

CHAPTER 244 SEWER UTILITY

[HISTORY: Adopted by the Village Board of the Village of New Glarus 1-18-2000 by Ord. No. 99-14 as Title 9, Ch. 2 of the 2000 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Assessments — See Ch. 10.

Building construction — See Ch. 118.

Health and sanitation — See Ch. 179.

Streets and sidewalks — See Ch. 262.

Subdivision of land — See Ch. 265.

Water Utility — See Ch. 298.

§ 244-1 Definitions and word usage.**A.**

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

BOARD OF HEALTH

Consists of Village Board members and/or a nurse or physician appointed by the New Glarus Village President pursuant to the Code of the Village of New Glarus, Wisconsin.

BOD (denoting "biochemical oxygen demand")

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C., expressed in milligrams per liter.

BUILDING DRAIN

That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

BUILDING INSPECTOR

The Building Inspector of the Village of New Glarus or said person's appointed assistant, agent, or representative.

BUILDING SEWER

The extension from the building drain to the public sewer or other place of disposal.

COMMITTEE

The Committee on Public Works and Safety for the Village of New Glarus.

DEBT SERVICE

Costs to the Sewer Department for the retirement of debts incurred in the provision of sewerage system facilities, including both principal and interest.

FLOATABLE OIL

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

GARBAGE

Solid wastes from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage, and sale of meat, fish, fowl, fruits, vegetables and condemned food.

INDUSTRIAL USER

(1)

Any nongovernmental, nonresidential user of a publicly owned treatment works which discharges more than the equivalent of 25,000 gallons per day (gpd) of sanitary waste and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under one of the following divisions: Division A, Agriculture, Forestry and Fishing; Division B, Mining; Division D, Manufacturing; Division E, Transportation, Communications, Electric, Gas and Sanitary Services; and Division I, Services.

(2)

In determining the amount of a user's discharge, the Village Board will exclude domestic waste or discharge from sanitary conveniences.

(3)

After apply the sanitary waste exclusion in Subsection (1)(a) of this definition, discharges in the above divisions that have a volume exceeding 25,000 gpd or the weight of biochemical oxygen demand (BOD) or suspended solids (SS) equivalent to that weight found in 25,000 gpd of sanitary waste are considered industrial users. Sanitary waste, for purposes of this calculation of equivalency, shall be wastes of normal concentration as defined in this chapter.

(4)

Any nongovernmental user which discharges wastewater to the Village's sewers, which wastewater contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other waste, to contaminate the sludge of the municipal sewer systems or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment works.

INDUSTRIAL WASTES

Wastes discharged by industrial users.

NATURAL OUTLET

Any outlet into a watercourse, pond, ditch, lake, or other body of surface water or groundwater.

NORMAL CONCENTRATION

(1)

Five-day 20° C. BOD of not more than 250 mg/l.

(2)

A suspended solids content of not more than 250 mg/l.

(3)

A phosphorus content of not more than eight mg/l.

NORMAL WASTEWATER

Wastewater in which BOD, suspended solids or phosphorus concentrations do not exceed normal concentrations.

OPERATION AND MAINTENANCE

Costs to the Village's sanitation account for the provision of labor, utilities, supplies, equipment maintenance, and other normal costs necessary for the provision of sewage service. "Operation and maintenance" includes replacement.

PERSON

Any individual, firm, company, municipal or private corporation, association, society, institution,

enterprise, governmental agency or other entity.

pH

The logarithm (base 10) of the reciprocal of the hydrogen ion concentration expressed in moles per liter as determined by Standard Methods.

PHOSPHORUS

The total phosphorus concentration as determined by a test conducted in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater as published by the American Public Health Association, the American Water Works Association, and the Water Environment Federation.

PROPERLY SHREDDED GARBAGE

The wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

PUBLIC SEWER

A sewer in which all owners of abutting properties have equal rights and which is controlled by public authority.

REPLACEMENT

Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance during the service life of the treatment works for which such works were designed and constructed.

SANITARY SEWER

A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground-, storm- and surface waters that are not admitted intentionally.

SEWAGE

Spent water of a community. The preferred term is "wastewater."

SEWER

A pipe or conduit for carrying wastewater.

SLUG

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

STORM SEWER

A sewer which carries storm- and surface waters and drainage but excludes wastewater and industrial wastes, other than unpolluted cooling water.

SUSPENDED SOLIDS

Total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids and that is removable by laboratory filtering as prescribed in Standard Methods for the Examination of Water and Wastewater and referred to as "nonfilterable residue."

UNPOLLUTED WATER

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

USER CHARGE or WASTEWATER SERVICE CHARGE

A charge levied on users of wastewater treatment works and the sanitary sewer system for the cost of operation and maintenance and debt service for such facilities. The term "operation and maintenance" includes replacement.

VILLAGE

The Village of New Glarus, Wisconsin. "Village Board" shall mean the Village Board of the Village of New Glarus, Wisconsin.

WASTEWATER

The spent water of a community. From the standpoint of sources, 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.

WASTEWATER FACILITIES

The structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

WASTEWATER TREATMENT WORKS

An arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant."

WATERCOURSE

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

B.

"May" is permissive; "shall" is mandatory.

§ 244-2

User charges.

A.

Normal sewage service charges.

(1)

There is hereby levied and assessed, upon each lot or parcel of land with a building having a lateral available to discharge normal sewage to the public sewer system, a wastewater service charge based upon rates established by the Village Board. Said charges shall be assessed and collected monthly.

(2)

The wastewater service charges taxed or levied pursuant to this chapter shall be collected by the Village at the Village Hall. The Village Board shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economical and efficient operation, management and protection of the Village sewer system and the wastewater treatment plant.

(3)

If customers obtain all or any part of water from sources other than the New Glarus Municipal Light and Water Utility, all or any part of which is discharged into the public sewers, the customer shall be required to have a water meter or meters installed by the New Glarus Municipal Light and Water Utility for the purpose of determining the volume of water obtained from these other sources.

B.

Monthly charge. The Village shall collect a standard monthly customer charge based on meter size and operation, maintenance and repair costs and debt service and cash reserve costs as follows:

[Amended 6-5-2007 by Ord. No. 07-04; 5-20-2008 by Ord. No. 08-06

Editor's Note: This ordinance also provided for an effective date of 6-20-2008.

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	Meter Size (inches)	Equivalency	Monthly OM&R Rate	Monthly Debt Rate	Monthly Rate
	5/8	1	\$7.35	\$14.53	\$21.88
	3/4	1	\$7.35	\$14.53	\$21.88
	1	2.5	\$8.34	\$17.02	\$25.36
	1 1/2	5	\$9.97	\$21.17	\$31.14
	2	8	\$11.94	\$26.15	\$38.09
	3	15	\$16.52	\$37.77	\$54.29
	4	25	\$23.07	\$54.36	\$77.43

C.
Volume charge.

[Amended 6-5-2007 by Ord. No. 07-04 ; 5-20-2008 by Ord. No. 08-06]

(1)

In addition to the minimum charge based on meter size, there shall be a volume charge based on water usage as determined by the New Glarus Municipal Light and Water Utility as follows:

OM&R Debt	\$2.66 per 1,000 gallons \$4.96 per 1,000 gallons
Total	\$7.62 per 1,000 gallons

(2)

Customers who feel that a significant amount of metered water does not reach the sanitary sewer may, at their own expense and with the approval of the Village, install such additional meters or metered services as are necessary to calculate the volume of water not discharged to the sanitary sewer. Metered water not discharged to the sanitary sewers shall not be subject to sewer service charges, except that a monthly equivalent meter charge to cover administrative expenses will be assessed on appropriate meters only. Requests to install additional meters must be made on a form provided by the Municipal Light and Water Utility.

D.
Industrial and commercial charges for other-than-normal wastewater.

[Amended 6-5-2007 by Ord. No. 07-04 ; 5-20-2008 by Ord. No. 08-06]

(1)

Charges for other-than-normal wastewater shall be based on flow, BOD, suspended solids, phosphorus, and such other constituents which affect the cost of collection and treatment. Charges shall be made in accordance with rates established by the Village Board as set forth in Subsection D(3) below. It shall be up to the discretion of the Committee to determine whether charges shall be assessed on a user.

(2)

All users discharging wastes into the public sewers are subject to a surcharge, in addition to any other wastewater service charge, if their wastewater has a greater-than-normal concentration (see definition). The volume of flow used for computing waste surcharges shall be metered water consumption, subject to adjustments as otherwise herein provided, or the actual volume of waste as determined by an industrial waste metering installation. The amount of surcharge shall reflect the cost incurred by the Village in removing BOD, suspended solids, phosphorus, and other pertinent constituents.

(3)

The rates of surcharge for each of the aforementioned constituents will be at the prevailing rate at the time. Said prevailing rates at this time are as follows:

	OM&R	Debt	Total
BOD (less than 250 mg/l)	\$0.51	\$0.86	\$1.37 lb BOD
TSS (less than 250 mg/l)	\$0.30	\$0.54	\$0.84 lb SS
TP (less than 8 mg/l)	\$6.78	\$6.33	\$13.11 lb TP

(4)

In addition to the above surcharges, the Village's costs of sampling and analyzing industrial wastes shall be charged to the applicable industry.

(5)

Where industrial wastes are of such a strength or magnitude or are delivered over such a period of time that the above surcharges do not reflect the actual costs of treatment to the Village, the Village reserves the right to establish a special charge for handling the waste. That portion of the charge related to capital investment shall be based on the design capacity required for the particular waste. In no event shall the charges be less than those charges determined by applying the above surcharge.

E.

Industrial waste pretreatment.

(1)

In the event the Village provides pretreatment of industrial wastes, the entire cost of such pretreatment shall be charged to the person producing the industrial wastes. The costs shall include, but not be limited to, capital expenditures, operation and maintenance expenses, labor, chemicals, heat and power.

(2)

The Village may require pretreatment of industrial wastes, particularly if the aggregate industrial discharge flows or loadings exceed the industrial discharge amounts planned for in the design of the treatment plant or exceed the amount which the treatment plant is capable of treating in compliance with requirements of the Village WPDES permit limitations.

F.

Monitoring industrial charges.

(1)

When required by the Village, the owners of any property serviced by Village sewer carrying industrial wastes shall install a suitable structure together with such necessary metering and sampling equipment and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structure, when required, shall be accessible and safely located and shall be constructed in accordance with plans approved by the Village. The structure shall be installed by the owners at their expense and shall be maintained by them so as to be safe and accessible at all times. All costs of maintaining and calibrating permanent or temporary equipment shall be at the owner's expense.

(2)

When required by the Village, the owner of any property served by a building sewer carrying industrial wastes shall perform, at the owner's expense, flow-proportional sampling on its discharge. If no monitoring structure has been required, monitoring and sampling shall be as directed by the Director of Public Works. Samples collected shall be analyzed by a DNR-certified laboratory using approved methods. The sampling shall be conducted at least quarterly, unless the Director of Public Works determines more frequent sampling is needed. Results from the required analysis shall be utilized for assessing surcharges.

[Amended 6-5-2007 by Ord. No. 07-04]

(3)

The Village may elect to measure, monitor and analyze industrial discharges. The industry shall reimburse the Village for the cost of any temporary metering and sampling equipment necessary to monitor the discharge from the industry.

(4)

In the event a meter malfunctions or is demonstrated to have provided incorrect readings, the volume of wastewater discharged to the Village shall be based on historical flow data and reasonable engineering estimates, as determined jointly by the Village and the industry, until such time as the meter is repaired or replaced and made operable. Where directed by the Village, a temporary metering or sampling device shall be furnished and installed by the industry until the permanent meter or sampler is operating properly. Retroactive billing adjustments will be made accordingly for the period of any inaccuracy, up to a maximum of six months prior to discovery of the malfunction or incorrect readings.

(5)

All control manholes, grease interceptors and grease traps shall be accessible or made accessible to Village employees or representatives of the Village at all times and without prior notification.

G.

Biannual audit. An audit of the Village's sanitation account financial standing shall be made biannually. This audit will be used to review the adequacy of the then-existing rates, and said rates shall be adjusted if necessary to provide sufficient revenues to finance adequately the Village's sanitation account operation in accordance with the original intent of the rate structure. The biannual audit and review shall also be used to assure that each recipient of sewage service (or user class) is charged in proportion to the cost of providing said recipient (or user class) with sewage service. Excess revenues collected for operation and maintenance from a class of users shall be applied to the costs of operation and maintenance attributable of that class for the next year and the rates shall be adjusted accordingly.

H.

Replacement fund. Annual income from the wastewater service charges which constitutes funds required for replacement shall be separately accounted for and shall not be utilized for any purposes other than replacement.

I.

Debt retirement. Debt incurred as a part of the expansion, modification or upgrade of existing treatment facilities will be repaid out of moneys collected under user charges as defined in this section.

§ 244-3 Use of public sewers required.A.

Whenever sewer and water become available to any building used for human habitation, the Village shall notify in writing the owner, agent or occupant thereof to connect all facilities thereto required by the Village. If such person to whom the notice has been given shall fail to comply for more than 10 days after the notice, the Village shall cause the necessary connections to be made, and the expense thereof shall be assessed as a special tax against the property pursuant to § 281.45, Wis. Stats.

[Amended 7-1-2003 by Ord. No. 03-04]

B.

Any property owner in the Village making connection to the Village sewer system shall first obtain a permit from the Director of Public Works for the Village or an authorized agent of the Village Board before any connection to the Village sewer system shall be made. The cost of constructing sewers shall be assessed against the property owners of all lots, parts of lots, or pieces or parcels of land fronting or abutting on sewers, with owners on either side of the sewers to be assessed at the rate of 1/2 of the actual cost per common linear foot, such actual cost to include engineering, advertising and all other related expenses of constructing the sewer fronting or abutting on the property owner's parcel of land, except on corner lots or subdivisions of corner lots abutting at right angles on the sewer. Corner lots subdivided in ownership or corner lots abutting on only one sewer shall not receive any reduction in assessment. Prior to actual construction of the sewer connection, the Village Board or an agent of the

Board shall determine whether all property owners affected by the connection shall voluntarily pay their assessment towards the construction of such sewer. If it is determined that all property owners are not willing to pay voluntarily their assessments towards the construction of the sewer, then the Village may proceed under § 66.0703 or 66.0701, Wis. Stats., to levy and collect the cost of the construction from the property owners benefited thereby.

C.

After connection to a water main and public sewer, a privy, privy vault or cesspool shall not be constructed or maintained upon such lot or parcel and shall be abated upon 10 days' written notice for such abatement by the Village. If not so abated, the Village shall cause the same to be done and the cost thereof assessed as a special tax against the property.

D.

The Village may extend the time for connection hereunder or may grant other temporary relief where strict enforcement would work an unnecessary hardship without corresponding public or private benefit.

E.

Where sewer mains are not available, chemical toilets shall be used. No surface privy, cesspool or dry closet shall be constructed or maintained on any lot or parcel without a permit obtained from the Village.

F.

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Village, or in any area under the jurisdiction of said Village, any human or animal excrement, garbage, or other objectionable waste.

G.

It shall be unlawful to discharge to any natural outlet within the Village, or in any area under the jurisdiction of said Village, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this chapter.

H.

Except as herein provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

§ 244-4 Private wastewater disposal.

A.

Where a public sanitary sewer is not available under the provisions of § 244-3A and with the approval of the Village Board, any building sewer shall be connected to a private wastewater disposal system complying with the provisions of this section.

B.

Before commencement of the construction of a private wastewater disposal system or additions to an existing private wastewater disposal system, the owner shall first obtain a written permit from the permitting authority.

C.

The type, capacity, location and layout of a private wastewater disposal system shall comply with all requirements of the Wisconsin Department of Health and Family Services.

D.

The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the Village.

E.

No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Village.

F.

At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in § 244-3A, the building sewer shall be connected to said sewer within 10 days, and the private wastewater disposal system shall be cleaned of sludge and filled with sand, gravel, or similar material.

[Amended 7-1-2003 by Ord. No. 03-04]

§ 244-5 Building sewers and connections.

A.

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Village and paying the applicable fee.

B.

Classes of permits.

(1)

There shall be two classes of building sewer permits:

(a)

For residential and commercial service; and

(b)

For service to establishments producing industrial wastes.

(2)

Permit application; permit fees.

[Amended 6-17-2003 by Ord. No. 03-03]

(a)

Application for sewer connection shall be made by the owner or owner's agent on a form provided by the Village. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Village.

(b)

The permit fees for sewer connection shall be as follows:

Meter Size (inches)	Equivalent Meter Factor	CAC Charge
5/8 to 3/4	1	\$1,100.00
1	2.5	\$2,750.00
1 1/2	5	\$5,500.00
2	8	\$8,800.00
3	15	\$16,500.00
Greater than 3	(determined on case-by-case basis)	

(c)

In addition, each owner applying for an industrial permit shall be charged with all costs incurred by the Village in the process of approving such permit, including, but not limited to, engineering and attorney fees.

C.

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

D.

A separate and independent building sewer service entrance shall be provided for every separate ground floor dwelling unit intended for human habitation or occupancy.

[Amended 8-7-2001 by Ord. No. 01-04]

E.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Building Inspector, to meet all requirements of this chapter.

F.

The size, slope, alignment and materials of construction of a building sewer and the methods to be used in excavating, placing of pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the Building and Plumbing Codes

Editor's Note: See Ch. 118, Building Construction.
or other applicable rules and regulations of the Village.

G.

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 at the owner's expense.

H.

Roof leaders, swimming pool drains, surface drains, groundwater drains, foundation footing drains, and other clear water drains shall be connected wherever possible to a storm sewer, but they shall not be connected to a building sewer which discharges into a sanitary sewer or private wastewater treatment plant. All such connections existing at the time of passage of this chapter shall thereafter be illegal. If stormwater or clear water is being discharged into a sanitary sewer, the Village shall give the offending person 30 days' notice to disconnect. Failure to disconnect after such notice shall authorize the Village to cause disconnection and assessment of the costs of such disconnection against the property involved. The Village may, in the alternative, institute action for violation of this subsection.

I.

The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the Village.

J.

The applicant for the building sewer permit shall notify the Building Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Building Inspector or his representative.

K.

All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.

§ 244-6 Use of public sewers.

A.

Improper discharge. No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, unpolluted cooling water, swimming pool water, or unpolluted

industrial process waters to any sanitary sewer.

B.

Storm sewer discharges. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Village and other regulatory agencies. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Village and other regulatory agencies having jurisdiction, to a storm sewer or natural outlet.

C.

Prohibited wastes. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(1)

Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(2)

Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.

(3)

Any waters or wastes having a pH lower than 6.0 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.

(4)

Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities, such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers, sanitary napkins, etc., either whole or ground by garbage grinders.

D.

Restricted substances. 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, will not result in violation of the Village's WPDES permit, or will not otherwise endanger lives, limb, or public property or constitute a nuisance. The Village may set limitations lower than any limitations established in the regulations below if, in the Village's opinion, more severe limitations are necessary to meet the above objectives. In forming its opinion as to the acceptability, the Village will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Village are as follows:

(1)

Wastewater having a temperature higher than 150° F. (65° C.).

(2)

Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.

(3)

Wastewater from industrial plants containing more than 100 milligrams per liter by weight of oils, fat, grease, wax, or any other similar substances which float or solidify in the wastewater facilities.

(4)

Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

(5)

Any waters or wastes containing aluminum, cadmium, copper, lead, mercury, selenium, silver, chromium, zinc, and similar objectionable or toxic substances.

(6)

Any waters or wastes containing odor-producing substances.

(7)

Any radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by any state or federal regulations.

(8)

Quantities of flow, concentrations, or both, which constitute a slug as defined herein.

(9)

Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(10)

Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system or create a condition deleterious to structures and treatment processes.

(11)

No person in the business of gathering and disposing of septic tank sludge shall transfer such material into any disposal area or sewer manhole located within the Village areas which have contracted for sewage disposal with the Village unless a permit for disposal of septic tank sludge has been first obtained from the Village. Written application for such permits shall be made to the Committee on Public Works and Safety 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 disposal unit. A separate permit shall be obtained for each unit. Permits shall be nontransferable except in the case of replacement of the unit for which a permit has been originally issued. A permit fee may be obtained upon payment of a fee as set by the Village Board. Permits shall be displayed on the disposal units at all times. The place of disposal will be designated by the Committee on Public Works and Safety. Only septic tank sludge which emanates from within the Village may be disposed of within the Village sewage system.

E.

Village response to prohibited substances.

(1)

If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Subsection D of this section and which, in the judgment of the Village, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Village may:

(a)

Reject the wastes.

(b)

Require pretreatment to an acceptable condition for discharge to the public sewers.

(c)

Require control over the quantities and rates of discharge.

(d)

Require payment to cover added costs of investigation, evaluation, handling, treating and related costs not covered by the existing user charges under the provisions of this chapter.

(2)

When considering the above alternative, the Village shall give consideration to the economic impact of each alternative on the discharger. If the Village permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Village.

F.

Interceptors.

(1)

Grease, oil, and sand interceptors shall be provided when, in the opinion of the Village, they are necessary for the proper handling of liquid wastes containing floatable grease or other substances specified in Subsection D(3) or any flammable wastes, sand, or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units.

(2)

All interceptors shall be of a type and capacity approved by the Village 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 Village. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licensed waste disposal firms.

G.

Pretreatment facility maintenance. Where pretreatment or flow-equalizing facilities are provided or required for any water or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his/her expense.

H.

User information. The Village may require a user of sewer services to provide information needed to determine compliance with this chapter. These requirements may include:

(1)

Wastewater discharge peak rate and volume over a specified time period.

(2)

Chemical analyses of wastewaters.

(3)

Information on raw materials, processes, and products affecting wastewater volume and quality.

(4)

Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.

(5)

A plot plan of sewers for the user's property showing sewer and pretreatment facility location.

(6)

Details of wastewater pretreatment facilities.

(7)

Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

I.

Analyses standards. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this chapter shall be determined in accordance with the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, and 40 CFR 136. Sampling methods, location, times, duration, and frequencies are to be determined on an individual basis subject to approval by the Village.

J.

Special agreements. No statement contained in this section shall be construed as preventing any special agreement or arrangement between the municipality and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Village for treatment subject to payment therefor at rates established in this chapter.

K.

Accidental discharge. The accidental discharge of any prohibited waste into any sewer shall be reported to the Director of Public Works by the person responsible for the discharge, or by the owner or occupant of the premises where the discharge occurs, immediately upon obtaining knowledge of the fact of such discharge so that steps may be taken to minimize its effect on the treatment plant.

L.

Exemptions. In the event that an industrial user discharging wastes into the public sewers produces evidence satisfactory to the Village that significant amounts of the total annual volume of water used for all purposes do not reach the sanitary sewer, the customer may be permitted to have an exemption water meter(s) installed. Said meter(s) shall be furnished by the New Glarus Municipal Light and Water Utility and installed by the customer. All other costs shall be at the expense of the customer requiring the meter(s), including any piping revisions required to ensure that only water not reaching the sanitary sewer is metered by the exemption meter. The New Glarus Municipal Light and Water Utility will charge for each meter at the rate of 50% of the basic monthly meter charge set for that size meter to compensate for furnishing, reading, and servicing the meter. This charge shall be in addition to the wastewater service charge. The amount of exemption water meter shall be subtracted from the total amount of water used by the person to determine the applicable wastewater service charge.

M.

Maintenance and repair of building sewers and drains. The maintenance and repair of building sewers and drains from a house or other building to the public sewer shall be the responsibility of the property owner. The Village Board may issue maintenance, repair and disconnect orders for such building sewers and drains necessary for the protection of the public health and the public sewer system. The Village Board may also, where a maintenance, repair or disconnect order is disregarded or violated, cause such work to be done and charge the cost thereof against the property as a special tax or assessment.

§ 244-7 Protection from damage.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the wastewater facilities. Any person(s) violating this provision shall be subject to immediate arrest under charge of criminal damage to property or disorderly conduct.

§ 244-8 Powers and authority of inspectors.A.

The Director of Public Works and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the sewer system in accordance with the provisions of this chapter.

B.

The Director of Public Works or duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection

system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

C.

The Director of Public Works and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

§ 244-9 Violations and penalties.

A.

Remedies from failure to pay service charges. Each wastewater service charge levied by or pursuant to this chapter is hereby made a lien upon the corresponding lot, land, or premises served by a connection to the sanitary sewer system of the Village, and if the same is not paid within the period allotted for such payment, said charge shall constitute a lien on the property served and be inserted in the Village tax roll as provided in § 66.0821(4), Wis. Stats., in the same manner as water rates are taxed and collected under the provisions of § 62.69(2)(f), Wis. Stats., as the same has been and from time to time may be amended or recreated, so far as applicable.

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

B.

Late payment charge. All charges under this chapter which are not paid within 20 days of the billing date are subject to a late payment charge of 3% of the net billing. Such charges shall be placed in the operation, maintenance and replacement account.

C.

Notification. Each billing shall identify the amount billed which is attributable to sewer service.

D.

Violation. Any person found to be violating any provision of this chapter, except § 244-7, shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

E.

Forfeiture. Any person who shall continue any violation beyond the time limit provided for in Subsection D shall, upon conviction thereof, pay a forfeiture in the amount prescribed by Chapter 1, General Provisions, § 1-5 for each violation, or an amount equal to the expenses incurred for repair or for any damages that result from such violation. If a violation is materially and substantially interfering with the operation of the system, the Village may direct that the user's wastewater not be accepted into the system until the violation has been corrected satisfactorily. Each day in which any such violation shall continue shall be deemed a separate offense.

F.

Any person violating any of the provisions of this chapter shall become liable to the Village and others, as their interests may appear, for any expense, loss, or damage occasioned the Village or others by reason of such violation, including any costs in connection with repairing damages to the wastewater facilities or any downstream user or facilities damaged as a result of a prohibited discharge or any other violation of this chapter.