

**VILLAGE OF HEWITT
WASTEWATER ORDINANCE
FOR
COLLECTION AND TREATMENT SYSTEMS**

ORDINANCE 1993-20

An ordinance establishing a sewer use and user charge system in the Village of Hewitt, County of Wood, State of Wisconsin to provide procedures, safeguards and funds to operate, maintain and meet WPDES permit limits at the village wastewater treatment system and pay for wastewater collection and treatment cost, and

Whereas, the Village of Hewitt, 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 reserve the right to immediately discontinue acceptance of wastewater or septage for operational and permit reasons; and

Now, therefore, be it ordained by the Village of Hewitt that the following sewer use and user charge system be established:

ARTICLE I

INTRODUCTION AND GENERAL PROVISIONS

- 1.01 This ordinance regulates the use of public and private sewers and drains, discharge of septage into the public sewerage system, and the discharge of waters and wastes into the public sewerage systems within the Village of Hewitt. It provides for and explains the method used for levying and collecting wastewater treatment service charges; sets uniform requirements for discharges into the wastewater collection and treatment systems; and enables the village to comply with administrative provisions, and other discharge criteria which are required or authorized by the State of Wisconsin or Federal law. Its intent is to derive the maximum public benefit by regulating the characteristics of wastewater discharged into the village sewerage system.
- 1.02 This ordinance provides a means for determining wastewater and septage volumes, constituents and characteristics, the setting of charges and fees, and the issuing of permits to certain users. Revenue derived from the application of this ordinance shall be used to defray the costs of operating and maintaining adequate wastewater collection and treatment and to provide sufficient funds for capital outlay, debt service costs and capital improvements. The charges and fees herein have been established pursuant to requirements of the Wisconsin Statutes. This ordinance shall supersede any previous ordinance, rules or regulations; and shall repeal all parts thereof that may be inconsistent with this ordinance. If there is any conflict between this ordinance and any applicable statute, that statute shall be controlling.

ARTICLE II

DEFINITIONS

- 2.01 Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:
- 2.02 APPROVING AUTHORITY shall mean the Village of Hewitt, or its duly authorized committee, agent, or representative.
- 2.03 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 "Standard Methods" or Chapter NR 149 of the Wisconsin Administrative Code.
- 2.04 BIOCHEMICAL OXYGEN DEMAND (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20° centigrade, expressed as milligrams per liter. Quantitative determination of BOD shall be made in accordance with procedures set forth in the most recent edition of "Standard Methods".
- 2.05 BUILDING DRAIN shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the wall of the building and conveys it to the building sewer.
- 2.06 BUILDING SEWER OR SEWER LATERAL shall mean the extension from the public sewer or other place of disposal beginning outside the inner face of the building wall.
- 2.07 CHEMICAL ELEMENTS AND COMPOUNDS that are typically found in wastewater and may be regulated by this ordinance: These are as follows:

Aldrin	3,3-Dichlorbenzidine	Radium
Ammonia Nitrogen	Dichloromethane 2,4-D	Selenium
Arsenic	Dimethyl Nitrosoamine	Tetrachloroethylene
Benzene	Endrin	Toxaphene
Benzo(a) Anthracene	Heptachlor	Trichloroethylene
Benzo(a) Pyrene	Hexachlorobenzene	2, 4, 6-trichlorophenol
Beryllium	Hexachlorobutadiene	Vinyl Chloride
BIS (2-Ethylhexyl)	Lead	Zinc
Phthalate	Lindane	
Cadmium	Malathion	
Carbon Tetrachloride	Mercury	
Chlordane	Molybdenum	
Chloroform	Nickel	
Copper	Nitrogen	
Chromium	PCB's	
Cyanide	Pentachlorophenol	
DDT	Phenanthrene	
DDD	Phenol	
DDE	Phosphorous	
Dieldrin	Phosphate	

- 2.08 COMPATIBLE POLLUTANTS shall mean biochemical oxygen demand, suspended solids, phosphorus, ammonia, or pH, plus additional pollutants identified in the WPDES permit for the publicly owned treatment works receiving the pollutant if such works were designed to treat such additional pollutants to a substantial degree.
- 2.09 FLOATABLE OIL shall mean oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater or septage shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection or treatment system.
- 2.10 GREASE INTERCEPTOR (GREASE TRAP) means a watertight tank for the collection and retention of grease (from cooking or food processing) or other similar waste and which is accessible for periodic removal of the contents.
- 2.11 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.
- 2.12 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 (½) inch in any dimension and will be carried freely in suspension under normal flow conditions in sewers.
- 2.13 HOLDING TANK SERVICE AREA shall mean the area outside the village's sewer service area, but inside or equal to the village's planning area where a contract has been developed for holding tank wastewater to be treated at the Wastewater Treatment Facility.
- 2.14 INCOMPATIBLE POLLUTANTS OR WASTEWATER shall mean wastewater or septage with pollutants of such a strength that will adversely affect or disrupt the wastewater treatment processes, effluent quality or sludge quality if discharged to the sewerage system.
- 2.15 INDUSTRIAL WASTE shall mean the wastewater from industrial process, trade, or business, as distinct from sanitary sewage, including cooling water and the discharge from sewage pretreatment facilities.
- 2.16 LICENSED DISPOSER shall mean a person or business holding a valid license to do septage servicing under NR 113.
- 2.17 "MAY" shall mean permissible.
- 2.18 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 inadvertently enter the sewerage system.

- 2.19 NATURAL OUTLET shall mean any outlet, including storm sewers, into a water course, pond, ditch, lake or other body of surface water or groundwater.
- 2.20 OIL INTERCEPTOR shall mean a devise designed to intercept and retain oil, lubricating grease or similar materials and which is accessible for periodic removal of contents.
- 2.21 PARTS PER MILLION 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.
- 2.22 PERSON shall mean any and all users, including any individual, firm, company municipal or private corporations, association, society, institution, enterprise, government agency, or other entity. Also termed DISCHARGER.
- 2.23 pH shall mean the logarithm of the reciprocal of 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} .
- 2.24 PUBLIC SEWER shall mean any sewer provided by or subject to the jurisdiction of the Village of Hewitt. It shall also include sewers within or outside the corporate boundaries that serve one or more persons and ultimately discharge into the village sanitary sewer system, even though those sewers may not have been constructed with village funds.
- 2.25 SAND INTERCEPTOR means a receptacle designed to intercept and retain sand, grit, earth and other similar waste and which is accessible for periodic removal of the contents.
- 2.26 SANITARY SEWAGE shall mean a combination of liquid and water-carried wastes discharged from toilets and/or sanitary plumbing facilities, together with such ground, surface, and storm waters as may have inadvertently entered the sewerage system.
- 2.27 SANITARY SEWER shall mean a sewer that carries 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.
- 2.28 SEPTAGE shall mean the wastewater or contents of septic or holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, seepage trenches, privies or portable restrooms.
- 2.29 SEWAGE is the spent water of a community. The preferred term is "municipal wastewater".
- 2.30 SEWER SERVE AREAS are the areas presently served and anticipated to be served by a municipal wastewater collection system.

- 2.31 SEWER SERVICE CHARGE is a service charge levied on users of the wastewater collection and treatment facilities for payment of use-related capital expenses as well as the operation and maintenance costs, including replacement of said facilities.
- 2.32 SEWER SYSTEM means the common sanitary sewers within a sewerage system which are primarily installed to receive wastewaters directly from individual structures or from private property, and which include service connection "Y" fittings designed from 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/or owned and maintained by the village.
- 2.33 SEWERAGE SYSTEM means all structures, conduits and pipes, by which wastewater is collected, treated, and disposed of. Does not include plumbing inside buildings served, and service pipes from building to the village's sanitary sewer.
- 2.34 "SHALL" shall mean mandatory.
- 2.35 SLUG LOAD shall mean any substance released at a discharge rate and/or concentration which causes interference to wastewater treatment processes, plugging or surcharging of the sewer system.
- 2.36 *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 Pollution Control Federation.
- 2.37 STORM DRAIN (sometimes termed "storm sewer") shall mean drain or sewer used to convey surface water, groundwater, subsurface water or unpolluted water from any source, to natural outlets.
- 2.38 STORM WATER RUNOFF shall mean that portion of the rainfall that is collected and drained into the storm sewers.
- 2.39 SUSPENDED SOLIDS shall mean solids that either float on the surface of, or are suspended in water, wastewater, septage, or other liquids, and that are removable by laboratory filtering as prescribed in "*Standard Methods*" and are referred to as nonfilterable residue.

- 2.40 WASTEWATER FACILITIES shall mean the structures, equipment and processes required to collect, carry away, store, and treat domestic, industrial waste and septage; and dispose of the effluent and sludge.
- 2.41 WASTEWATER TREATMENT WORKS shall mean an arrangement of devices and structures for treating wastewater, septage, industrial waste, and sludge. Sometimes used as synonymous with waste treatment.
- 2.42 WATERCOURSE shall mean a natural or artificial channel for the passage of water, either continuously or intermittently.
- 2.43 WPDES PERMIT shall mean the Wisconsin Pollutant Discharge Elimination System Permit issued by the Wisconsin DNR for the Hewitt wastewater treatment facilities.

ARTICLE III

MANAGEMENT, OPERATION AND CONTROL

- 3.01 The management, operation, and control of the sewer system for the Village of Hewitt is vested in the village; all records, minutes and all written proceedings thereof shall be kept by the Clerk; the Treasurer shall keep all the financial records.
- 3.02 **CONSTRUCTION.** The village shall have the power to construct sewer lines for public use, and shall have the power to lay sewer pipes in and through the alleys, streets, and public grounds of the village; and generally, to do all such work as may be found necessary or convenient in the management of the sewer system. The village shall have power by themselves, their officers, agents, and servants, to enter upon any land for the purpose of making an examination and/or to supervise in the performance of their duties under this ordinance, without liability thereof; and the village shall have power to purchase and acquire for the village all real and personal property which may be necessary for construction of the sewer system, or for any repair, remodeling, or additions thereto.
- 3.03 **MAINTENANCE OF SERVICES.** The Private Property Owner shall maintain sewer service from the property line to the house and including all controls between the same, without expense to the village, except when they are damaged as a result of negligence or carelessness on the part of the village. All sewer services must be maintained free of defective conditions, by and at the expense of the Owner or occupant of the property. When any sewer service is to be relayed and there are two or more buildings on such service, each building shall be disconnected from such service and a new sewer service shall be installed for each building.
- 3.04 **CONDEMNATION OF REAL ESTATE.** Whenever any real estate or any easement therein, or use thereof, shall in the judgement of the village be necessary to the sewer system, and whenever, for any cause, an agreement for the purchase thereof, cannot be made with the Owner thereof, the village shall proceed with all necessary steps to take such real estate easement, or use by condemnation in accordance with the Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if Federal Funds are used.
- 3.05 **TITLE TO THE REAL ESTATE AND PERSONALITY.** All property, real, personal, and mixed, acquired for the construction of the sewer system, and all plans, specifications, diagrams, papers, books and records connected therewith said sewer system, and all buildings, machinery, and fixtures pertaining thereto, shall be the property of the village.

ARTICLE IV

USER RULES AND REGULATIONS

- 4.01 GENERAL. The rules, regulations, and sewer rates of the Village of Hewitt hereinafter set forth shall be considered a part of the contract with every person, company or corporation who is connected to or uses the village sewer system or wastewater treatment facility shall be considered as expressing their consent to be bound thereby. Therefore, if any of said rules and regulations, or such others as the village may hereafter adopt, are violated, the use or service shall be shut off from the building or place of such violation (even though two or more parties are receiving service through the same connection) and shall not be re-established except by order of the village and on payment of all arrears, the expenses and established charges of shutting off and putting on, and such other terms as the village may determine, and a satisfactory understanding with the party that no further cause for complaint shall arise. In case of such violation, the village, furthermore, may declare any payment made for the service by the party or parties committing such violation, to be forfeited. The right is reserved to the village to change these said rules, regulations, and sewer rates from time to time as they may deem advisable; and make special rates and contracts in all proper cases.

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

- 4.02 PLUMBERS. No plumber, pipe fitter, or other person will be permitted to do any plumbing or pipe fitting work in connection with the sewer system without first receiving a license from the State of Wisconsin and obtaining permission from the village. All service connections to the sewer main shall comply with State plumbing code.
- 4.03 USERS
- A. MANDATORY HOOK-UP. Owners of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes within the area served by the village sewers are required to be hooked-up to service.
 - B. Owners of all premises described above shall be required to install at his/her expense, suitable and operable toilet facilities therein, and have such facilities connected to the municipal sewage system.
 - C. The Owner shall be responsible for the installation, connection, and maintenance at his/her own expense from the property line, to his/her premises; except when sewers cross the owner's property, the installation and maintenance responsibility shall be from the public sewer to the premises. The installation and maintenance

of a private sewer shall be in compliance with local codes and the codes of the Wisconsin State Board of Health, Division of Plumbing and Related Services performed by persons authorized to make connections under the supervision of the Sanitary Utility of the Village of Hewitt.

- D. EXEMPTIONS: Village Shelter House, Present Village Recreational Grounds; and Town of Marshfield Garage.
- E. This ordinance ordains that the failure to connect to the sewer system is contrary to the minimum health standards of the village and fails to assure preservation of public health, comfort, and safety of the village.

4.04 SEPTIC TANK PROHIBITED. The maintenance and use of septic tanks, holding tanks and other private sewage disposal systems within the area of the village serviced by its sewer system are hereby declared to be a public nuisance and health hazard and shall be prohibited.

4.05 APPLICATION FOR SEWER SERVICE.

- A. RESIDENTIAL. Application for installation of service lines shall be made by notifying the Certified Operator or the Village of Hewitt Board. The application should be written and shall include:
 - 1. Name of the property owner and/or developer.
 - 2. A general and/or legal description of the property to be served.

The following requirements are to be complied with before service will be granted for a new home:

- 1. Materials Cast Iron - Greased "O" Rings
 PVC - requires PVC cement or "O" Rings
 Laterals - 4 inch minimum diameter
- 2. Inspection An on-site hook-up to sewer lateral must be observed by the Village of Hewitt authorized inspector (authorized individual will be listed on the Hewitt Zoning Permit issued by Zoning Inspector).

- B. **COMMERCIAL - INDUSTRIAL.** An application for installation of service lines shall be made by notifying the Certified Operator of the Utility or the Village of Hewitt Board. The application should be written and shall include, in addition to the above items listed for residential, the following:
1. Estimated volume of wastewater.
 2. Variation in rates of discharge.
 3. Characteristics and strengths of waste.

4.06 **APPLICATION FOR SEPTAGE DISPOSAL.**

- A. Between August 1 and September 1 of each year every licensed disposer wishing to discharge septage to the village sewerage system shall file a non-refundable filing fee and an application in writing to the village on such a form as is prescribed for that purpose. During the months July and August, forms for such application will be furnished at the office of the clerk. The application must state fully and truly the type, frequency, quantity, quality and location of generated septage to be disposed in the village sewage system.
- B. During the month of September, the village will evaluate the applications and make a determination as to the amount and conditions of septage disposal in the village sewerage system. The village 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)(h)).
- C. All village approvals for septage disposal shall have the conditions that at 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.

4.07 NEW SEWER INSTALLATION. All sewer construction within the Village of Hewitt shall be done under the direct supervision and approval of the Village Board.

- A. COSTS. The full cost of such sewer construction shall be paid by the subdivider. If the subdivider has sold the lot to individuals, then the cost will be paid by the individual property owner. Such cost will be assessed to the property owner by the village upon completion of such construction. The assessment to the subdivider or property owner shall be for actual cost plus interest if made on time payments. The interest rate to be the prevailing rate at the time.
- B. The subdivider may at his option elect to install such sewer him/herself under the direct supervision of the Village Board.
- C. An agreement must be made between the parties concerning payment of the cost of installation of sewer. The Village Board may in these cases waive the normal hook-up charges to help defray the sewer installation costs. All laterals shall be installed at the time of the initial sewer installation and the installation must be inspected by the Village Board authorized inspector using the following criteria:
 - 1. Inspection of subdivider's specifications, visual inspection making sure all connections are secure and grade is appropriate for proper drainage.
 - 2. Main pipe size - 8" minimum diameter.
 - 3. Laterals - 4" minimum diameter.

4.08 PENALTIES

- A. Failure to comply with sewer inspection requirements will result in the property owner re-excavating the hook-up and lateral at the property owner's expense, to allow the village to inspect.
- B. Failure to hook-up within 30 days after occupancy will result in \$25.00/day fine (which may be assessed to property owner's tax role).
- C. Failure to meet any sections of this ordinance may necessitate the Village of Hewitt Board to levy payment of fees to the property owner's tax roll.

4.09 TAP PERMITS. After sewer connections have been introduced into any building or upon any premises, no plumber shall make any alterations, extensions, or attachments, unless the party ordering such tapping or other work exhibits the property permit for the same from the village.

- 4.10 **BACKFLOW PREVENTOR.** All floor drains should have a backflow prevention valve installed at the owner's expense.
- 4.11 **USER USE ONLY.** No user shall allow other persons or other services to connect to the sewer system through their lateral without the approval of the village.
- 4.12 **VACATING OF PREMISES AND DISCONTINUANCE OF SERVICE.** Whenever premises served by the system are to be vacated, or whenever any person desires to discontinue service from the system; the village must be notified in writing. The abandoned sewer laterals shall be disconnected from the sewer system and appropriately plugged, under the supervision of the Village's designated personnel.
- 4.13 **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 ordinance and Section 196.171, Wisconsin Statutes.
- 4.14 **UTILITY RESPONSIBILITY.** It is expressly stipulated that no claim shall be made against the village or acting representative by reason of the breaking, clogging, stoppage, or freezing of any service pipes; nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary. The right is hereby reserved to cut off the service at any time for the purpose of repairs or any other necessary purpose, any permit granted or regulations to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer within any area of the village, the village shall, if practicable, give notice to each and every consumer within the affected area, of the time when such service will be shut off.
- 4.15 **THE STATUTORY PROVISIONS.** The Statutory Provisions describing and defining regulations with respect to the Chapter 144, Water, Sewage, Refuse, Mining and Air Pollution of the Wisconsin Statutes are hereby adopted and by reference made a part of this ordinance as if fully set forth herein.

144.01	Definitions
144.02	Sanitary Survey
144.025	Department of Natural Resources; Water Resources
144.03	Visitorial Powers of Department
144.04	Approval of Plans
144.045	Garbage and Refuse Disposal
144.05	Sewage Drains; Sewage Discharge into Certain Lakes
144.06	House Connections

144.08	Disposal of Septage in Municipal Sewage System
144.09	Enforcement
144.14	Non-biodegradable Detergents; Sale Prohibited
144.15	Mercury discharge into Waters
144.21	Financial Assistance Program
144.23	Financial Assistance Program; Sewage System
144.235	Financial Assistance Program; Local Water Quality Planning
144.24	Financial Assistance Program; Point Source Pollution Abatement
144.242	Financial Assistance Program; Combined Sewer Overflow Abatement
144.245	Individual Septic Tank Replacement or Rehabilitation
144.25	Financial Assistance; Non-Point Source Water Pollution Abatement
	Chapter 145 Wisconsin Statutes; State Plumbing Code DILHR 82

4.16 EXCAVATIONS

- A. In making excavations in streets or highways for laying a sewer lateral or making repairs, the paving and the earth removed must be deposited in a manner that will result in the least inconvenience to the public .
- B. No person shall leave any such excavation made in any street or highway open at any time without barricades; and during the night, warning lights must be maintained at such excavations.
- C. In refilling the opening, after the sewer laterals are laid, the earth must be laid in layers of not more than nine inches in depth, and each layer thoroughly compacted to prevent settling. This work together with the replacing of sidewalks, street surfaces and landscape work must be done so as to make the restored areas as good as before it was disturbed, and satisfactory to the village. No opening of the streets for tapping of the sewer main will be permitted when the ground is frozen.
- D. Any excavation expense shall be the responsibility of the property owner or subdivider.

4.17 TAPPING THE MAINS.

- A. No persons, except those having special permission from the village or persons in their service and approved by them, will be permitted, under any circumstances to tap the sewer mains. The kind and size of the connection with the pipe shall be that specified in the permits or order from the village to ensure that new sewers and connections to the sewer system are properly designed and constructed.

- B. Pipes should also be tapped on top, and not within six inches (15cm) of a joint, or within 24 inches (60 cm) of another lateral connection. All lateral connections to mains must comply with State plumbing code. Lateral connections to existing sewers shall be made with saddles and by coring the existing sewer or by inserting (cutting-in) a wye or tee into the existing sewer. The wye or tee shall be of the same pipe materials as the existing sewer. The lateral/tee connection shall be made with approved adapters or couplings.

4.18 INSTALLATION OF HOUSE LATERALS

- A. All service pipes (laterals) on private property will be installed in accordance with State of Wisconsin Administrative Code Chapter DILHR 82 "Design, Construction, Installation, Supervision, and Inspections of Plumbing", especially, Section ILHR 82.04, "Building Sewers".

As required by Section ILHR 82.04(5), all laterals shall be inspected: "The building sewer and/or private interceptor main sewer shall be inspected upon completion of placement of the pipe and before backfilling and tested before or after backfilling". Inspection shall be made in accordance with Section 4.05.

4.19 SEPTAGE ACCEPTANCE LOCATION.

- A. Septage shall only be discharged to the village sewerage system by village approved and State of Wisconsin licensed disposers and at locations, times, and conditions, as specified by the village.
- B. Septage discharged to specified manholes may, under special circumstances, be allowed, provided discharge rates are restricted as necessary to facilitate mixing, prevent a backup in the receiving sewer and prevent a slug load to the wastewater treatment facility. Discharges may be limited to the normal working hours of the village and require written documentation of the discharge to be submitted to the village.
- C. Septage discharges to the village septage holding facility at the wastewater treatment facility may be limited to the posted normal working hours of the facility. As with discharges to a manhole, documentation of the discharge shall be submitted to the village within one week of the discharge to the village septage holding facility.

D. Forms are prescribed for the purpose of documentation of the discharge will be furnished at the time septage disposal permits are issued by the village (See Section 4.06) and will include the following information:

1. Name, Address and Telephone Number of the Hauler.
2. License Number.
3. Type of Septage.
4. Quantity of Septage.
5. Estimated Quality of Septage.
6. Location, Date, Time, and Feed Rate of Discharge to the Sewage System.
7. Source of Septage.
8. Name and Address of Septage Generator.
9. Other Information as Required by the Village.

4.20 ADDITIONAL AUTHORITY. The village 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 has made an extension and the village has failed to provide lateral or connection charges. It is further provided that the village may amend or alter any connection or lateral charge after its establishment under the terms of this ordinance or previous ordinances or resolutions.

ARTICLE V

REGULATIONS

5.01 GENERAL DISCHARGE PROHIBITIONS. No person shall contribute or cause to be discharged, directly or indirectly, any of the following described substances into the wastewater treatment facility or otherwise to the facilities of the village:

- A. Any liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction to cause fire or explosion or injurious in any other way to the operation of the Village of Hewitt wastewater facilities or wastewater treatment works.
- B. Solid or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater system.
- C. Any wastewater having a pH less than 5.0 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
- D. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction to injure or interfere with any wastewater treatment process, constitute a harm to humans or animals, or to exceed the limitation set forth in State or Federal Categorical Pretreatment Standards.

A toxic pollutant shall include but is not limited to any pollutant identified in the toxic Pollutant List set forth in NR 215 of the Wisconsin Administrative Code.
- E. Any noxious or malodorous liquids, gases, or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewer for maintenance and repair.
- F. Any substance which may cause the treated effluent or treatment residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
- G. Any substance which will cause the Village of Hewitt to violate its WPDES and/or other Disposal System Permits.
- H. Any substance with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.

- I. Any wastewater having a temperature which will inhibit biological activity in the wastewater treatment works resulting in interference; but in no case, wastewater with a temperature at the introduction into the sewer system which exceeds 40°C (104°F).
- J. Any slug load, which shall mean any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a single extraordinary discharge episode of such volume or strength as to cause interference to the sewer system or treatment works.
- K. Any unpolluted water including, but not limited to non-contact cooling water.
- L. Any wastewater containing any radioactive wastes or isotopes of such half life or concentration as to exceed limits established by the village in compliance with applicable State or Federal regulations.
- M. Any wastewater which causes a hazard to human life or creates a public nuisance.
- N. Any storm water, surface water, groundwater, roof run-off or surface drainage or any other connections from inflow sources to the sanitary sewer. Such waters may be discharged to a storm sewer or other waterway with permission of the village.
- O. Any water or waste containing fats, wax, grease or oils, emulsified or not, in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 0°C (32°F) and 40°C (104°F).

5.02 LIMITATIONS ON WASTEWATER STRENGTH

- A. NATIONAL CATEGORICAL PRETREATMENT STANDARDS as promulgated by the U.S. Environmental Protection Agency shall be met by all Dischargers of the regulated industrial categories.
- B. STATE REQUIREMENTS and limitations on discharges to the treatment works shall be met by all persons which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this or any other applicable ordinance.

5.03 RIGHT OF REVISION. The village reserves the right to amend this ordinance to provide for more stringent limitations or requirements on discharges to the treatment works where deemed necessary to comply with the objectives set forth in this ordinance.

5.04 DILUTION. No person 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.

5.05 ACCIDENTAL DISCHARGES

- A. Each person shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this ordinance. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the discharger's cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the village 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 discharger from the responsibility to modify its facility as necessary to meet the requirements of this ordinance.
- B. Discharges 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 person who discharges a slug load of prohibited materials shall be liable for any expense, loss or damage to the Village of Hewitt wastewater facilities, in addition to the amount of any fines imposed on the village on account thereof under State and Federal law.
- C. Signs shall be permanently posted in conspicuous places on discharger's premises, advising employees of 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.

ARTICLE VI

SEWER USER CHARGE SYSTEM

- 6.01 DEFINITIONS. The following terms shall have the following meaning under this ordinance:
- A. DEBT SERVICE CHARGES shall include all costs associated with repayment of the debts incurred planning, design, construction and/or rehabilitation of wastewater collection system and treatment facility.
 - 1. DEBT TAX shall be that portion of the debt that will be repaid with monies collected from the Village's general property taxes.
 - 2. DEBT SERVICE CHARGE shall be that portion of the debt which will be repaid by sewer service charges, proportionally collected from the users of the sewer system.
 - B. NORMAL DOMESTIC STRENGTH WASTEWATER shall mean wastewater with concentrations of BOD₅ and suspended solid no greater than 200 milligrams per liter (mg/l).
 - C. NORMAL USER shall be a user whose contributions to the sewerage system consist only of normal domestic strength wastewater originating from a house, apartment, flat, or other living quarters occupied by a person or persons constituting a distinct household, business or commercial enterprise.
 - D. OPERATION AND MAINTENANCE COSTS shall include all costs associated with the operation and maintenance of the wastewater collection and treatment facilities. These costs shall be divided proportionately among the various sewer users.
 - E. REPLACEMENT COSTS shall include all costs necessary to accumulate the resources to replace equipment as required to maintain capacity and performance during the design life of the facility. A separate segregated distinct replacement fund shall be established and used only for replacement of equipment.
 - F. SEWER SERVICE CHARGE is a service charge levied on users of the sewerage system for payment of capital expenses as well as the operation and maintenance cost, including replacement of said facilities.

- 6.02 **POLICY.** It shall be the policy of the Village of Hewitt to obtain sufficient revenues to pay the costs of the operation and maintenance of the sewerage facilities, including a replacement fund (i.e. a cash account to be used for future expenditures for obtaining or installing equipment, accessories or appurtenances which are necessary to maintain the capacity and performance of the sewerage system during the service life for which such facilities were designed and constructed), and the designated debt service charges, through a system of sewer service charges as defined in this section. The system shall assure that each user of the sewage system pays their proportionate share of the cost of such facilities. The methodology for the user charge system is presented in this ordinance. The initial charge system calculations are shown in Appendix A of this ordinance. Future adjustments to the calculations in Appendix A shall be made by the Village as necessary to meet expenses, and adopted by Village Resolution 1982-2 which Established Sewer Rate Charges for the Hewitt Sanitary Utility.
- 6.03 **RATE REVIEW.** The sewer service charge shall be reviewed annually. Such review shall be performed by the village. Rates shall be adjusted, as required, to reflect actual number and size of users and actual costs. Users will be notified annually of the portion of service charges attributable to operation and maintenance. Rate adjustments shall be adopted by resolution.
- 6.04 **SEWER SERVICE CHARGES.** A sewer service charge is hereby imposed upon each lot, parcel of land, building, or premise served by the public sewer and wastewater facilities or otherwise discharging sewage, including industrial wastes, into the public sewerage system. Such sewer service charge shall be payable as hereinafter provided.
- 6.05 **USER CHARGE RATES METHODOLOGY.**
- A. **USER UNITS.** Normally sewer rates are based upon the volume of water used. In Hewitt, since there is no water utility with water meters, the sewer rates will be based on a system of "Unit Charge Equivalents" (UCE).

Definition: One Unit = One Residential Home = Three people/210 gallons per day. (200 MG/L BOD/S.S.)

<u>CLASS</u>	<u>USER CLASSIFICATION</u>	<u>UNIT VALUE</u>	<u># OF UCE</u> <u># OF USERS P E R</u>
	Single Residential	1 Unit	
	Dry Commercial/Institutional	1.5 Units	
	Wet Commercial	2.5 Units	
	Industrial	----	
		<u>TOTAL</u>	

B. **DEBT RETIREMENT. \$ OF DEBT TO USER CHARGE**
 Total Financed Project Cost = \$ (Total Debt)
 Subtract Debt Amount to General Taxation = \$ (Debt Tax Total)
 Resultant Debt to User Charge = \$ (Debt Service Charge Total)
 Calculate Yearly Debt Service Charge Amount
 (@ % for 20 years) = \$
 Total Yearly Debt Payment = \$

Divide yearly debt payment by the total UCE's to determine User Debt Charge/year.

C. **REPLACEMENT FUND.** A wastewater User Charge System must include costs associated with a replacement fund. The replacement fund is a separate fund established to pay the future costs "for obtaining and installing equipment, accessories or appurtenances which are necessary to maintain the capacity and performance of the sewage works during its service life". The method of determining the replacement costs is to utilize the installed cost of these facilities, excluding the cost for technical, legal, administrative and other fees since such costs will generally not be required when the item is replaced, and to assign a service life to such facilities in order to estimate when replacement will be required. A "sinking fund factor", at 5½%, is then utilized to determine the amount of money to be collected per year for replacement. It is anticipated that such funds will be invested by Hewitt in an interest bearing account until required for equipment replacement.

The Hewitt replacement fund is determined as follows:

<u>EQUIPMENT ITEM</u>	<u>COST</u>	<u>SERVICE LIFE</u>	<u>SINKING FUND FACTOR 5½%</u>	<u>ANNUAL COST</u>
Pumps/Motor Units	\$	20 Year	0.02868	\$
Oxidation Ditch/ Aeration Units		20 Year	0.02868	\$
Generator		20 Year	0.02868	\$
Flowmeter		15 Year	0.04463	\$
Samplers		15 Year	0.04463	\$
Barscreen Unit		20 Year	0.02868	\$
TOTAL ANNUAL REPLACEMENT FUND				\$

- D. OPERATION AND MAINTENANCE USER CHARGE. Determine O&M User Charge by dividing yearly O&M expenses plus yearly replacement fund expense by the total number of UCE's.

<u>CATEGORY</u>	<u>ESTIMATED ANNUAL COST</u>
Labor	\$ _____
Maintenance/Repairs	
Electrical	
Transportation	
Sludge Disposal	
Administration	
DNR Fee	
Laboratory Tests	
Replacement Fund	_____
TOTAL ANNUAL O&M	\$ _____

$$\text{O\&M User Charge} = \text{Annual Cost} \div \text{Total UCE}$$

- E. SUMMARY. Determine Total User Charge Rate by adding debt charge plus O&M Charge.

6.06 SEPTAGE USER CHARGE

- A. GENERAL. Determine the estimated yearly Flow/BOD/S.S. loadings received. Determine the Flow/BOD/S.S. distribution of the yearly equipment replacement and O&M costs. Use these factors to determine Flow/BOD/S.S. charge rates. Use average septic tank and holding tank BOD and S.S. concentrations to establish corresponding user charges.
- B. FLOW/BOD/S.S. LOADINGS. Determine loading from previous year's plant records.

$$\begin{aligned} \text{Flow} &= \text{_____} \times 365 \text{ days/year} = \text{_____} \text{ gallons/year} \\ \text{BOD} &= \text{Flow} \times \text{_____mg/l} \times 8.34 = \text{_____} \text{ pounds/year} \\ \text{S.S.} &= \text{Flow} \times \text{_____mg/l} \times 8.34 = \text{_____} \text{ pounds/year} \end{aligned}$$

C. COST DISTRIBUTION AND UNIT RATES. Divide costs on a Flow/BOD/S.S. basis as follows:

ITEM	COST	FLOW		BOD		S.S.	
		%	COST	%	COST	%	COST
Labor		40		30		30	
Maintenance/Repairs		40		30		30	
Electrical		30		50		20	
Transportation		30		40		30	
Sludge Disposal		10		40		50	
Administration		33		34		33	
DNR Fee		33		34		33	
Laboratory		0		50		50	
Replacement Fund		33		34		33	
TOTAL							

Flow Rate = Flow \$\$ ÷ gallons/year = \$ _____/1,000 gallons.

BOD Rate = BOD \$\$ ÷ pounds/year = \$ _____/pounds BOD.

S.S. Rate = S.S. \$\$ ÷ pounds/year = \$ _____/pounds S.S.

D. SEPTIC TANK DISPOSAL RATE. Septic tank wastes are estimated as follows:

Volume = 1,000 gallons

BOD = 8,000 mg/l = 66.7 pounds/1,000 gallons

S.S. = 12,000 mg/l = 100 pounds/1,000 gallons

Flow Charges = 1,000 gal x \$ _____/1,000 gal = \$ _____/1,000 gal

BOD Charges = 66.7 lb/1,000 gal x \$ _____/lb = \$ _____/1,000 gal

S.S. Charges = 100 lb/1,000 gal x \$ _____/lb = \$ _____/1,000 gal

Total Charge = _____ = \$ _____

E. HOLDING TANK DISPOSAL RATE. Holding tank wastes are estimated as follows:

Volume = 1,000 gallons
BOD = 750 mg/l = 6.26 pounds/1,000 gallons
S.S. = 750 mg/l = 6.26 pounds/1,000 gallons

Flow Charges = 1,000 gal x \$_____/1,000 gal = \$_____/1,000 gal
BOD Charges = 6.26 lb x \$_____/lb BOD = \$_____/1,000 gal
S.S. Charges = 6.26 lb x \$_____/lb S.S. = \$_____/1,000 gal

Total Charge = _____ = \$_____

6.07 REASSIGNMENT OF SEWER USERS. The village will reassign sewer users into appropriate Sewer Service Charge categories if wastewater sampling programs and other related information indicate a change of categories is necessary.

ARTICLE VII

CONTROL OF COMMERCIAL, INDUSTRIAL AND SEPTAGE WASTES

- 7.01 **COMMERCIAL AND INDUSTRIAL DISCHARGES.** If any waters, wastes or septage are discharged, or proposed to be discharged to the sewerage system contain substances or possess the characteristics enumerated in Article V and which, in the judgement of the village may be detrimental to the sewerage system, the village may:
- A. Reject the wastes.
 - B. Require pretreatment to an acceptable condition for discharge to the sewerage system.
 - C. Require a control over the quantities and rates of discharge.
 - D. Require payment to cover the added cost of handling and treating the waste not covered by existing taxes or sewer charges under the provisions of this ordinance.
- 7.02 **CONTROL MANHOLES.**
- A. Each person discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement, and sampling of their waste, including domestic sewage.
 - B. 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.
 - C. 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.
- 7.03 **METERING OF WASTE.** Devices for measuring the volume of waste discharged will be required by the village. Metering devices for determining the volume of water shall be installed, owned, and maintained by the person discharging the wastewater. Following approval and installation, such meters may not be removed without the consent of the village.

7.04 WASTE SAMPLING.

- A. Industrial wastes and septage discharge into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said waste at least weekly. The determinations shall be required by the village.
- B. Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the village. A minimum of at least weekly sampling shall be necessary to determine sewer service charges.
- C. Testing facilities shall be the responsibility of the person discharging the waste or septage and shall be subject to the approval of the village or its duly authorized representatives at all items. Every care shall be exercised in the collection of samples to ensure their preservation in a state comparable to that at the time the sample was taken.

7.05 PRETREATMENT. When required, in the opinion of the village, to modify or eliminate waste that is harmful to the structures, processes, or operation of the sewerage system, 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 village sewers.

7.06 GREASE, OIL AND SAND INTERCEPTORS.

- A. Grease, oil, and sand interceptors (including catch basins) are required to remove said materials from the wastewaters of all applicable commercial and industrial users.
- B. Interceptors will be designed in accordance with DILHR requirements and must be approved by the Village prior to construction. Interceptors must be located to provide ease of access for cleaning and inspection, preferably in an exterior location. Said location must provide unlimited access to the interceptor.
- C. The user shall be responsible for the proper and timely removal and disposal of the captured material. The user and the Village will agree on a routine cleaning schedule with which the user will be required to comply. The cleaning schedule is subject to revision and in no way relieves the user of the responsibility to maintain a clean, functioning interceptor. The user shall maintain records (for each interceptor) of the dates, volume of material and means of disposal which are subject to review by the Village. In addition, the interceptor must be cleaned and inspected at least once per year by a licensed disposal professional or in the presence of an authorized Village representative. A report detailing the results of

the inspection must be submitted to the Village within ten days of the inspection. Any removal and hauling of the collected materials not performed by the discharger(s) personnel, must be performed by currently licensed disposal firms.

- D. The costs for design, furnishing, installation, maintenance, cleaning, inspection and material disposal will be paid by the person discharging the wastewater.
- E. Upon inspection of a grease, oil, or sand interceptor by authorized Village representatives, said interceptor is found to be dysfunctional (where the interceptor is not removing grease, oil, sand or other specified materials which would have been removed by a properly operating interceptor) resulting from user neglect, and is now contributing said objectionable materials to the sewerage system, the Village will immediately clean and /or repair the interceptor with associated costs billed directly to the discharger. In addition, if downstream components of the sewerage system or wastewater treatment facility have been adversely affected by said negligence, such components will be immediately cleaned and/or repaired with the associated costs billed directly to the discharger. Neglect of interceptors (failure to clean) is a violation of this ordinance.

7.07 ANALYSES.

- A. All measurements, tests, and analyses of the characteristics of water, waste and septage to which reference is made in the ordinances shall be determined in accordance with the latest edition of *"Standard Methods for the Examination of Water and Wastewater"*, published by the American Public Health Association and *"Guidelines Establishing Test Procedures for Analysis of Pollutants,"* (1978 40 CFR 136). Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis subject to approval by the village.
- B. Determination of the character and concentration of the industrial waste 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.

7.08 SUBMISSION OF INFORMATION. Plans, specifications, and any other pertinent information relating to proposed flow equalization, pretreatment, or processing facilities shall be submitted for review to the village prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

ARTICLE VIII

PAYMENT FOR CHARGES

- 8.01 **PAYMENT AND PENALTY.** The sewerage charge shall be billed at least quarterly and shall be payable to the village no later than 15 days after the end of each period. A penalty of 1.5 percent per month shall be added to all bills not paid by the date fixed for final payment.
- 8.02 **CHARGES A LIEN.** All sewage charges shall be a lien upon the property serviced pursuant to Section 66.076(7), Wisconsin Statutes, and shall be collected in the manner therein provided.
- 8.03 **DISPOSITION OF REVENUE.** The amounts received from the collection of charges authorized by this ordinance shall be credited to a sanitary sewerage account which shall show all receipts and expenditures of the sewerage system. 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, the credits to the sanitary sewerage account shall be available for the payment of the requirements for operation, maintenance, repairs, and depreciation of the sewerage system consistent with Wisconsin Administrative Code, NR-162. Any surplus outside the preview of Wisconsin Administrative Code, NR-162 in said account, shall be available for the payment issued, to provide funds for said sewerage system, or part thereof, and all or a part of the expenses for additions and improvements and the necessary disbursements or indebtedness, and the village may resolve to pledge each surplus or any part thereof for any such purpose. All present outstanding sewer system general obligation bonds, including the refunding bonds, shall be paid from this fund as to both principal and interest.
- 8.04 **ADDITIONAL CHARGES.** Additional charges shall be imposed upon each lot, parcel of land, building, or premises served by public sewer and wastewater facilities located outside the boundaries of the village to equalize local capital costs. Such additional charges shall result in a minimum charge for each user according to the schedule for debt repayment from utility revenues. Such additional charges shall be added to the sewer bill for each billing period.
- 8.05 **EXCESS REVENUES.** Excess revenues collected from user class will be applied to operation and maintenance costs attributable to that class for the next year.

ARTICLE IX

AUDIT

- 9.01. **ANNUAL AUDIT.** The village shall have conducted an annual audit, the purpose of which shall be to maintain the proportionately between users and user classes of the user charge system and to ensure that adequate revenues are available relative to increasing operation, maintenance and replacement costs and debt retirement. The findings and recommendations of this audit shall be published.

ARTICLE X

VIOLATIONS AND PENALTIES

- 10.01 **DAMAGES.** No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, pertinence or equipment which is a part of the sewerage system. Any person violating this provision shall be subject to immediate arrest under the charge of disorderly conduct.
- 10.02 **WRITTEN NOTICE OF VIOLATION.** Any person connected to the sewerage system found to be violating a provision of this ordinance shall be served by the village with a written notice stating the nature of the violation and providing a reasonable amount of time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- Any licensed disposer discharging to the sewerage system, found to be violating a provision of this ordinance or of any conditions of the village approval for septage disposal, may have their approval immediately revoked. This revocation shall be done in writing by stating the reasons for revoking the septage disposal approval.
- 10.03 **ACCIDENTAL DISCHARGE.** Any person found to be responsible for accidentally allowing a deleterious discharge into the sewerage system which cause damage to the sewerage system and /or receiving water body shall, in addition to a fine, pay the amount to cover all damages, both of which will be established by the village. See Section 5.05.
- 10.04 **CONTINUED VIOLATIONS.** Any person, partnership, or corporation, or any officer, agent, or employee thereof, who shall continue any violation beyond the notice time limit provided shall, upon conviction thereof, forfeit not less than one hundred dollars, (\$100.00), 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 days. Each day in which any violation is continued beyond the aforesaid notice time limit shall be deemed a separate offense.
- 10.05 **LIABILITY TO VILLAGE FOR LOSSES.** Any person violating any provision of this ordinance shall become liable to the village for any expense, loss, or damage occasioned by reason of such violation which the village may suffer as a result thereof.
- 10.06 **DAMAGE RECOVERY.** The system shall have the right of recovery from all persons, any expense incurred for the repair or replacement of any part of the sewerage system damaged in any manner by any person by the performance of any work under their control, or by any negligent acts.

- 10.07 PENALTIES. Any person who shall violate any of the provision of this ordinance or rules or regulations of the village or who shall connect a service pipe or discharge without first having obtained a permit thereof; or who shall violate any provisions of the Wisconsin Statutes, Wisconsin Administrative Code, or any other materials which are incorporated by reference, shall upon conviction therefore forfeit not less than \$50.00 nor more than \$500.00 and the cost of prosecution. This, however, shall not bar the village from enforcing the connection duties set for mandatory hook-up.
- 10.08 APPEAL PROCEDURES. Any person, affected by any decision, action, or determination, including cease and desist orders, made by the interpreting or implementing provisions of this ordinance may file with the village a written request for reconsideration within ten (10) days of the date of such decision, action, or determination, setting forth in detail the facts supporting the request for reconsideration. The village upon receiving the request for reconsideration shall publish the request in the official newspaper. The village shall render a decision on the request for reconsideration to the user in writing within fifteen (15) days of receipt of request. If the ruling on the request for reconsideration made by the village is unsatisfactory, the person requesting reconsideration may, within ten (10) days after notification of the action, file a written appeal with the courts.

ARTICLE XI

VALIDITY

- 11.01 **REPEAL OF CONFLICTING ORDINANCES.** All ordinances, resolution, orders or parts thereof adopted, enacted or entered into, which conflict with this ordinance shall be and the same are hereby repealed.
- 11.02 **SAVINGS CLAUSE.** If any provision of this ordinance is found invalid or unconstitutional or if the application of this ordinance 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 ordinance which can be given affect without the invalid or unconstitutional provision of application.
- 11.03 **AMENDMENTS.** The Village of Hewitt, through its duly qualified governing body, may amend this ordinance in part or in whole whenever it may deem necessary.

ARTICLE XII

EFFECTIVE DATE

This ordinance shall take effect and be in force from and after its passage, approval, and publication as provided by law.


Village President - Marlene Stueland

8-13-93
Date


Village Clerk - Robert Wunrow

8-13-93
Date

APPENDIX A

**VILLAGE OF HEWITT
INITIAL
USER CHARGE RATES
CALCULATIONS**

ESTIMATED USER CHARGE RATES

Use the estimated construction costs and estimated operation and maintenance costs to determine a Preliminary User Charge Rate for the project. Determine rate for the project as follows:

- A. **USER UNITS.** Normally sewer rates are based upon the volume of water used. In Hewitt, since there is no water utility with water meters, the sewer rates will be based on a system of "Unit Charge Equivalents" (UCE).

Definition: One Unit = One Residential Home = Three people/210 gallons per day. (200 MG/L BOD/S.S.) (Average of 50,000 gallons per household per year.)

The following table summarizes the Hewitt system of Unit Charge Equivalents.

<u>USER CLASSIFICATION</u>	<u>VALUE</u>	<u>USERS</u>	<u># OF UCE PER CLASS</u>
Single Residential	1 Unit	214	214
Dry Commercial/Institutional	1.5 Units	9	13.5
Wet Commercial	2.5 Units	2	5
Industrial	----	<u>0</u>	<u>0</u>
	<u>TOTAL</u>	<u>225</u>	<u>232.5</u>

- B. **DEBT RETIREMENT.**

Calculate debt retirement of \$943,180 to User Charge, and \$578,000 to taxes. Use 3.882% interest rate (Clean Water Fund Assistance).

\$943,180 OF DEBT TO USER CHARGE

Total Financed Project Cost = \$1,521,180 (Total Debt)
 Subtract Debt Amount to General Taxation = \$ 578,000 (Debt Tax Total)

Resultant Debt to User Charge = \$ 943,180 (Debt Service Charge Total)

Calculate Yearly Debt Service Charge Amount
 (@ 3.882% for 20 years) = \$943,180 x 0.07282
 Total Yearly Debt Payment = \$ 68,682.37/year

Divide yearly debt payment by the total UCE's to determine User Debt Service Charge/year.

User Debt Charge = \$68,682.37 ÷ 232.5 UCE = \$295.41/UCE/YR
 User Debt Charge = \$ 73.85/Quarter

C. **REPLACEMENT FUND.** A wastewater User Charge System must include costs associated with a replacement fund. The replacement fund is a separate fund established to pay the future costs "for obtaining and installing equipment, accessories or appurtenances which are necessary to maintain the capacity and performance (of the sewage works) during (its) service life". The method of determining the replacement costs is to utilize the installed cost of these facilities, excluding the cost for technical, legal, administrative and other fees since such costs will generally not be required when the item is replaced, and to assign a service life to such facilities in order to estimate when replacement will be required. A " sinking fund factor", at 5½%, is then utilized to determine the amount of money to be collected per year for replacement. It is anticipated that such funds will be invested by Hewitt in an interest bearing account until required for equipment replacement.

The Hewitt replacement fund is determined as follows:

<u>EQUIPMENT ITEM</u>	<u>COST</u>	<u>SERVICE LIFE</u>	<u>SINKING FUND FACTOR 5½%</u>	<u>ANNUAL COST</u>
Pumps/Motor Units	\$28,000	20 Year	0.02868	\$ 803.04
Oxidation Ditch				
Aeration Units	52,000	20 Year	0.02868	\$1,491.36
Generator	30,000	20 Year	0.02868	\$ 860.40
Flowmeter	6,000	15 Year	0.04463	\$ 267.78
Samplers	10,000	15 Year	0.04463	\$ 446.30
Barscreen Unit	10,000	20 Year	0.02868	<u>\$ 286.80</u>
TOTAL ANNUAL REPLACEMENT FUND				<u>\$4,155.68</u>

- D. OPERATION AND MAINTENANCE USER CHARGE. Determine O&M User Charge by dividing yearly O&M expenses plus yearly replacement fund expense by the total number of UCE's.

<u>CATEGORY</u>	<u>ESTIMATED ANNUAL COST</u>
Labor	\$ 18,280
Maintenance/Repairs	8,630
Electrical	14,560
Transportation	230
Sludge Disposal	1,250
Administration	4,770
DNR Fees	1,100
Laboratory Tests	7,240
Replacement Fund	<u>4,156</u>

TOTAL ANNUAL O&M\$ 60,216/YEAR

O&M User Charge = \$60,216.00 ÷ 232.5 UCE

O&M User Charge = \$258.99/Year

O&M User Charge = \$64.75/Quarter

- E. SUMMARY. Determine Total User Charge Rate as follows:

Debt Charge = \$ 73.85/QUARTER/UCE

O&M Charge = \$ 64.75/QUARTER/UCE

Total User Charge = \$138.60/QUARTER/UCE = \$46.20/MONTH

SEPTAGE USER CHARGE RATE

A. GENERAL. Determine the estimated yearly flow/BOD/S.S. loadings received. Determine the flow/BOD/S.S. distribution of the yearly equipment replacement and O&M costs. Use these factors to determine flow/BOD/S.S. charge rates. Use average septic tank and holding tank BOD and S.S. concentrations to establish corresponding user charges.

B. FLOW/BOD S.S. LOADINGS. Determine loading from previous year's plant records.

$$\begin{aligned} \text{Flow} &= 72,600 \times 365 \text{ days/year} = 26,499,000 \text{ gallons/year} \\ \text{BOD} &= \text{Flow} \times 178 \text{ mg/l} \times 8.34 = 39,338 \text{ pounds/year} \\ \text{S.S.} &= \text{Flow} \times 212 \text{ mg/l} \times 8.34 = 46,852 \text{ pounds/year} \end{aligned}$$

C. COST DISTRIBUTION AND UNIT RATES. Divide costs on a Flow/BOD/S.S. basis as follows:

ITEM	COST	FLOW		BOD		S.S.	
		%	COST	%	COST	%	COST
Labor	18,280	40	7,312.00	30	5,484.00	30	5,484.00
Maintenance/Repairs	8,630	40	3,452.00	30	2,589.00	30	2,589.00
Electrical	14,560	30	4,368.00	50	7,280.00	20	2,912.00
Transportation	230	30	69.00	40	92.00	30	69.00
Sludge Disposal	1,250	10	125.00	40	500.00	50	625.00
Administration	4,770	33	1,574.00	34	1,622.00	33	1,574.00
DNR Fee	1,100	33	363.00	34	374.00	33	363.00
Laboratory	7,240	0	0.00	50	3,620.00	50	3,620.00
Replacement Fund	4,156	33	1,371.00	34	1,414.00	33	1,371.00
TOTAL	60,216.00	30.9	18,634.00	38.2	22,975.00	30.9	18,607.00

$$\begin{aligned} \text{Flow Rate} &= 18,634 \div 26,499,000 \text{ gal/year} = \$0.71/1,000 \text{ gallons} \\ \text{BOD Rate} &= 22,975 \div 39,338 \text{ lbs/year} = \$0.58/\text{pounds BOD.} \\ \text{S.S. Rate} &= 18,607 \div 46,852 \text{ lbs/year} = \$0.38/\text{pounds S.S.} \end{aligned}$$

D. SEPTIC TANK DISPOSAL RATE. Septic tank wastes are estimated as follows:

Volume = 1,000 gallons
BOD = 8,000 mg/l = 66.7 pounds/1,000 gallons
S.S. = 12,000 mg/l = 100 pounds/1,000 gallons

Flow Charges = 1,000 gal x \$0.71/1,000 gal = \$ 0.71/1,000 gal
BOD Charges = 66.7 lb/1,000 gal x \$0.58/lb = \$38.69/1,000 gal
S.S. Charges = 100 lb/1,000 gal x \$0.38/lb = \$38.00/1,000 gal

Total Charge = = \$77.40/1,000 gal

E. HOLDING TANK DISPOSAL RATE. Holding tank wastes are estimated as follows:

Volume = 1,000 gallons
BOD = 750 mg/l = 6.26 pounds/1,000 gallons
S.S. = 750 mg/l = 6.26 pounds/1,000 gallons

Flow Charges = 1,000 gal x \$0.71/1,000 gal = \$ 0.71/1,000 gal
BOD Charges = 6.26 lb x \$0.58/lb BOD = \$ 3.63/1,000 gal
S.S. Charges = 6.26 lb x \$0.38/lb S.S. = \$ 2.38/1,000 gal

Total Charge = = \$ 6.72/1,000 gal