

SEWER USE and USER CHARGE ORDINANCE

VILLAGE OF DE SOTO

VERNON COUNTY AND CRAWFORD COUNTY, WISCONSIN

Ordinance No. 38

AN ORDINANCE TO REPEAL AND RECREATE THE SEWER USE AND USER CHARGE ORDINANCE OF THE VILLAGE OF DE SOTO, VERNON COUNTY AND CRAWFORD COUNTY, WISCONSIN, RELATING TO PROCEDURES, SAFEGUARDS AND FUNDS TO CONSTRUCT, OPERATE AND MAINTAIN AND MEET WPDES PERMIT LIMITS AT THE DE SOTO WASTEWATER TREATMENT FACILITIES;

WHEREAS, the Village of De Soto, Wisconsin, owns and operates a wastewater treatment works; and

WHEREAS, the Village must pay all the operation and maintenance expenses associated with said treatment works and charge the users of said treatment works accordingly; and

WHEREAS, the Village, by accepting wastewater and septage assumes all risk for treatment and meeting their WPDES permit but reserves the right to immediately discontinue acceptance of wastewater or septage for operational and permit reasons; and

NOW, THEREFORE, BE IT ORDAINED, by the Village Board of the Village of De Soto, Wisconsin, as follows:

Section 1: The Code of Ordinances of the Village of De Soto, Wisconsin, entitled "Sewer Utility Rates and Regulations" shall be repealed and recreated as follows:

Section 9.2.1 PURPOSE

The purpose of this Chapter is to assure minimum health standards and to preserve and promote public health, comfort, safety, and general welfare of the public. The Village Board finds that this purpose is served by regulating public and private sewers and drains, discharge of septage, discharge of waters and wastes into public sewers, and by providing methods and means for determining wastewater and septage volumes, constituents and characteristics, for issuing of permits to certain users, for levying and collecting wastewater treatment service charges, and for setting charges and fees pursuant to state law, and by using the revenues so derived to defray the costs of operating and maintaining adequate wastewater collection and treatment systems and to provide sufficient funds for capital outlay, debt service costs, and capital improvements.

The Village Board further finds that by setting uniform requirements for discharges into the wastewater collection and treatment systems enables the Village to comply with administrative provisions and other discharge criteria that are required or authorized by the State of Wisconsin or Federal law.

Section 9.2.2 DEFINITIONS

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

- (a) **APPROVING AUTHORITY** shall mean the Village Board of the De Soto, or its duly authorized committee, agent or representative.
- (b) **AMMONIA NITROGEN (NH₃-N)** shall mean one of the oxidation states of nitrogen, in which nitrogen is combined with hydrogen in molecular form as NH₃ or in ionized form as NH₄. Quantitative determination of ammonia nitrogen shall be made in accordance with procedures set forth in the most recent edition of "Standard Methods."
- (c) **BIOCHEMICAL OXYGEN DEMAND (BOD)** shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees Centigrade, expressed in milligrams per liter. Quantitative determination of BOD shall be made in accordance with procedures set forth in the most recent edition of "Standard Methods."
- (d) **BUILDING DRAIN** shall mean that part of the lowest horizontal piping of a drainage system that receives the discharge from waste and other drainage pipes inside the wall of the building and conveys it to the building sewer, beginning approximately five feet outside the inner face of the building wall.
- (e) **BUILDING SEWER** shall mean the extension from the building drain to the public main, and is also referred to as the lateral or house lateral. Except as specifically provided in this Chapter, the Village shall not be responsible for the construction and maintenance of building sewers or laterals.
- (f) **CHEMICAL ELEMENTS & COMPOUNDS** that are typically found in wastewater and may be regulated by this ordinance and identified as follows:

Ammonia Nitrogen	NH ₃ -N
Arsenic	As
Cadmium	Cd
Chloride	Cl
Copper	Cu
Chromium	Cr
Cyanide	Cn
Lead	Pb
Mercury	Hg
Nickel	Ni
Nitrogen	N
Phosphorus	P
Radium	Ra
Zinc	Zn

- (g) **COMMERCIAL USER** shall mean any user whose premises are used primarily for the conduct of a profit-oriented enterprise in the fields of construction, wholesale or retail trade, finance, insurance, real estate or services, and who discharges primarily normal domestic sewage.
- (h) **COMPATIBLE POLLUTANTS** shall mean biochemical oxygen demand, suspended solids, phosphorus, nitrogen, or pH, plus additional pollutants identified in the WPDES permit for the wastewater treatment works receiving the pollutant, if such works were designed to treat such additional pollutants to a substantial degree.
- (i) **EASEMENT** shall mean an acquired legal right for the specific use of land owned by others.
- (j) **FOG** means fats, oils and grease.

- (k) **FOOD SERVICE FACILITY** means any facility engaged in the preparation of food for human consumption and/or serving of meals, lunches, short orders, sandwiches, frozen desserts, or other edible products. The term includes restaurants, coffee shops, cafeterias, short order cafes, luncheonettes, taverns, lunchrooms, places which manufacture retail sandwiches, soda fountains, institutional cafeterias, catering establishments, and similar facilities.
- (l) **FRYER OIL** means oil that is used and/or reused in fryers for the preparation of foods such as fried chicken and french fries. Discharge of fryer oil into the sewer system is prohibited.
- (m) **GARBAGE** shall mean the residue from the preparation, cooking and dispensing of food, and from the handling, storage and sale of food products and produce.
- (n) **GREASE** means fats, oils, and grease used for the purpose of preparing food, or resulting from food preparation and includes all elements of FOG. The terms grease and FOG may be used interchangeably.
- (o) **GROUND GARBAGE** shall mean the residue from the preparation, cooking and dispensing of food that has been shredded to such degree that all particulates will be no greater than one-half (1/2) inch in any dimension and will be carried freely in suspension under normal flow conditions in sewers.
- (p) **HOLDING TANK SERVICE AREA** shall mean the area outside the Village's current sewer service area, but inside or equal to the Village's future sewer service area where a contract has been developed for holding tank wastewater to be treated at the wastewater treatment works.
- (q) **INCOMPATIBLE POLLUTANTS OR WASTEWATER** shall mean wastewater or septage with pollutants that will adversely affect or disrupt the wastewater treatment processes, effluent quality or sludge quality if discharged to the wastewater facilities.
- (r) **INDUSTRIAL USER** shall mean any user whose premises are used primarily for the conduct of a profit-oriented enterprise in the fields of manufacturing, dairy products processing, meat processing, other food and drink products, painting or finishing operations, transportation, communications or utilities, mining, agriculture, forestry, or fishing.
- (s) **INDUSTRIAL WASTE** shall mean the wastewater from an industrial process, trade, or business, as distinct from sanitary sewage, including cooling water and the discharge from pretreatment facilities.
- (t) **LICENSED DISPOSER** shall mean a person or business holding a valid license to do septage servicing under NR 113.
- (u) **MILLIGRAMS PER LITER (mg/L)** shall be a weight-to-weight ratio; the milligrams per liter value (mg/L) multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.
- (v) **MUNICIPAL WASTEWATER** shall mean the wastewater of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and storm water that may have inadvertently entered the sewer system.
- (w) **NATURAL OUTLET** shall mean any outlet, including storm sewers, into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

- (x) **NORMAL DOMESTIC SEWAGE** shall mean sanitary sewage resulting from the range of normal domestic activities, in which BOD, TSS, total Kjeldahl nitrogen, and phosphorus concentrations meet the following:
- (i) A five day, 20°C BOD of not more than 250 mg/L.
 - (ii) A total suspended solids content of not more than 300 mg/L.
 - (iii) A total Kjeldahl nitrogen content of not more than 25 mg/L.
 - (iv) A total phosphorus content of not more than 8 mg/L.
- (y) **PARTS PER MILLION** (ppm) shall mean a weight-to-weight ratio; the parts per million value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water. Equivalent to milligrams per liter (mg/L).
- (z) **PERSON** shall mean any and all persons, including any individual, firm, company, municipal or private corporations, association, society, institution, enterprise, government agency or other entity.
- (aa) **pH** shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10^{-7} .
- (bb) **PRETREATMENT** shall mean an arrangement of devices and structures, for the preliminary treatment of processing of wastewater required to render such wastes acceptable for admission to the public sewers.
- (cc) **PRIVATE SEWER** shall mean any sewer outside of a public right of way or public easement. Except as provided in this Chapter, a private sewer shall not be subject to the jurisdiction of the Village and the Village shall not be responsible for the construction and/or maintenance of such sewer.
- (dd) **PUBLIC SEWER** shall mean any sewer provided by or subject to the jurisdiction of the Village of De Soto. It shall also include sewers within or outside the corporate boundaries that serve more than one person and ultimately discharge into the Village sanitary sewer system, even though those sewers may not have been constructed with Village funds. Public sewers shall not include private sewers or building sewers.
- (ee) **PUBLIC USER** shall mean any user discharging Normal Domestic Sewage whose premises are used primarily by a governmental entity, private school or public school.
- (ff) **RESIDENTIAL USER** shall mean any dwelling discharging Normal Domestic Sewage. This includes single-family homes, mobile homes, duplex units and apartment units. Each single-family residential unit shall be separately metered and invoiced as a separate user.
- (gg) **SANITARY SEWAGE** shall mean a combination of water-carried wastes from residences, business buildings, institutions and industrial plants (other than industrial wastes from such plants), together with such ground, surface and storm waters as may be present.
- (hh) **SANITARY SEWER** shall mean a combination of liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with small quantities of ground, storm, and surface waters that are not admitted intentionally.

- (ii) **SEPTAGE** shall mean the wastewater or contents of septic or holding tanks, dosing chambers, seepage beds, seepage pits, seepage trenches, privies or portable restrooms.
- (jj) **SEWAGE** is the spent water of a community. The preferred term is "municipal wastewater."
- (kk) **SEWER SERVICE AREAS** are the areas presently served and anticipated to be served by a municipal wastewater collection system. The sewer service area is delineated in the most recently approved Facility Plan.
- (ll) **SEWER SERVICE CHARGE** is a service charge levied on users of the wastewater collection and treatment facilities for payment of capital expenses as well as the operation, maintenance costs, and replacement of said facilities.
- (mm) **SEWER SYSTEM** means the common sanitary sewers within a sewerage system that are primarily installed to receive wastewaters directly from facilities which convey wastewater from individual structures or from private property, and which include service connection "Y" fittings designed for connection with those facilities. The facilities which convey wastewater from individual structures, from private property to the public sanitary sewer, or its equivalent, are specifically excluded from the definition of "sewerage collection system"; except that pumping units and pressurized lines for individual structures or groups of structures may be included as part of a "sewer system" when such units are cost-effective and are owned and maintained by the Village.
- (nn) **SEWERAGE SYSTEM** means all structures, conduits and pipes, by which sewage is collected, treated, and disposed of, except plumbing inside and in connection with buildings served, and service pipes, from building to street main.
- (oo) **SLUG LOAD** shall mean any substance released at a discharge rate and/or concentration that causes interference to wastewater treatment processes or plugging or surcharging of the sewer system.
- (pp) **STANDARD METHODS** shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage, and Industrial Wastes", published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation.
- (qq) **STORM DRAIN** (sometimes termed "storm sewer") shall mean a drain or sewer for conveying surface water, groundwater, subsurface water, or unpolluted water from any source.
- (rr) **STORMWATER RUNOFF** shall mean that portion of the rainfall that is collected and drained into the storm sewers.
- (ss) **SUSPENDED SOLIDS (TSS)** shall mean solids that either float on the surface of, or are in suspension in, water, wastewater, septage, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods" and is referred to as nonfilterable residue.
- (tt) **TOXIC DISCHARGES** means a discharge containing a substance or mixture of substances which, through sufficient exposure, or ingestion, inhalation, or assimilation by an organism, either directly from the environment or indirectly by ingestion through the food chain, will, on the basis of information available to the Village, cause death, disease, behavioral or immunological abnormalities, cancer, genetic mutations, or developmental or physiological malfunctions,

including malfunctions in reproduction or physical deformations, in such organisms or their offspring.

- (uu) **USER** means any entity connected to the sewer system of the Village of De Soto, including Public Users, Residential Users, Commercial Users and Industrial Users.
- (vv) **USER CLASSES** are categories of users having similar flows and water characteristics; that is, levels of biochemical oxygen demand, suspended solids, nitrogen, etc. For the purposes of this ordinance, there shall be four user classes: residential, commercial, industrial and public authority.
- (ww) **WASTEWATER FACILITIES** shall mean the structures, equipment and processes required to collect, carry away, store, and treat domestic and industrial waste and septage and dispose of the effluent and sludge.
- (xx) **WASTEWATER TREATMENT WORKS** shall mean an arrangement of devices and structures for treating wastewater, septage, industrial waste and sludge. Sometimes used as synonymous with sewage treatment facility.
- (yy) **WATERCOURSE** shall mean a natural or artificial channel for the passage of water, either continuously or intermittently.
- (zz) **WPDES:** Wisconsin Pollutant Discharge Elimination System permit, issued per NR210.

Section 9.2.3 MANAGEMENT, OPERATION AND CONTROL

- (a) **AUTHORITY.** The management, operation and control of the wastewater facilities of the Village of De Soto is vested in the Village Board; all records, minutes and all written proceedings thereof shall be kept by the Village Clerk; the Village Clerk shall keep all the financial records.
- (b) **CONSTRUCTION.** The Village Board shall have the power to construct wastewater treatment facilities, pumping stations and sewer lines for public use, and shall have the power to lay sewer pipes in and through the alleys, streets and public grounds of the Village; and generally, to do all such work as may be found necessary or convenient in the management of the wastewater facilities. The Village Board shall have power by themselves, their officers, agents and representatives to enter upon any land for the purpose of making examination in the performance of their duties under this Chapter, without liability therefore; and the Village Board shall have power to purchase and acquire for the Village any real and personal property which may be necessary for construction of the wastewater facilities, or for any repair, remodeling, or additions thereto.
- (c) **CONDEMNATION OF REAL ESTATE.** Whenever the Village Board determines that any real estate or any easement is necessary to the wastewater facilities, and if a purchase agreement with the Owner is not possible, then the Village Board shall proceed pursuant to Chapter 32, Wis. Stats. If Federal Funds will be used for the project associated with the real estate or easement, Village Board shall also proceed in accordance with the Uniform Relocation and Real Property Acquisition Policy Act of 1970.
- (d) **TITLE TO REAL ESTATE AND PERSONALTY.** All property, real, personal and mixed, acquired for the construction of the wastewater facilities, and all diagrams, papers, books and records connected therewith said wastewater facilities, and all

buildings, machinery and fixtures pertaining thereto, shall be the property of the Village of De Soto.

Section 9.2.4 GENERAL SEWER USE REGULATIONS

- (a) **GENERAL.** The rules, regulations, and sewer rates set forth in this Chapter shall be considered a part of the contract between the Village and every person, company, or corporation who is connected to or uses the sewer system or wastewater treatment works. By connecting with the sewer system or wastewater treatment works every such person, company, or corporation shall be considered as expressing their assent to be bound thereby. If any of the rules and regulations of this Chapter, now or as later amended or adopted, are violated, the use or service shall be shut off from the building or place of such violation, even if two or more parties are receiving service through the same connection. The use or service shall not be re-established except by order of the Village Board and on payment of all arrears, expenses and charges of shutting off and putting on, and such other terms as the Village may determine, and a satisfactory understanding with the violator that no further cause for complaint will arise. The Village Board may further declare any payment made for the service by the violator(s) to be forfeited and the same shall thereupon be forfeited. The Village reserves the right to change these rules, regulations, and sewer rates from time to time as it may deem advisable and the right to make special rates and contracts in all proper cases.
- (b) **PLUMBER LICENSE REQUIRED.** 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 and obtaining permission from the Village. All service connections to the sewer main shall comply with the State plumbing code.
- (c) **SEPTIC TANKS PROHIBITED.** From June 1, 2011, the use of septic tanks, holding tanks or any other private sewage disposal system within the sewer service area of the Village shall not be permitted unless approved in writing by the Village Board.
- (d) **MANDATORY HOOK-UP.** The owner of each parcel of land within the Village adjacent to a sewer main and on which exists a building usable for human habitation or in a block through which such system is extended, shall connect to such system by installing a building sewer exclusive to that parcel within 365 days of notice in writing from the Village. Upon failure to do so, the Village may cause such connection to be made and bill the property owner for such costs. If such costs are not paid within 30 days, such costs shall be assessed as a special tax against the property. The full cost of making the connection shall be the property owner's responsibility. In the alternative, the Village at its option 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 system, of a penalty in the amount of \$5.00 per day. Upon failure to make such payment, said charge shall be assessed as a special tax against the property, all pursuant to Wis. Stat. sec. 281.45.
- (e) **APPLICATIONS FOR SERVICE.** Every person desiring to connect to the sewer system shall file an application in writing to the Village Clerk on such form as is prescribed for that purpose. Such application forms will be furnished at the office

of the Village Clerk. 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.

Application for sewer service is limited to parcels within the Village limits unless a connection exists on June 1, 2011. Surcharged rates will apply to any non-Village parcel accepted for service.

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 upon payment of the connection charge.

- (f) **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 of 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 Village Clerk shall, if practicable, give notice to each and every consumer within the affected area of the time when such service will be shut off.
- (g) **RV DUMPING STATIONS.** Domestic waste holding tanks on Recreational Vehicles and trailers shall only be permitted to discharge at the wastewater treatment facility.
- (h) **ADDITIONAL AUTHORITY.** The Village Board may at any time establish specific connection and lateral charges for any main not covered by other provisions in this ordinance or when the Village Board has made an extension and the Village Board has failed to provide lateral or connection charges. It is further provided that the Village Board may amend or alter any connection or lateral charge after its establishment under the terms of this Ordinance or previous Ordinance or Resolutions.

Section 9.2.5 USER REGULATIONS

- (a) **INDEPENDENT BUILDING SEWER REQUIRED.** Building sewers must be used exclusively by only one property. No user or owner shall allow other persons, other private sewers, or other services to connect to the sewer system through their property's building sewer. If two or more buildings are served by one building sewer, the Village may enforce compliance for mandatory hook-up pursuant to Section 9.2.4(d).
- (b) **MAINTENANCE OF BUILDING SEWER.** The property owner shall maintain the building sewer from the street main to the house, including all controls between the same, without expense to the Village, except when they are damaged as a result of negligence or intentional willful misconduct by the Village. All building sewers must be maintained free of defective conditions by and at the expense of the owner or occupant of the property.
- (c) **USER TO REPAIR BUILDING SEWER.** All users shall keep their building sewers in good repair and protected from frost at their own risk and expense and shall prevent any unnecessary overburdening of the sewer system.

- (d) **BACKFLOW PREVENTOR.** All sewer services shall have a backflow prevention valve installed and maintained at the owner's expense.
- (e) **VACATING OF PREMISES AND DISCONTINUANCE.** Whenever premises served by the system are to be vacated, or whenever any person desires to discontinue service from the system; then the owner or user must notify the Village Clerk in writing.
- (f) **USER TO PERMIT INSPECTION.** Every user shall permit the Village or its duly authorized agent, at all reasonable hours of the day, to enter their premises or building to examine the pipes and fixtures, and the manner in which the drains and sewer connections operate; and they must at all times, frankly and without concealment, answer all questions put to them relative to its use, all in accordance with this Chapter and Wis. Stat. sec. 196.171.

Section 9.2.6 BUILDING SEWER CONSTRUCTION

- (a) **EXCAVATIONS.** An excavation permit shall be obtained before beginning work for laying building sewers or making repairs. All work shall be performed in accordance with Section 9.2.6 of this Code, and the paving and the earth removed shall be deposited in a manner that will result in the least inconvenience to the public.

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.

In refilling the opening within the public right-of-way, after the pipes are laid, use aggregate base backfill placed in layers of not more than six (6") inches in depth, and each layer thoroughly compacted to prevent settling. In refilling the opening on private property, after the pipes are laid, use earth backfill placed in layers of not more than nine (9") inches in depth, and each layer thoroughly compacted to prevent settling. This work, together with the replacing of sidewalks, base course and paving, must be done so as to make the street as good, at least, as before it was disturbed, and satisfactory to the Village. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.

- (b) **TAPPING THE MAINS.** Permission and approval from the Village is required before any person may tap any public sewer or collection pipes. The kind and size of the connection with the pipe shall be that specified in the permit from the Village, to ensure that new sewers and connections to the sewer system are properly designed and constructed.

Pipes must be tapped on top and not within six inches (15 cm) of a joint and not within 24 inches (60 cm) of another lateral connection. All service connections to mains must comply with State plumbing code. Lateral connections to existing sewers shall be made into 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.

- (c) **INSTALLATION OF BUILDING SEWERS (HOUSE LATERALS).** All building sewers pipes (laterals) on private property will be installed in accordance with State of Wisconsin Administrative Code Chapter Comm 82 entitled "Design,

Construction, Installation, Supervision, and Inspections of Plumbing," especially Section Comm 82.30 entitled "Sanitary Drain Systems."

All laterals, building sewers, and/or private interceptor main sewer shall be inspected by the Village pursuant to Comm 82.21 Wis. Admin. Code upon completion of placement of the pipe and before backfilling and tested before or after backfilling.

- (d) **CLEARWATER CONNECTION PROHIBITED.** No person shall make connections of roof downspouts, foundation drains, sump pumps, yard drains, or other sources of surface runoff or groundwater to a building sewer or building drain that is connected directly or indirectly to the public sewer. Any existing connections of surface runoff or groundwater shall be disconnected within 60 days of written notice from the Village.
- (e) **INSPECTION OF CONNECTION.** The applicant for connection shall notify the Village Clerk when the building sewer is ready for inspection and connection to the public sewer. The actual connection shall be made under the supervision of the Village.

Section 9.2.7 EXTENSIONS OF SEWER MAINS.

The Village shall extend sewer mains in accordance with the following charges and the following conditions:

- (a) **APPLICATION.** When an extension of a sewer main is requested by the prospective user, said person should make an application for such an extension in writing to the Village by filing of a written application. After the filing of such an application, the Village Board shall first determine the logical location of the next manhole or manholes. Next, the Board 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. After such review, the Village Board shall act on the application. The minimum length of an extension shall be the distance to the next manhole. All sewer extensions shall be constructed in compliance with local and state laws, ordinances and regulations.
- (b) **PAYMENT BY USERS.** The person who requests the extension shall pay the entire cost of said extension including the manhole or manholes that are part of the extension.
- (c) **PAYMENT OF COSTS.** The Village Board may recoup the costs of sewer main extensions through entering a developer's agreement under Wis. Stat. 66.0821(2) or through special assessment under Wis. Stat. 66.0703.
- (d) **FUTURE USERS.** If a sewer main extension is financed by a developer(s) and a future sewer main extension is connected to the developer-financed extension within three years of its completion, then PSC Chapter 187 Wis. Admin. Code shall apply.
- (e) **CONSTRUCTION.** If the Village constructs the extension, full payment shall be made before construction begins unless otherwise agreed between the person requesting the extension and the Village Board. If the developer constructs the extension, no construction shall begin until the Village Board, the Village Engineer, and any necessary County and State departments approve the plans.

When construction is complete and all tests have been satisfactorily completed and all necessary right-of-ways or easements have been recorded, the Village shall assume responsibility for the extension.

- (f) In addition to the charge made as above provided to each lot, each user shall pay the connection charge and the full cost of the building sewer from the main to the user's building.

Section 9.2.8 SEPTAGE DISPOSAL

- (a) **APPLICATION FOR SEPTAGE DISPOSAL.** Between August 1 and September 1 of each year, each licensed disposer wishing to discharge septage to the Village wastewater treatment works shall file a nonrefundable filing fee and an application in writing to the Village Clerk on such 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 Village Clerk. The application must state fully and truthfully the type, frequency, quantity, quality and location of generated septage to be disposed in the wastewater treatment works. The forms prescribed for the purpose of documentation of the discharge will be furnished at the Village Clerk's office and will include the following information:

- (i) Name, address and telephone number of the hauler.
- (ii) License number
- (iii) Type of septage
- (iv) Quantity of septage
- (v) Estimated quality of septage
- (vi) Location, date, time and feed rate of discharge
- (vii) Source of septage
- (viii) Name and address of septage generator
- (ix) Other information as required by the Village.

During the month of September, the Village will evaluate the applications and make a determination as to the amount and conditions of septage disposal. The Village Board shall approve or reject all applications by October 1 of each year. If the Village cannot accept all the proposed septage disposal, then consideration shall be given first to those generators of septage that are within the sewer service or holding tank service areas (see NR 205.07(2)(e) and (f)).

- (b) **BOND AND INSURANCE REQUIRED.** The person(s) or party disposing waste shall furnish bond to the Village in the amount of \$1,000.00 to guarantee performance. Said performance bond shall be delivered to the Village Clerk prior to the issuance of the permit hereunder. Any person or party disposing of septage agrees to carry public liability insurance in an amount not less than one hundred thousand dollars (\$100,000.00) to protect any and all persons or property from injury and/or damage caused in any way or manner by any act, or failure to act, by any of his employees. The person(s) shall furnish a certificate certifying such insurance to be in full force and effect.

All Village approvals for septage disposal shall have the condition that any time the sewerage system has operational problems, maintenance problems or threat

of WPDES permit violations that are indirectly or directly related to septage disposal, the Village may immediately restrict septage disposal until such time as corrective action or mitigative measures have been taken.

- (c) **SEPTAGE ACCEPTANCE LOCATION.** Septage shall only be discharged to the Village's sewerage system by Village-approved and State of Wisconsin licensed disposers and at locations, times and conditions as specified by the Village.

Septage discharges to the receiving facility at the wastewater treatment facility shall be limited to the posted, normal working hours of the facility.

Documentation of the discharge shall be submitted to the Village Clerk within one working day of the discharge.

Section 9.2.9 DISCHARGE REGULATIONS

- (a) **GENERAL DISCHARGE PROHIBITIONS.** No person shall contribute or cause to be discharged, directly or indirectly, any of the following described substances into the wastewater facilities of the Village:
- (i) 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 wastewater facilities or wastewater treatment works.
 - (ii) 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.
 - (iii) Any wastewater having a pH less than 6.0 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 unless the system is specifically designed to accommodate such wastewater.
 - (iv) Any wastewater containing arsenic, cadmium, copper, chromium, chloride, cyanide, lead, mercury, nickel, zinc or other 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 to exceed the limitation set forth in special agreements, State or Federal Categorical Pretreatment Standards.
 - (v) 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 sewers for their maintenance and repair.
 - (vi) Any substance that may cause the wastewater treatment works effluent, treatment residues, sludge or scum to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
 - (vii) Any substance that will cause violations of the WPDES and/or other disposal system permits.
 - (viii) Any substance with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
 - (ix) Any wastewater having a temperature that will inhibit biological activity in the wastewater treatment works resulting in interference; but in no case, wastewater with a temperature at the introduction into the public sewer that exceeds 120oF unless the wastewater facilities are

designed to accommodate such temperature.

- (x) Any slug load, which shall mean any pollutant, including oxygen-demanding pollutants (BOD), released in a single extraordinary discharge episode of such volume or strength as to cause interference to the wastewater treatment works.
- (xi) Any unpolluted water including, but not limited to, non-contact cooling water.
- (xii) Any wastewaters that may be acutely or chronically toxic to aquatic life or wild and domestic animals.
- (xiii) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as exceed limits established by the Village in compliance with applicable State or Federal regulations.
- (xiv) Any wastewater that causes a hazard to human life or creates a public nuisance.
- (xv) Any storm water, surface water, groundwater, roof run-off or surface drainage or any other connections from inflow sources to the public sewer. Such waters may be discharged to a storm sewer or other waterway with permission of the Village.

(b) **LIMITATIONS ON WASTEWATER STRENGTH**

- (i) National categorical pretreatment standards shall, as promulgated by the U.S. Environmental Protection Agency, be met by all dischargers of the regulated industrial categories.
- (ii) State requirements and limitations on all facilities shall be met by all dischargers who are subject to such standards in any instance in which they are more stringent than other applicable requirements.
- (iii) The Village Board reserves the right to amend this Chapter to provide for more stringent limitations or requirements on discharges to the wastewater facilities where deemed necessary to comply with the objectives set forth in this Chapter.
- (iv) **DILUTION.** No user 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 Ordinance unless approved in writing by the Village.
- (v) **SUPPLEMENTARY LIMITATIONS.** No user shall discharge wastewater containing concentrations of the following enumerated materials exceeding the following values unless prior approval is granted by the Village Board.

<u>Material</u>	<u>Concentration (mg/L)</u>
Biochemical Oxygen Demand	250 mg/L
Suspended Solids	300 mg/L
Fats, Oil and Grease (FOG)	100 mg/L
Phosphorus	8 mg/L

The Village may also impose mass limitations on users that are using dilution to meet the Pretreatment Standards or requirements of this Ordinance or in other cases where the imposition of mass limitations is deemed appropriate by the Village.

- (c) **ACCIDENTAL DISCHARGES.** Each user shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this Ordinance. Where necessary, facilities to prevent additional discharge of prohibited materials shall be provided and maintained at the user's cost and expense. Detailed plans showing facilities and operating procedures shall be submitted to the Village for review, and shall be approved by the Village before construction of the facility. Review and approval of such plans and operating procedures by the Village shall not relieve the user from the responsibility to modify its facility as necessary to meet the requirements of this Ordinance.

Dischargers shall notify the Village immediately upon the occurrence of a "slug load" or accidental discharge of substances prohibited by this Ordinance. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any user who discharges a slug load or prohibited materials shall be liable for any expense, loss or damage to the Village's wastewater facilities on wastewater treatment works, in addition to the amount of any forfeitures imposed on the Village on account thereof under State or Federal law.

Signs shall be permanently posted in conspicuous places on industrial user'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 procedures.

- (d) **GREASE INTERCEPTORS.** All Food Service Facilities shall provide indoor or outdoor grease interceptors per Comm 82.34(5). Documentation on maintenance shall be provided to the Village on request. Abnormal sewer or lift station maintenance caused by discharge of grease shall be the responsibility of the discharger.
- (e) **SPECIAL AGREEMENTS.** No statement contained in this article shall be construed as prohibiting any special agreement between the Village and any person whereby an industrial waste of unusual strength or character may be admitted to the wastewater treatment works, either before or after pretreatment, provided that there is no impairment of the functioning of the wastewater treatment works by reason of the admission of such wastes, and no extra costs are incurred by the Village without recompense by the person, provided that all rates and provisions set forth are complied with.

Section 9.2.10 SEWER USER CHARGE SYSTEM

- (a) **ADDITIONAL DEFINITIONS**

The following terms shall have the following meaning under this Ordinance:

- (i) **DEBT SERVICE CHARGES** shall mean all costs associated with repayment of debts incurred for the construction and/or rehabilitation of wastewater collection system and treatment facilities.
- (ii) **NORMAL DOMESTIC STRENGTH WASTEWATER** shall mean wastewater with concentrations of BOD₅ no greater than 250 milligrams per liter (mg/L), suspended solid no greater than 300 milligrams per liter (mg/L) and phosphorus no greater than 8 milligrams per liter (mg/L).

- (iii) **NORMAL USER** shall mean a user whose contributions to the sewerage system consist only of normal domestic strength wastewater originating from a house, apartment, or other living quarters occupied by a person or persons constituting a distinct household, business or commercial enterprise.
 - (iv) **OPERATION AND MAINTENANCE (O&M) COSTS** shall mean all costs associated with the operation and maintenance of the wastewater collection and treatment facilities. These costs, including costs associated with clear water flows (I/I), shall be divided proportionately among the various classes of sewer users.
 - (v) **REPLACEMENT COSTS (R)** shall mean all costs necessary to accumulate the resources as required to maintain capacity and performance during the design life of the facility. The Replacement Fund shall be used only for replacement of equipment at the Main Lift Station or Wastewater Treatment Works.
 - (vi) **SEWER SERVICE CHARGE** is a service charge levied on users of the sewer system for payment of Debt Service, Operation and Maintenance costs and Replacement of said facilities.
 - (vii) **SIGNIFICANT INDUSTRIAL USER** means a user whose contributions to the sewerage system include process wastewater with concentrations of BOD₅ greater than 250 milligrams per liter (mg/L), total suspended solid greater than 300 milligrams per liter (mg/L), FOG greater than 100 mg/L, pH below 6.0 or above 9.0 and/or phosphorus greater than 8 milligrams per liter (mg/L). The Common Counsel shall establish the limitations applicable and the parameters and frequency for metering flow and sampling and analyzing wastewater for each Significant Industrial User.
- (b) **POLICY.** It shall be the policy of the Village to obtain sufficient revenues to pay the costs for the debt service, operation and maintenance of the wastewater facilities, including a replacement fund, through a system of sewer service charges as defined in this section. The system shall assure that each user of the wastewater facilities pays their proportionate share of the cost of such facilities.
- (c) **CONNECTION CHARGE.** Persons attaching to a public sewer main shall have the building sewer from the sewer main installed at their own expense and shall pay a connection charge as follows:
- | | |
|---|------------|
| Residential (Single family) | \$500.00 |
| Residential (Multiple family per unit) | \$250.00 |
| Churches | \$400.00 |
| Mobile Homes in Mobile Home Park | \$ 50.00 |
| (\$25.00 refund upon disconnect) | |
| Commercial & Industrial (Domestic Only) | \$500.00 |
| Motels & Laundromats | \$600.00 |
| Hospitals and Clinics | \$2,500.00 |
| Schools | \$2,500.00 |
- (d) **BASIS FOR SEWER SERVICE CHARGE.** The sewer service charge shall be based on the Residential Equivalency Unit Charge. The Residential Equivalency Unit Charge shall be sufficient to pay the costs of net Debt Service charges, the Replacement Funds costs and Operation and Maintenance costs. The rates in this Ordinance shall be reviewed by the Village not less than biennially. Rates shall be adjusted, as required, to reflect the estimated volume of water used, number and size of users and actual costs. Users shall be notified annually of the portion of service charges attributable to debt service and operation, maintenance and replacement.

(e) **SEWER SERVICE CHARGE.**

- (i) A Sewer Service Charge is hereby imposed upon each lot, parcel of land, building or premise served by the sewerage system or otherwise discharging sewage, including non-domestic and industrial wastes, into the sewer system. The Sewer Service Charge shall be based on the Residential Equivalency Unit Charge (REU). Such residential equivalency charge shall be payable as herein provided and shall be on the basis of one unit for each residential equivalent unit. Each single-family dwelling shall be assigned one unit. A single-family dwelling is defined as a mobile home, a seasonal dwelling, a duplex unit, an apartment unit, a single family detached dwelling or a unit in a multi-family building.
- (ii) Periodically the Clerk shall recompute the assignment of residential equivalent units to all users within the sewer system. Said recalculation shall be based upon the estimated average amount of water used by each customer (other than single-family dwellings) compared to the average amount of water used by single-family dwellings. In no event shall each customer (other than single-family dwellings) be assigned a residential equivalent unit that is less than one unit. A list of calculated REU units is included as Appendix A. A new user will be assigned initial REU units based on Appendix B.

Section 9.2.11 PAYMENT FOR CHARGES

- (a) **PAYMENT AND PENALTY.** The Sewer Service Charge shall be for the corresponding period of the water bills, monthly for all users. Charges shall be payable to the Village Clerk not later than 20 days after the date of the invoice. A penalty of one percent (1%) per month shall be added to all bills not paid by the date fixed for final payment.
- (b) **CHARGES A LIEN.** All sewage charges imposed shall be a lien upon the property serviced pursuant to Wis. Stat. sec 66.0809(3) and shall be collected in the manner therein provided.
- (c) **DISPOSITION OF REVENUE.** The amounts received from the collection of charges authorized by this Chapter shall be credited to a wastewater facilities account that shall show all receipts and expenditures of the wastewater facilities. Charges collected for replacement expenses shall be credited to a segregated, non-lapsing replacement account. These funds are to be used exclusively for replacement. When appropriated by the Village Board, the credits to the account shall be available for the payment of costs of wastewater facilities consistent with NR 162. All present outstanding sewer system general obligation bonds, including refunding bonds, shall be paid from this fund as to both principal and interest.

Section 9.2.12 INDUSTRIAL AND SEPTAGE WASTEWATERS

- (a) **DISCHARGE CONDITIONS.** If any wastewaters or septage are discharged, or proposed to be discharged, to the wastewater facilities that contain substances or possess the characteristics enumerated in Section 9.2.9 and which, in the sole discretion of the Village Board may be detrimental to the wastewater facilities, the Village Board may:
 - (i) Reject the wastes;
 - (ii) Require pretreatment to an acceptable condition for discharge to the sewer system;
 - (iii) Require control over the quantities and rates of discharge;
 - (iv) Require payment to cover the added cost of handling and treating the wastewater not covered by existing sewer charges under the provisions of Section 9.2.10(f)(iii).
- (b) **SEPTAGE DISCHARGES.** Septage discharged to the wastewater facilities shall be of domestic origin only and septic tank wastes shall be segregated from holding tank wastes.
- (c) **CONTROL MANHOLES**
 - (i) 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, excluding domestic sewage when feasible.
 - (ii) Control manholes or access facilities shall be located and built in a manner acceptable to the Village. If measuring devices are to be permanently installed, they shall be of a type acceptable to the Village.
 - (iii) Control manholes, access facilities, and related equipment shall be installed by the person discharging the industrial waste, at their 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 prior to the beginning of construction.
- (d) **MEASUREMENT OF FLOW.** The volume of flow used for computing the Sewer Use Charge for industrial waste shall be based upon approved wastewater flow meters.
- (e) **PROVISION FOR DEDUCTIONS.** In the event that a person discharging industrial waste into the public sewers produces evidence satisfactory to the Village that more than 10 percent 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 wastewater volume discharged into the public sewer may be made a matter of agreement between the Village and the industrial wastewater discharger.
- (f) **METERING OF WASTEWATER.** Devices for measuring the volume of wastewater discharged may be required by the Village if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of wastewater 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 Village.

(g) **WASTEWATER SAMPLING**

- (i) Industrial wastes and septage discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said waste as specified by the Village.
- (ii) 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 Village.
- (iii) Laboratory analysis shall be the responsibility of the person discharging the wastewater or septage and shall be subject to the approval of the Village or its duly authorized representatives. 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. All analysis shall be performed by a Wisconsin certified laboratory.

(h) **PRETREATMENT.** The Village Board may require the discharger to modify or eliminate wastes that are harmful to the structures, processes, or operation of the wastewater facilities. The discharger shall provide at their expense such preliminary treatment or processing facilities as may be required to render this waste acceptable for admission to the public sewers.

(i) **GREASE AND/OR SAND INTERCEPTORS.** The Village Board may require the discharger to provide for grease, oil, and sand interceptors, which shall be readily and easily accessible for cleaning and inspection. The discharger shall maintain the interceptors and 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 that are subject to review by the Village. Any removal and hauling of the collected materials not performed by the discharger's personnel must be performed by currently licensed disposal firms.

(j) **ANALYSES**

- (i) All measurements, tests, and analyses of the characteristics of water, waste, and septage to which reference is made in the Ordinance shall be determined in accordance with the latest edition of "Standard Methods". Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Village.
- (ii) Determination of the character and concentration of the industrial wastewater shall be made by the person discharging them or their agent, as designated and required by the Village. The Village 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 Village may elect to have an independent laboratory determine the character and concentration of the waste. Said independent laboratory shall be certified under NR 149 and be acceptable to both the Village and the person discharging the waste. All costs incurred by the independent laboratory in making the determination shall be assumed by the discharger.

(k) **SUBMISSION OF INFORMATION.** Plans, specifications, and any other pertinent information relating to proposed flow equalization, pretreatment, of

wastewater processing facilities shall be submitted for review or the Village Engineer prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

- (I) **SUBMISSION OF BASIC DATA.** Within three (3) months after the effective date of this Ordinance, each person who discharges industrial wastes to a public sewer shall prepare and file with the Village, a report that shall include pertinent data relating to the quantity and characteristics of the waste discharged to the sewerage system. The Village shall be notified 60 days in advance of any plans that change the discharge by more than 15 percent of flow or strength. Such a request shall be evaluated as provided in Section 9.2.12(a).

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 Village a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.

Section 9.2.13 ANNUAL AUDIT

The Village shall have conducted an independent Annual Audit, the purpose of which shall be to maintain the proportionality between users and user classes of the sewer user charge system and to ensure that adequate revenues are available relative to increasing operation, maintenance and replacement costs and debt service charges. The findings and recommendations of this audit shall be available for public inspection.

Section 9.2.14 VIOLATIONS AND PENALTIES

- (a) **DAMAGES.** No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure or equipment that is a part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.
- (b) **WRITTEN NOTICE OF VIOLATION.** Any person connected to the wastewater facilities found to be violating a provision of this Chapter shall be served by the Village with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. In the event of an emergency the notice may be verbal.
- Any licensed disposer discharging to the wastewater facilities found to be violating a provision of this ordinance or of any conditions of the Village's approval for septage disposal may have their approval immediately revoked. This revocation shall be done in writing and state the reasons for revoking the septage disposal approval.
- (c) **DELETERIOUS DISCHARGE.** Any person found to be responsible for accidentally allowing a deleterious discharge into the wastewater facilities which causes damage to the facilities and/or receiving water body shall, in addition to a forfeiture, pay the amount to cover all damages, both of which will be established by the Village Board.
- (d) **DISCHARGE REPORTING.** Any person responsible for a discharge that may have a detrimental impact on the sewerage system shall immediately report the nature and amount of the discharge to the Village Clerk.

- (e) **LIABILITY TO VILLAGE FOR LOSSES.** Any person violating any provision of this Chapter shall become liable to the Village for any expense, loss, or damage occasioned by reason of such violation that the Village might suffer as a result thereof.
- (f) **DAMAGE RECOVERY.** The Village 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 facilities damaged in any manner by any person by the performance of any work under their control, by any negligent acts.
- (g) **PENALTIES.**
 - (i) Any person who violates any of the provisions of this Chapter or applicable Village regulations, who connects a service pipe or discharges without first having obtained a permit, or who shall violate any provisions of the Wisconsin Statutes, Wisconsin Administrative Code, or any other materials which are incorporated by reference, upon conviction of such violation shall forfeit not less than \$50.00 nor more than \$500.00 and the costs of prosecution. This provision shall not bar the Village from enforcing the mandatory connection requirement of Section 9.2.4(d).
 - (ii) Any person, partnership, or corporation, or any officer, agent, or employee thereof, who shall continue any violation after the lapse of the time limit provided for cessation of a violation, upon conviction of such continuing violation, shall forfeit not less than five hundred dollars (\$500.00), 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 five (5) days. Each day in which any violation is continued beyond the aforesaid notice time limit shall be deemed a separate offense.
- (h) **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 Chapter may file a written appeal with the Village Board within ten (10) days of the date of such decision, action, or determination, setting forth in detail the facts supporting the user's appeal. The Village Board shall render a decision on the written appeal to the user in writing within thirty (30) days of receipt of appeal. This section shall not apply to any citation or pending court action.

Section 9.2.15 VALIDITY

- (a) **REPEAL OF CONFLICTING ORDINANCES.** This Chapter shall supersede all previous ordinances, resolutions, orders, or Village regulations and shall repeal all parts thereof that may be in conflict with this Chapter. If there is any conflict between this Chapter and any applicable Wisconsin Statute, the Statute shall be controlling.
- (b) **SAVINGS CLAUSE.** If any provision of this Chapter is found invalid or unconstitutional or if in the application of this Chapter to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this Chapter which can be given effect without the invalid or unconstitutional provision or application.

- (c) **AMENDMENTS.** The Village, through its duly qualified governing body, may amend this Chapter in part or in whole whenever it may deem necessary.

Section 2: This Ordinance shall take effect and be in force from and after its passage and publication of notice thereof as provided by law.

Passed by the Village Board of the Village of De Soto, on the 21st day of November, 2017

Approved by the Village President on the 21st day of November, 2017.


APPROVED:


Joel Greiner, Village President

Adopted: November 21, 2017.

Posted: November 24, 2017.

ATTEST:


Carrie Brudos, Village Clerk

STATE OF WISCONSIN

}

SS.

COUNTY OF VERNON/CRAWFORD

}

I hereby certify that the foregoing Ordinance is a true, correct and complete copy of the Ordinance duly and regularly passed by the Village Board of the Village of De Soto on the 21st day of November, 2017, and that said Ordinance has not been repealed or amended, and is now in full force and effect.

Dated this 24th day of November, 2017.


Carrie Brudos, Village Clerk

**APPENDIX A
RESIDENTIAL EQUIVALENCY UNITS
DE SOTO, WI**

Revised November 21, 2017

Account#	Name	Units	REU	Comments	Monthly Sewer Charge
RESIDENTIAL - SINGLE & MULTIPLE FAMILY					\$35.75 per REU
	Single Family Units	130	130		\$4,647.50
	Mobile Homes	24	24		\$858.00
	Total Residential	154	154		\$5,505.50
COMMERCIAL					
	Bright Spot	1	3.5	Tavern/Restaurant-50 Seats	\$125.13
	De Soto Fitness Center	1	1.5	Exercise Gym	\$53.63
	Flea Market	1	1.5	Flea Market	\$53.63
	Great River Roadhouse	1	4.5	Tavern/Restaurant-106 Seats	\$160.88
	Thompson Water Works	1	3.5	Car Wash/Storage Bldg/Garage	\$125.13
	A Place To Sew - Kris Kann	1	1.5	Quilting Retreat	\$53.63
	A Place To Sew - Kris Kann	1	1.5	Quilting Retreat	\$53.63
	Kumlin's Taxidermy	1	1.5	Taxidermy	\$53.63
	Sleepers	1	2	Tavern/Grill	\$71.50
	Pork's Hilltop Tap	1	2	Tavern/Grill	\$71.50
	River Lounge	1	1.5	Tavern	\$53.63
	Secluded Land Co	1	2	Realty - over 10 staff	\$71.50
	Secluded Land Co	1	1.5	Realty	\$53.63
	De Soto Lutheran Church	1	1.5	Church	\$53.63
	Riverview Cabins	1	3	Motel/Cabins - 5 units	\$107.25
	Pronto	1	2	Gas/Convenience Store	\$71.50
	J & R Military	1	1.5	Military Clothing/materials	\$53.63
	J & R Military	1	1.5	Military Clothing/materials	\$53.63
	River Bank	1	1.5	Bank	\$53.63
	De Soto Post Office	1	1.5	Post Office	\$160.88
	Total Commercial	20	40.5		\$1,555.13
PUBLIC					
	De Soto Middle/High School	1	30	303 Students/Staff	\$1,072.50
	De Soto Community Center	1	10	250 Capacity	\$357.50
	De Soto Fire Department	1	1		\$35.75
	Park Rest Rooms	1	2		\$71.50
	Library	1	1		\$35.75
	Village Hall	1	1		\$35.75
	Total Public	6	45		\$1,608.75
INDUSTRIAL					
	Total Industrial	0	0		\$0.00
	Total	180	239.5		\$8,669.38 per month

APPENDIX B
Residential Equivalency Unit Charge Chart

The following list of Residential Equivalent (REU) Units shall be assigned for new connections:

Single Family	1 REU
Duplexes	2 REU (1/unit)
Multiple Family (3 units and up)	1 REU/unit
Vacant Lot	0 REU
Hotel/Motel	0.75 REU/sleeping unit
Taverns - for each 50 capacity	1 REU
Bowling Alleys	0.50 REU/alley
Vehicle Service Garage	
10 employees or less	1 REU
Over 10 employees	1 REU each additional 10
Churches	1 REU
Restaurants (having a good prep kitchen) Halls	2 REU for each capacity
Office Buildings	3 REU
Post Office	1 REU /10 employees
Telephone Exchange	1 REU
Barber Shops and Beauty Parlors	1 REU
Nursing Homes	0.333 REU./sleeping room
Funeral Homes	1 REU
Greenhouses	1 REU
Dentists	1 REU per care station
Medical Clinics	2 REU for each capacity
Retail Stores, Warehouses. Shops, Banks,	
10 employees or less	1 REU
Over 10 employees	1 REU each additional 10
Municipal Building	1 REU
City Hall	1 REU
Car Wash	4 REU
Laundromats	0.333 REU/washing machine
Schools	
without shower facilities	1 REU /75 students capacity
with shower facilities	1 REU/10 students capacity
Domestic Use from Industrial	1 REU/10 employees
Commercial Establishments utilizing garbage grinder	Additional 2 REU
Mobile Home/Mobile Home Parks	1 REU/unit
Seasonal Dwellings	1 REU/unit
Hospital	0.75/bed

Any category of users not listed shall be assigned Residential Equivalent Units by the Village Board after a recommendation by the Village Engineer.