tank has been abandoned and filled shall be initiated by January 1, 1986.

§ A300-12. Vacating of premises and discontinuance of service. ¹⁵

Whenever premises served by the Sanitary District are to be vacated, or whenever any person desires to discontinue service from the Sanitary District, the Sanitary District 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 Sanitary District other than through the fault of the Sanitary District or its employees, representatives, or agents.

§ A300-13. 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 in any year shall be certified to the Town Clerk to be placed on the tax roll for collection as provided by Wisconsin Statutes.

§ A300-14. Extensions of sewer system.

- A. The cost of future installations of building sewers, septic tanks, laterals, and sanitary sewer mains to be connected to the Sanitary District sewer collection system shall be borne by the property owner of the land to be served. All installations shall be in accordance with the Wisconsin Administrative Code and the requirements of the Sanitary District.
- B. Plans and specifications shall be designed by the engineer approved by the Sanitary District and paid for by the property owner. A written approval and connection permit obtained from the Sanitary District are required before construction is initiated.

§ A300-15. Other rules and agreements.

- A. Adoption of other rules. There are hereby adopted all the rules and regulations of the State Plumbing and State Building Codes and the building rules of the Department of Safety and Professional Services and the Department of Natural Resources of the State of Wisconsin

14. Editor's Note: Amended at time of adoption of Code.

15. Editor's Note: Amended at time of adoption of Code.

insofar as the same are applicable to the Sanitary District. All extensions of the system will comply with administrative rules of the Department of Natural Resources in Chs. NR 108 and NR 110, Wis. Adm. Code.¹⁶

- B. Superseding previous ordinances and agreements. This chapter governing sewer use, sewer service charges, and sewer connections and construction shall supersede all previous ordinances of the Sanitary District. The user charge system contained herein takes precedence over preexisting agreements inconsistent with said user charge system.

16. Editor's Note: Amended at time of adoption of Code.