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SUBCHAPTER I: GENERAL PROVISIONS

**13.01 MANAGEMENT OF UTILITIES.**

- (1) **VILLAGE BOARD RESPONSIBLE.** The Village Board shall manage, operate and control the Port Edwards Water Utility and the Port Edwards Wastewater Utility.
- (2) **SUPERVISION.** The Director of Public Works shall have charge of the wells, pumping stations, transmission and distribution lines, tanks, service and meters, wastewater system and such other work as the Village Board may direct.

**13.02 APPLICATION.** The application of this subchapter and its rules, regulations and rates shall apply to all persons residing within the corporate limits of the Village and any person by attachment to the wastewater system or otherwise by contract or agreement coming within the Village sewer and water service area subsequent to the effective date hereof and all entities hauling wastes or trucking wastes and discharging to the wastewater system.

**13.03 UTILITY RECEIPTS AND EXPENDITURES.**

- (1) **RECEIPTS.** All utility receipts shall be collected by the Utility Secretary. Delinquent sewer and water charges shall be collected pursuant to the provisions of §§66.0821, 66.0809, 66.0811 and 66.0813, Wis. Stats. **(See Ordinance 4 dated 3-9-04.)**
- (2) **EXPENDITURES.** The Clerk-Treasurer shall pay all utility expenditures, as provided in §66.0607, Wis. Stats.

**13.04 CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES.** The construction and maintenance of all wastewater and water facilities of the Village shall conform to standards and requirements established by the Director of Public Works in accordance with and provisions of the latest edition of "Standard Specifications for Sewer and Water Construction in Wisconsin," which are adopted by reference and made a part of this chapter.

**13.05 UTILITY METERS.** Utility meters and utility regulators and equipment incidental thereto shall not be installed on the front of a building or on the side of a building facing any public road. Such equipment shall be installed and located on the side or the rear of the building and shall be not less than 10 feet from the front of the building nor 10 feet from the side of the building if the side fronts on a public road.

**13.06 See Ordinance 4 dated 3-9-04**

**13.07**

to

**13.10 (Reserved)**

SUBCHAPTER II: PORT EDWARDS WATER UTILITY

**13.11 RULES AND REGULATIONS.**

- (1) **GENERAL.** The rules and regulations governing the operation of the Port Edwards Water Utility shall be those on file with and approved by the Wisconsin Public Service Commission. A violation of any such rules and regulations shall be a violation of this subchapter.
  
- (2) **OPERATING RULES.**
  - (a) All persons now receiving water service from the Utility or who may hereafter make application therefor shall be considered as having agreed to be bound by all rules and regulations as filed with the Public Service Commission.
  - (b) The applicable provisions of Wis. Adm. Code PSC 185 relating to water service are hereby adopted by reference and made a part of these rules as if set forth in full. A violation of such rules shall constitute a violation of this subchapter.

**13.12 PLUMBING PERMIT REQUIRED.** No person shall hook up to the Village water system until a plumbing permit is obtained. See ch. 15 of this Code.

**13.13 SEPARATE CONNECTION REQUIRED.** Each principal building served by the Utility shall have a separate and independent water service from the public main.

**13.14 CROSS-CONNECTIONS.** See sec. 15.16 of this Code.

**13.15 PRIVATE WELL ABANDONMENT.** See sec. 15.17 of this Code.

**13.16 RESTRICTED USE OF WATER DURING EMERGENCIES.**

- (1) **LAWN SPRINKLING RESTRICTIONS.** The Village President or Village Administrator may impose mandatory lawn sprinkling restrictions on all water users in the Village in order to avoid undue stress upon the resources and reserve capacity of the Water Utility. The restrictions may apply to all properties or to alternate sides of the street as deemed necessary. Alternate side restrictions would apply to even-numbered sides of the street on even-numbered calendar days and odd-numbered sides of the street on odd-numbered calendar days, respectively. Restrictions may be for all day or for specified times each day. Separate restrictions for watering gardens, trees, bushes, flowers, etc., may be imposed by the Village President or Village Administrator when and if necessary.
- (2) **COMPLIANCE WITH RULES AND REGULATIONS REQUIRED.** Except as provided in sub. (3) below, it shall be unlawful for any person to use or allow water to be used in any fashion contrary to the rules and regulations issued under this section.
- (3) **EXCEPTION.** Persons having newly seeded or sodded lawns are exempt from the provisions of this section, upon approval of the Director of Public Works.

**13.17**

**to**

**13.19 (Reserved)**

**13.20 PENALTY.** Any person who shall violate any of the provisions of this subchapter or rules or regulations of the Village or who shall connect a service pipe without first having obtained a permit therefor or who shall violate any provisions of the Wisconsin Statutes, the Wisconsin Administrative Code or any other materials which are incorporated by reference shall, upon conviction, forfeit not less than \$10 nor more than \$200 and the costs of prosecution. This shall not bar the Village Board from enforcing the connection duties required by law. The Utility shall have the right of recovery from all persons any expense incurred by the Utility for the repair or replacement of any water pipe, curb stop, gate valve, hydrant or valve box damaged in any manner by any person by the performance of any work under its control or by any negligent act. Owners or operators of motor vehicles shall be held liable for the cost of repair of any hydrant damaged by them and the Utility shall not be responsible for the damage to the motor vehicle by reason of such accident.

SUBCHAPTER III: PORT EDWARDS WASTEWATER UTILITY

**13.21 INTRODUCTION AND GENERAL PROVISIONS.** This chapter regulates the use of public and private sewers and drains, discharge of septage into the public wastewater system, and the discharge of waters and wastes into the public wastewater systems within the Village. It provides for uniform requirements for discharges into the wastewater collection and treatment system and enables the Village to comply with administrative provisions and other discharge criteria which are required or authorized by the State or Federal law. Its intent is to derive the maximum public benefit by regulating the characteristics of wastewater discharged into the Village wastewater system and the issuing of permits to certain users. If there is any conflict between this subchapter and any applicable State Statute, the Statute shall be controlling.

**13.22 USER RULES AND REGULATIONS.** The rules, regulations and Wastewater Utility rates of the Village hereinafter set forth shall be considered a part of the contract with every person, company or corporation who is connected to or uses the Village wastewater system or wastewater treatment facility and every such person, company or corporation by connecting with the wastewater system or wastewater treatment facility shall be considered as expressing their assent to be bound thereby. The following rules and regulations for the government of licensed plumbers, wastewater system users and others are hereby adopted and established.

- (1) **PLUMBERS.** No plumber, pipe fitter or other person will be permitted to do any plumbing or pipe fitting work in connection with the wastewater system without first receiving a license from the State and obtaining a permit from the Director of Public Works. All service connections to the sewer main shall comply with the State Plumbing Code.
- (2) **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 365 days of notice in writing from the Village Board. Upon failure to do so, the Board may cause such connection to be made and bill the property owner for such costs. If such costs are not paid within 30 days, such notice shall be assessed as a special tax lien against the property. However, the owner may, within 30 days after the completion of the work, file a written option with the Board stating that he or she cannot pay such amount in one sum and ask that there be levied in not to exceed 10 equal installments and that the amount shall be so collected with interest at the current rate from the completion of the work, the unpaid balance being a special tax lien, all pursuant to §144.06, Wis. Stats.
  - (b) The Village Board has determined that the failure to connect to the wastewater system is contrary to the minimum health standards of the Village and fails to assure preservation of public health, comfort and safety of the village.
- (3) **SEPTIC TANK PROHIBITED.** The maintenance and use of septic tanks, holding tanks and other private sewage disposal systems within the area of the Village serviced by its wastewater system are hereby declared to be a public nuisance and a health hazard. From and after the effective date of this subchapter, the use of septic tanks, holding tanks or any private sewage disposal system within the area of the village serviced by the wastewater system shall be prohibited.

- (4) APPLICATION FOR WASTEWATER UTILITY SERVICE.
- (a) Every person desiring to connect to the wastewater system shall file an application in writing to the Director of Public Works on such forms as is prescribed for that purpose. Blanks for such applications will be furnished at the office of the Clerk-Treasurer. The application must state fully and truthfully all the wastes which will be discharged. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. Persons connected to the wastewater system of the Village are referred to herein as "users."
  - (b) If it appears that the service applied for will not provide adequate service for the contemplated use, the Village may reject the application. If the Village approves the application, it shall issue a permit for services as shown on the application.
- (5) APPLICATION FOR SEPTAGE DISPOSAL.
- (a) Between August 1 and September 1 of each year every licensed disposer wishing to discharge septage to the Village wastewater system shall file a nonrefundable filing fee and an application in writing to the Village Board on such a form as is prescribed for that purpose. During the months of July and August, forms for such application will be furnished at the office of the Clerk-Treasurer. The application must state fully and truly the type, frequency, quantity, quality and location of generated septage to be disposed in the Village wastewater system.
  - (b) During the month of September, the Village Board will evaluate the applications and make a determination as to the amount and conditions of septage disposal in the Village wastewater system. The Board shall approve or reject all applications by October 1 of each year. If the Board cannot accept all the proposed septage disposal, then consideration shall be given first to those generators of septage that are within the Wastewater Utility service or holding tank service areas (see Wis. Adm. Code NR 205.07(2)(h) ).
  - (c) All Village approvals for septage disposal shall have the conditions that any time the wastewater system has operational problems, maintenance problems or threat of WPDES permit violations that are indirectly or directly related to septage disposal, the Village Board may immediately restrict septage disposal until such time as corrective action or mitigative measures have been taken.
- (6) CONNECTION CHARGE. Persons attaching to a sewer main shall have the lateral from the sewer main installed at their own expense.
- (7) 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 exhibits the proper permit for the same from the Plumbing Inspector.
- (8) USERS 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 wastewater system.
- (9) BACKFLOW PREVENTOR. All floor drains shall have a backflow prevention valve installed at the owner's expense.
- (10) USER USE ONLY. No user shall allow other persons or other services to connect to the wastewater system through his lateral.
- (11) USER TO PERMIT INSPECTION. Every user shall permit the Director of Public Works, 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 connections operate, and he must at all times, frankly and without concealment, answer all questions put to them relative to its use, all in accordance with this subchapter and §196.171, Wis. Stats.
- (12) UTILITY RESPONSIBILITY. It is expressly stipulated that no claim shall be made against the Village or 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 regulations to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer within any district of the Village, the Director of Public Works

shall, if practicable, give notice to each and every consumer affected of the time when such service will be shut off.

(13) EXCAVATIONS.

- (a) In making excavations in streets or highways for laying service pipe or making repairs, the paving and the earth removed must be deposited in a manner that will result in the least inconvenience to the public.
- (b) No person shall leave any such excavation made in any street or highway open at any time without barricades and, during the night, warning lights shall be maintained at such excavations.
- (c) In refilling the opening, after the service pipes are laid, granular fill shall be laid in layers of not more than 9 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 as before it was disturbed and satisfactory to the Director of Public Works. No opening of the streets for tapping the pipes shall be permitted when the ground is frozen.

(14) TAPPING MAINS.

- (a) No persons, except those having special permission from the Village Board or persons in their service and approved by them, will be permitted, under any circumstances, to tap the mains or collection pipes. The kind and size of the connection with the pipe shall be that specified in the permit or order from the Plumbing Inspector to ensure that new sewers and connections to the wastewater system are properly designed and constructed.
- (b) Pipes should always be tapped on top and not within 6 inches of the joint or within 24 inches of another lateral connection. All service connections to mains shall comply with the State Plumbing Code. Lateral connections to existing sewers shall be made with saddles and by coring the existing sewer or by inserting (cutting-in) a wye or tee into the existing sewer. The wye or tee shall be of the same pipe material as the existing sewer. The lateral/tee connection shall be made with approved adaptors or couplings.

(15) INSTALLATION OF HOUSE LATERALS.

- (a) All service pipes (laterals) on private property shall be installed in accordance with Wis. Adm. Code COMM 82, "Design, Construction, Installation, Supervision and Inspections of Plumbing," especially Sec. 82.04, "Building Sewers."
- (b) As required by Wis. Adm. Code COMM 82.04(5), all laterals shall be inspected: "The building sewer and/or private interceptor main sewer shall be inspected upon completion of placement of the pipe and before backfilling and tested before or after backfilling."

(16) EXTENSIONS. The Village Board shall extend sewer main to a new user in accordance with the following charges and conditions:

- (a) When an extension of a sewer main is requested by the prospective user, said person shall make an application on such a form as is prescribed for that purpose for such an extension, in writing, to the Village Board by filing of such an application. The Director of Public Works shall first determine the logical location of the next manhole or manholes. Next, the Director shall determine the length and location of the extension, taking into consideration the prospective demands for service, the capacity of downstream facilities, and the orderly development of the particular area. No extension shall be made for a distance less than to the next manhole. All sewer extensions shall be constructed in compliance with local and State laws, ordinances and regulations.
- (b) The person who requests the extension shall either be assessed pursuant to sec. 8.07 of this Code or charged pursuant to sec. 19.09 of this Code.
- (c) In addition to the charge provided for in par. (b) above, each user shall pay the full cost of the lateral from the main to his building. The Village Board may also, at any time, establish or amend specific connection and lateral charges for any main not covered by other provisions in this subchapter or when the Village has made an extension and the user has failed to provide lateral or connection charges. It is further provided that the Board may amend or alter any connection or lateral charge after its establishment under the terms of this subchapter or previous ordinances or resolutions.

(17) SEPTAGE ACCEPTANCE LOCATION.

- (a) Septage shall only be discharged to the Village wastewater system by Village-approved and State licensed disposers and at locations, times and conditions as specified by the Village Board.
- (b) Septage discharges to specified manholes may, under special circumstances, be allowed provided discharge rates are restricted as necessary to facilitate mixing, prevent a backup in the receiving sewer and prevent a slug load to the wastewater treatment facility. Discharges may be limited to the normal working hours of the Director of Public Works and require written documentation of the discharge to be submitted to the Director within one working day of the discharge to the Village wastewater system.
- (c) Septage discharges to the septage holding facility at the wastewater treatment facility may be limited to the posted normal working hours of the facility. As with discharges to a manhole, documentation of the discharge shall be submitted to the Director of Public Works within one working day of the discharge to the septage holding facility.
- (d) Forms prescribed for the purpose of documentation of the discharge shall be furnished by the Director of Public Works.

**13.23 REGULATIONS.**

- (1) GENERAL DISCHARGE PROHIBITIONS. No discharger shall contribute or cause to be discharged, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the Village:
  - (a) Any liquids, solids or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction, to cause fire or explosion or be injurious in any other way to the operation of the Village wastewater facilities or wastewater treatment works.
  - (b) Solid or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater system.
  - (c) Any wastewater having a pH less than 5.0 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the system.
  - (d) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals or exceed the limitation set forth in State or Federal Categorical Pretreatment Standards. A toxic pollutant shall include, but not be limited to, any pollutant identified in the Toxic Pollutant List set forth in Wis. Adm. Code NR 215.
  - (e) Any noxious or malodorous liquids, gases or solids which, either singly or by interaction, are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewer for their maintenance and repair.
  - (f) Any substance which may cause the Village effluent or treatment residues, sludges or scums to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
  - (g) Any substance which will cause the Village to violate its WPDES and/or other disposal system permits.
  - (h) Any substance with objectionable color not removed in the treatment process such as, but not limited to, dye wastes and vegetable tanning solutions.
  - (i) Any wastewater having a temperature which will inhibit biological activity in the Village treatment works resulting in interference, but, in no case, wastewater with a temperature at the introduction into the treatment works which exceeds 104° F.
  - (j) Any slugload, which shall mean any pollutant, including oxygen-demanding pollutants (BOD, etc.), released in a single extraordinary discharge episode of such volume or strength as to cause interference to the treatment works.
  - (k) Any unpolluted water including, but not limited to, non-contact cooling water.
  - (l) Any wastewater containing any radioactive wastes or isotopes of such half life or concentration as exceed limits established by the Village Board in compliance with applicable State or Federal regulations.

- (m) Any wastewater which causes a hazard to human life or creates a public nuisance.
  - (n) Any storm water, surface water, ground water, roof run-off or surface drainage or any other connections from inflow sources to the sanitary sewer. Such waters may be discharged to a storm sewer or other waterway with permission of the Director of Public Works.
- (2) LIMITATIONS ON WASTEWATER STRENGTH.
- (a) National Categorical Pretreatment Standards. National categorical pretreatment standards as promulgated by the U.S. Environmental Protection Agency shall be met by all dischargers of the regulated industrial categories.
  - (b) State Requirements. State requirements and limitations on discharges to the treatment works shall be met by all dischargers which are subject to such standards in any instance in which they are more stringent than Federal requirements and limitations or those in this or any other applicable ordinance.
  - (c) Right of Revision. The Village Board reserves the right to amend this subchapter to provide for more stringent limitations or requirements on discharges to the treatment works where deemed necessary to comply with the objectives set forth in this subchapter.
  - (d) Dilution. No discharger shall increase the use of potable or process water in any way nor mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in this subchapter.
  - (e) Supplementary Limitations. The Village Board reserves the right to set discharge wastewater concentrations and/or mass limitations on a case by case basis. The Board may impose mass limitations on dischargers who are using dilution to meet the pretreatment standards or requirements of this subchapter or in other cases where the imposition of mass limitations is deemed appropriate by the Village Board.
  - (f) Accidental Discharges. Each discharger shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this subchapter. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the discharger's cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Village Board for review and shall be approved by the Board before construction of the facility. Review and approval of such plans and operating procedures by the Board shall not relieve the discharger from the responsibility to modify its facility as necessary to meet the requirements of this subchapter. Dischargers shall notify the Board immediately upon the occurrence of a "slug-load" or accidental discharge of substances prohibited by this subchapter. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any discharger who discharges a slugload of prohibited materials shall be liable for any expense, loss or damage to the Village wastewater facilities or wastewater treatment works in addition to the amount of any forfeitures imposed on the Board on account thereof under State or Federal law. Signs shall be permanently posted in conspicuous places on discharger's premises advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge with respect to emergency notification procedure.

**13.24 CONTROL OF INDUSTRIAL AND SEPTAGE WASTES.**

- (1) INDUSTRIAL DISCHARGES. If any waters, wastes or septage are discharged or proposed to be discharged to the public wastewater system contain substances or possess the characteristics enumerated in sec. 13.23 of this subchapter and which, in the judgment of the Village Board, may be detrimental to the wastewater system, the Village Board may:
- (a) Reject the wastes, or
  - (b) Require pretreatment to an acceptable condition for discharge to the wastewater system, or
  - (c) Require a control over the quantities and rates of discharge, or
  - (d) Require payment to cover the added cost of handling and treating the waste.

- (2) CONTROL MANHOLES.
  - (a) Each person discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling their waste, including domestic sewage.
  - (b) Control manholes or access facilities shall be located and built in a manner acceptable to the Village Engineer. If measuring devices are to be permanently installed, they shall be of a type acceptable to the Engineer.
  - (c) Control manholes, access facilities and related equipment shall be installed by the person discharging the industrial waste, at his expense, and shall be maintained by the person discharging the waste 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 Village Engineer prior to the beginning of construction.
- (3) MEASUREMENT OF FLOW. The volume of flow used for computing the sewer service and the cost recovery charges for nonseptage disposal shall be based upon the water consumption of the person as shown in the records of meter readings maintained by the Village Water Utility.
- (4) PROVISION FOR DEDUCTIONS. In the event that a person discharging industrial waste into the public sewers produces evidence satisfactory to the Director of Public Works that more than 10% of the total annual volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the Village and the industrial waste discharger.
- (5) METERING OF WASTE. Devices for measuring the volume of waste discharged may be required by the Director of Public Works if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of water shall be installed, owned and maintained by the person discharging the wastewater. Following approval and installation, such meters may not be removed without the consent of the Director.
- (6) WASTE SAMPLING.
  - (a) Industrial wastes and septage discharge into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said waste at least quarterly. The determinations shall be required by the Director of Public Works.
  - (b) Samples shall be collected 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 Director of Public Works. A minimum of at least quarterly sampling shall be necessary to determine wastewater service charges.
  - (c) Testing facilities shall be the responsibility of the person discharging the waste or septage and shall be subject to the approval of the Village Board or its duly authorized representatives at all times. Every care shall be exercised in the collection of samples to ensure their preservation in a state comparable to that at the time the sample was taken.
- (7) PRETREATMENT. When required, in the opinion of the Village Board, to modify or eliminate wastes that are harmful to the structures, processes or operation of the wastewater system, the discharger shall provide, at his expense, such preliminary treatment or processing facilities as may be required to render this waste acceptable for admission to the public sewers.
- (8) GREASE AND/OR SAND INTERCEPTORS. Grease, oil and sand interceptors shall be provided by the industrial discharger and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the discharger 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 Director of Public Works. Any removal and hauling of the collected materials not performed by the discharger's personnel must be performed by currently licensed disposal firms.

- (9) ANALYSES.
- (a) All measurements, tests and analyses of the characteristics of water, waste and septage to which reference is made in this subchapter 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 and "Guidelines Establishing Test Procedures for Analysis of Pollutants," (1978, 40 CFR 136). Sampling methods, locations, times, durations and frequencies are to be determined on an individual basis subject to approval by the Director of Public Works.
  - (b) Determination of the character and concentration of the industrial waste shall be made by the person discharging it or their agent, as designated and required by the Village Board. The Board may also make its own analyses of the wastes and these determinations shall be used as a basis for charges. If the person discharging the waste contests the determination, the Board may elect to have an independent laboratory determine the character and concentration of the waste. Said independent laboratory shall be certified under Wis. Adm. Code NR 149 and be acceptable to both the Board and the person discharging the waste. All costs incurred by the independent laboratory in making the determination shall be assumed by the discharger.
- (10) SUBMISSION OF INFORMATION. Plans, specifications and any other pertinent information relating to proposed flow equalization, pretreatment or processing facilities shall be submitted for review of the Village Engineer prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.
- (11) SUBMISSION OF BASIC DATA. Within 3 months of the effective date of this subchapter, each person who discharges industrial wastes to a public sewer shall prepare and file with the Director of Public Works a report that shall include pertinent data relating to the quantity and characteristics of the waste discharged to the wastewater system. Similarly, each person desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and file with the Director a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.
- (12) EXTENSION OF TIME. When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person proposing to discharge a waste, to comply with the time schedule imposed herein, a request for extension of the time may be presented for consideration to the Village Board.

**13.25**

to

**13.29 (Reserved)**

**13.30 VIOLATIONS AND PENALTIES.**

- (1) DAMAGES. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure of pertinence or equipment which is a part of the wastewater system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.
- (2) WRITTEN NOTICE OF VIOLATION.
  - (a) Any person connected to the wastewater system found to be violating a provision of this subchapter shall be served by the Director of Public Works 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.
  - (b) Any licensed disposer discharging to the wastewater system found to be violating a provision of this subchapter or of any conditions of the Village Board approval for septage disposal may have their approval immediately revoked. This revocation shall be done in writing and shall state the reasons for revoking the septage disposal approval.

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- (3) ACCIDENTAL DISCHARGE. Any person found to be responsible for accidentally allowing a deleterious discharge into the wastewater system which cause damage to the wastewater system and/or receiving water body shall, in addition to a forfeiture, pay the amount to cover all damages, both of which shall be established by the Village Board.
- (4) ACCIDENTAL DISCHARGE REPORTING. Any person responsible for an accidental discharge that may have a detrimental impact on the wastewater system shall immediately report the nature and amount of the discharge to the Director of Public Works.
- (5) 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 \$500, together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the County Jail for a period not to exceed 5 days. Each day in which any violation is continued beyond the aforesaid notice time limit shall be deemed a separate offense.
- (6) LIABILITY TO VILLAGE FOR LOSSES. Any person violating any provision of this subchapter 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.
- (7) 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 part of the wastewater system damaged in any manner by any person by the performance of any work under his control or by any negligent acts.
- (8) PENALTIES. Any person who shall violate any of the provisions of this subchapter or rules or regulations of the Village Board or who shall connect a service pipe or discharge without first having obtained a permit therefor, or who shall violate any provisions of the Wisconsin Statutes, the Wisconsin Administrative Code or any other materials which are incorporated by reference shall, upon conviction thereof, forfeit not less than \$50 nor more than \$200 plus the costs of prosecution. This, however, shall not bar the Village from enforcing the connection duties set out in sec. 13.24(3) of this subchapter.
- (9) APPEAL PROCEDURES. Any user affected by any decision, action or determination, including cease and desist orders, made by the interpreting or implementing provisions of this subchapter may file with the Village Board a written request for reconsideration within 10 days of the date of such decision, action or determination, setting forth in detail the facts supporting the user's request for reconsideration. The Board, upon receiving the request for reconsideration, shall publish the request in the official newspaper. The Board shall render a decision on the request for reconsideration to the user in writing within 15 days of receipt of request. If the ruling on the request for reconsideration made by the Board is unsatisfactory, the person requesting reconsideration may, within 10 days after notification of the action, file a written appeal with the Circuit Court.