

VILLAGE OF WEYERHAEUSER
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RESOLUTION 2018-4

AMENDED SEWER USE ORDINANCE VILLAGE OF WEYERHAEUSER

ACKNOWLEDGEMENT

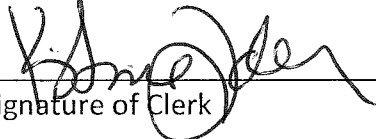


Signature of Chief Elected Official

July 11, 2018
Date Signed

Ervin Murray
Printed Name of Chief Elected Official

President
Title of Chief Elected Official



Signature of Clerk

July 11, 2018
Date Signed

Kristine Snyder
Printed Name of Clerk

Clerk
Title of Clerk

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PART A: AMENDED SEWER USE ORDINANCE

Notice. Any text defined herein by the color blue are subject to change without amendment.

SECTION 1. PURPOSE

The purpose of this Ordinance is to provide for the use of the Village of Weyerhaeuser owned and operated sewerage facilities, including the Wastewater Treatment Facility, without damage to the physical facilities, without impairment of their normal function of collection and treating wastewater from the service area and contributing customers, and without the discharge by the publicly-owned treatment works of pollutants which would be in violation of its permitted discharge under the applicable rules and regulations of the State and Federal regulatory agencies.

- A, Enactment of this Ordinance and its User Charge System shall take place following approval by the Village of Weyerhaeuser Board of Trustees.
- B, Authority: This Ordinance is adopted under the authority granted by Wis. Stats. ss 62.18, 62.185 and 66.0821.

SECTION 2. DEFINITIONS

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

- A, Administration Costs shall include all costs related to the cost of billing, collection administration of accounts and administration of the Sewer Utility.
- B, Approving Authority shall mean the Village of Weyerhaeuser Board of Trustees or their designated agent or staff. The Approving Authority, the Village of Weyerhaeuser, Dept. Public Works and the Utility are considered to be interchangeable terms.
- C, BOD (Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter, under standard laboratory procedure, in five days at 20 degrees Centigrade and expressed in milligrams per liter.
- D, Combined Sewer means a sewer intended to receive both wastewater and storm water or surface water.
- E, Commercial User means those users of the publicly owned treatment works, which deal primarily in the transfer of goods or services.
- F, Compatible Pollutants means those pollutants generally characterized as BOD, suspended solids, pH and fecal coliform, together with any additional pollutants defined in the Utilities WPDES Permit, unless the concentrations of any of these pollutants are such that they interfere with the operation of the treatment works or exceed the limits established under Section 7.
- G, Debt Service Charge means that charge to the users, which shall, in whole or in part, defray the costs of retiring the debts incurred in the construction or retrofitting of any wastewater facilities, components or appurtenances by the Utility. The debt service

charge will be based upon the water meter size serving the building. A debt service charge factor is assigned as follows:

<u>Meter Size</u>	<u>Charge Factor</u>
5/8"	1.000
3/4"	1.119
1"	1.490
1 1/2"	2.240
2"	2.720
2 1/2"	3.781
3"	4.480
4"	5.440
6"	8.960

The debt payment per meter size will be determined by multiplying the Charge Factor times the base charge:

$$\text{Base charge} = \frac{\text{Total debt payment}}{\text{Total number of charge factors for the Utility}}$$

- H, Domestic Wastewater means waterborne wastes normally being discharged from the sanitary conveniences of dwellings, apartment houses, hotels, office buildings, factories and institutions, free of industrial wastes in which the average concentration of Suspended Solids is established at or below 250 mg/l and the BOD is established at or below 250/mg/l.
- I, Flat Charge means the charge made to unmetered users for use of the treatment works.
- J, Holding Tank is a buried temporary storage reservoir, usually located adjacent to the structure it serves, which directly receives raw wastewater from a building's internal waste plumbing collection system. The waste contents are periodically removed by a septic tank pumper and transported elsewhere for treatment.
- K, Incompatible Pollutants are specifically defined in Section 7. Generally, incompatible pollutants shall mean wastewater or septage with pollutants that will adversely affect or disrupt the wastewater treatment processes or effluent quality if discharged to the wastewater treatment facility.
- L, Industrial Cost Recovery means recovery by the Utility from industrial users of a wastewater works of the grant amount allocable to the treatment of wastes from such users; pursuant to Section 204 (b) of the Federal Act; if and when applicable.
- M, Industrial User as Defined for Industrial Cost Recovery shall mean
 - A, Any non-governmental user of publicly owned treatment works which discharges more than 1,000 gallons per day of sanitary waste, or a volume of process waste, or combined process and sanitary waste, equivalent to 1,000 gallons per day of domestic strength sanitary waste. Sanitary wastes are the wastes discharged from the average residential user in the Utilities service area. The strength of the average residential waste in the Utilities service area shall be defined in terms of a concentration of 250-mg/l biochemical oxygen demand (BOD) and 250-mg/l suspended solids (SS). These

concentrations will be applied in determining equivalent volumes of process waste or combined discharge of sanitary and process wastes.

B, Any nongovernmental user of publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have any adverse effect on the waters receiving any discharge from the treatment works.

- N, Industrial User as Defined for Industrial User Class means any user or publicly owned treatment process that engages in processing, blending, assembling or in some way transforming of materials or substances into new products. This type of user would normally occupy an establishment described as a plant, factory or a mill.
- O, Industrial Waste means the wastewater from an industrial user as distinct from domestic wastewater.
- P, Institutional User means a user of the publicly owned treatment works that functions primarily as a social, charitable, religious, educational, or of a hospice nature.
- Q, Minimum Charge means the amount charged to each user regardless of volume of use. This charge does not provide the user a minimum amount of use.
- R, Monitoring Station means a location where a method of monitoring wastewater can be performed for a specific customer before their wastewater is introduced into the Utilities' wastewater collection system.
- S, Operation & Maintenance Costs shall mean all costs incurred in the operation and maintenance of the Utilities' Wastewater Collection System and Wastewater Treatment Facility. This class of cost shall include, but not be limited to, labor, energy, chemicals and replacement costs, but excludes debt retirement.
- T, Person means any individual, firm, company, association, society, corporation, public authority, or group.
- U, pH means the logarithm (base 10) of the reciprocal of the hydrogen ion concentration in gram moles per liter of solution as determined by acceptable laboratory procedures.
- V, Pretreatment means the treatment of wastewater by the user before introduction or discharge into the Utilities' wastewater collection system.
- W, Properly Shredded Garbage shall mean the waste, from preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in sanitary sewers. No particle shall be greater than one-half (1/2) inch in any dimension.
- X, Public Authority User means a user of the publicly owned treatment works that would be a group, organization, or authority that is a governmental institution.

Y, Replacement Cost means expenditures for obtaining and installing equipment, accessories or appurtenances that are necessary to maintain the capacity and performances during the service life of the Wastewater Treatment Works for which such works were designed and constructed. The term “operation and maintenance” includes replacement. The yearly replacement cost is calculated as follows:

$$\text{Yearly Replacement Cost} = \frac{\text{Present Installed Cost}}{\text{Projected Service Life}}$$

Z, Residential User means a user of the publicly owned treatment works that would occupy an establishment considered a house or apartment or other dwelling facilities in which people reside.

A-A, Sanitary Sewer means a sewer pipe that conveys domestic wastewater or industrial waste or a combination of both, and into which storm, surface and ground waters or unpolluted industrial wastewater are not intentionally passed.

B-B, Septage shall mean scum, liquid, sludge or other waste from a septic tank, soil absorption field, holding tank, vault toilet or privy. This does not include the waste from a grease trap.

C-C, Septic Tank is a buried reservoir, usually located adjacent to the structure it serves, which directly receives raw wastewater from a building’s internal waste plumbing collection system. During detention of the wastewater in the septic tank, sewage solids are separated from the liquid and bacterial action digest a portion of these solids.

D-D, Service Lateral is either a pressure or gravity pipe connecting an individual building’s sanitary sewer with the municipal wastewater collection system.

E-E, Sewer Service Charge is the sum of the minimum charge, user charge, debt service charge and any applicable surcharge.

F-F, Shall is mandatory; May is permissive.

G-G, Slug means any discharge of water or wastewater which, in concentrations of any given constituent or in quantity of flow, exceeds, for any period of duration longer than fifteen minutes, more than five times the average “twenty-four hour” concentration of flows during normal operation, and which adversely affects the sewage collection system and/or performance of the wastewater treatment plant.

H-H, Standard Methods means the examination and analytical procedures set forth in the most recent edition of “**Standard Methods for the Examination of Water & Wastewater**”, published jointly by the American Public Health Association, the American Waterworks Association and the Water Pollution Control Federation.

I-I, Storm Sewer means a sewer pipe, which carries storm and/or surface drainage but excludes domestic wastewater and industrial wastes.

- J-J, Surcharge means an additional charge related to wastes being discharged by any user having unusual characteristics such as excessive BOD, SS, pH, Phosphorus, Ammonia (or a derivative thereof), or any other pollutants.
- K-K, Suspended Solids (SS) means total suspended matter that either floats on the surface of or are in suspension in water, sewage, or other liquids and which are removable by a laboratory filtration device. Quantitative determination of SS shall be made in accordance with procedures set forth in "Standard Methods".
- L-L, Unpolluted Water is water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards as established by DNR and published in the applicable section of the "Wisconsin Administrative Code".
- M-M, User means any person discharging domestic wastewater or industrial wastes into the collection system.
- N-N, User Charge means that charge to users of the treatment facility, which adequately provides for proportionate recovery of the operation and maintenance costs.
- O-O, User Class means a group of users having similar wastewater flows and characteristics, levels of BOD, suspended solids, pH and etc.
- P-P, Wastewater means a combination of the water-carried waste discharged into the sanitary sewer collection system from residences, commercial buildings, institutions and industrial establishments, together with such ground, surface and/or storm water as may be present.
- Q-Q, Wastewater Collection System shall mean the wastewater (sewer) collection system of the City, including lift stations, force mains, sewer mains, manholes and related components that collect and transport sewage to the treatment facility.
- R-R, Wastewater Treatment Works means all facilities and appurtenances for collection, pumping, treating and disposing of domestic wastewater and industrial waste.
- S-S, WPDES Permit means the "Wisconsin Pollutant Discharge Elimination System Permit", which allows the Utility to discharge treated effluent to a watercourse or land applied irrigation, provided the effluent meets the condition of the WPDES Permit.
- T-T, SPS stands for Safety and Professional Services and replaces what used to be the Department of Commerce.

SECTION 3. GENERAL REQUIREMENTS

- A, Discharge of Wastewater Prohibited. It shall be unlawful to discharge, within the jurisdiction of the Utility, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of the Ordinance.

- B, Privies, Septic Tank and Cesspools - Compliance with Provisions Required. Except as provided in this Section, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, holding tank, cesspool or other facility intended or used for the disposal of wastewater.
- C, Connection with Public Sewer Required. The owner of any house, building or structure used for human occupancy, employment, recreation or other purposes, situated within the Utilities jurisdiction and abutting on any street, alley or right-of-way in which there is now located, or may in the future be located, a public sanitary sewer of said Utility, is hereby required, at the owner's expense, to install plumbing facilities which have been designed, pursuant to all applicable rules as published in the "Wisconsin Administrative Code", therein, and to connect such facilities directly with the public sanitary sewer, in accordance with the provisions of this Ordinance, within ninety (90) days after date of "Official Notice" to do so; provided that said public sewer is within one hundred feet of the property line. Where a public sanitary sewer is not available under the provisions of this section, the owner must apply for an exemption from the Utility. Such exemption application shall require an inspection fee, payable to the Utility at the time of application. Then the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Ordinance and all applicable State Codes and County Regulations.
- D, Compliance with County Regulations required. Before commencement of construction of a private wastewater disposal system the owner shall first obtain a written permit signed by the Rusk County Zoning Administrator and comply with the then-applicable County sanitary laws. The Utility expressly consents to the enforcement of such laws by the County Zoning Administrator, and other County Officials. Violations of this section may also be prosecuted by the Utility.
- E, Inspection of Installation. A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Approving Authority. The Public Works Department shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Utility when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the Approving Authority.
- F, Compliance with Department of Commerce Regulations (Wis. Adm. Code): All private wastewater collection and treatment/disposal systems shall comply with applicable sections of the Wisconsin Administrative Code.
- G, Connections with Public Sewer Required When. At such times as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Item F above, a direct connection shall be made to the public sewer within ninety (90) days, in compliance with this Ordinance, and any septic tanks, cesspools and similar private wastewater disposal facilities shall be abandoned as required by applicable

Wisconsin Administrative Codes and County Regulations within 30 days of connection to the sanitary sewer.

- H, Sanitary Operation Required. The owner shall operate and maintain his or her private wastewater disposal facility in a sanitary manner at all times, at no expense to the Utility.
- I, Conflict of Provisions. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Health Office or agent thereof.
- J, A Wastewater Discharge Permit shall be required of any person desiring to discharge wastewater to the wastewater treatment facility and shall be one of two classes.
- 1, A domestic wastewater discharge permit or request for sanitary sewer service shall be required of any person desiring to discharge domestic waste into the municipal system and shall be considered as part of the “building permit” required and issued by the Utility for new construction.
 - 2, A commercial wastewater discharge permit is nearly identical to a domestic permit except that it implies that the wastewater may be of greater than domestic strength and surcharges may apply.
 - 2, An industrial wastewater discharge permit shall be required of any person desiring to discharge any industrial waste and shall be completely separate from any other permits issued by the Utility. Further requirements for this class of permit can be found in Section 11 of this Ordinance.
- K, Owner Responsibility and Compliance with Village Regulations. All costs and expenses incidental to the installation and connection of the building sewer to the municipal sanitary sewer collection system shall be borne by the owner and shall conform to the requirements of Safety and Professional Services (SPS’s) Building and Plumbing Code, and other applicable rules and regulations of the Utility.
- L, Inspection and Sampling. The Utility shall be permitted to have an Authorized Representative inspect any new or existing installation for compliance with the regulations of this Ordinance. The user shall allow the Utility or an Authorized Representative to enter upon the premises of the user at a reasonable time, for the purpose of inspection, sampling or records examination of the sanitary sewer facility and/or sanitary plumbing/connection. The Utility shall have the right to set upon said property such devices as necessary to collect samples, monitor, test or meter the installation.
- M, New Connection Availability. New connections to the system shall not be allowed unless all downstream components have a reserve capacity capable of accepting the proposed additional wastewater.
- N, Monitoring Manhole. The Utility reserves the right to require any user of the system to install and maintain at the user’s expense, a control or monitoring manhole on the user’s discharge sewer line. The user shall provide the Utility unobstructed access to the installed manhole, as required under item L above.

- O, Monitoring Station. Any industrial or commercial user, directed by the Utility or its Authorized Representative for reasonable cause, shall install and maintain at the user's expense a monitoring station. The station may include 24-hour composite samplers, continuous flow meters, flow recorders and other necessary equipment to accurately measure and sample the wastewater being discharged. Where conditions do not permit monitoring of all discharges from a user at a single station, multiple monitoring stations may be required. The station shall be situated on the user's premises. The user shall allow the Utility access to the station at all reasonable hours.

SECTION 4. NEW CONNECTIONS

- A, No unauthorized person shall uncover, make any connections with or openings into, use, alter, or disturb any public sewer or appurtenance without first obtaining a written permit from the Utility.
- B, There shall be two (2) classes of Building Sewer Permits: (a) domestic, and (b) industrial. In either case, the owner shall make application on forms obtained from the Utility. See also Section 16 Plumbing Requirements.

Attached to the permit application shall be any plans, specifications, or other information considered pertinent in the judgment of the Public Works Department. A permit and inspection fee, to be determined by the Utility, shall be paid at the time the application is filed.

- C, The costs for installation and connection of the building sewer shall be the responsibility of those needing these facilities so as to allow their wastewater to be discharged to the Utilities sanitary sewer system, this includes all excavation and restoration of the grounds, resurfacing roadways and sidewalk / curb replacement.
- D, A separate and independent building sewer shall be provided for every building; except where it is not feasible, and at the discretion of the Utility, an exemption is allowed.
- E, Existing building sewers may be used to serve new buildings only when they are found, upon examination and testing by the Utility, to meet all requirements of this ordinance.
- F, The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, joining, testing, and backfilling the trench, shall all conform to the requirements of this ordinance. All connections shall be gastight and watertight. The connection of the building sewer into the public sewer shall be in compliance with all aspects of SPS's Building and Plumbing Codes.
- G, Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

- H, No person shall make connection of roof downspouts, exterior foundation drains, drain tile (connected to sump pump) or other sources of runoff or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to a public sanitary sewer.
- I, The applicant for the building sewer permit shall notify the Utility when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Utility or its authorized representative.

SECTION 5. PROTECTION FROM DAMAGE

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the wastewater collection and treatment system. Any person violating this provision shall be subject to immediate arrest under the charge of disorderly conduct.

SECTION 6. POWERS OF APPROVING AUTHORITY

- A, The Approving Authority, bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Ordinance. The Public Works Department shall have authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, paint, painting processes or other industries that have a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- B, While performing the necessary work on private properties the Utility shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Utilities employees and the Utility shall indemnify the company against liability claims and demands for personal injury or property damage asserted against the company and growing out of the measuring and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required by OSHA.
- C, The Approving Authority shall be permitted to enter all private properties through which the Utility holds an easement for the purpose of inspection, observation, measurement, sampling, repair or maintenance of any portion of the wastewater collection and treatment system lying within said easement.

SECTION 7. PROHIBITED DISCHARGES

- A, No person or persons shall discharge or cause to be discharged, any unpolluted water, such as storm water, groundwater, roof runoff, subsurface drainage or cooling water to any sanitary sewer; except that storm water runoff from limited areas, which may be polluted at times, may be discharged to the sanitary sewer by permission of the Approving Authority. Unpolluted industrial cooling water or process waters may be

discharged, only with the approval of the Utility, DNR, SPS, or other regulatory agency as required by law, to a storm sewer or natural outlet.

- B, Except as provided in this Ordinance, no person or persons shall discharge or cause to be discharged any of the following described waters, wastes, compounds or material to any public sewer:
- 1, Explosive Mixtures: Gasoline, kerosene, benzene, naphtha, fuel oil, alcohols, ketones, aldehydes, ethers, xylene, toluene, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides or other flammable or explosive liquid, solid or gas;
 - 2, Toxic Substances: Water or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by mixing with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, or create a public nuisance in the receiving waters of the wastewater treatment plant;
 - 3, Corrosive Wastes: Water or wastes having a pH lower than 6.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to piping, structures, equipment and personnel of the wastewater treatment works;
 - 4, Solid or Viscous Wastes: Solid or viscous substances in quantities or of such size as to be capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, sand, mud, straw, shavings, metal, glass, rags, flushable wipes, feathers, entrails, whole blood, paunch manure, hair, fleshings, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
 - 5, Noxious Material. Noxious or malodorous solids, liquids or gases which either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or will prevent the entry into the sanitary sewer collection system for maintenance purposes.
 - 6, Radioactive Wastes. Radioactive waste or isotopes of such half-life or concentration that they are in noncompliance with regulations issued by the appropriate authority having control over their use and which will or may cause damage or hazards to the waste treatment facilities or personnel operating the system.
 - 7, Accidental Discharge: Each user shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this Ordinance. Users shall notify the Utility immediately upon occurrence of a “slug” or accidental discharge of substances prohibited by this Ordinance and shall submit within 48 hours a written report of the incident. The report shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any user who discharges a slug of prohibited

materials shall be liable for any expense, loss or damage caused by the discharge, in addition to any fines imposed by the Utility. Signs shall be permanently posted in conspicuous places on user's premises, advising employees whom to call in the event of a slug or accidental discharge. Users shall instruct all employees who may cause or discover such a discharge, with respect to wastewater emergency notification procedure.

SECTION 8. LIMITED AND RESTRICTED DISCHARGES

The following described substances, materials, water or wastes shall be limited to discharges to municipal systems, to concentrations or quantities which will not harm the municipal sewers, wastewater treatment process equipment, will not have an adverse effect on the receiving waters, or will not otherwise endanger life, limb or public property, or constitute a nuisance. The Public Works Department may set limitations lower than the limitations established in the regulations below at specific discharge points, if such limitations are necessary to meet the above objectives. In forming an opinion as to acceptability, the Utility will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the Wastewater Treatment Facility, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer, which shall not be violated without written approval of the Utility, are as follows:

- A, Temperature Limit: Wastewater having a temperature higher than one hundred-fifty degrees Fahrenheit (sixty-five degrees Celsius);
- B, Oil Content: Wastewater containing more than twenty-five milligrams per liter (25 mg/l) of petroleum oil, non-biodegradable cutting oils, or products of mineral oil origin;
- C, Grease Limit: Wastewater containing fats, wax, oils and grease, whether emulsified or not, shall not exceed the concentration level outlined in the User Charge Resolution. This concentration limit shall be lowered if it is found that the substances are solidifying or becoming viscous and creating obstructions in the sewerage system.
- D, Garbage Restriction: Garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where the garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises, or when served by caterers;
- E, Metals Restrictions: Water or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such a degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Approving Authority in compliance with the WPDES Permit and applicable State regulations;

- F, Odor Limit: Water or wastes containing odor-producing substances exceeding limits which may be established by the Utility in compliance with State regulations and to those levels which do not create a nuisance;
- G, Slugs: Quantities of flow, concentrations, or both, which constitute a “slug”, as defined in Section 2.
- H, Incompatible Wastes: Water or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such a degree that the wastewater treatment plant effluent cannot meet the requirements of its WPDES Permit;
- I, Interactive Wastes: Water or wastes which, by interaction with other water or wastes in the public sewer system, release noxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes;
- J, Materials which exert or cause unusual excessive conditions:
 - 1, Unusual BOD, Chemical Oxygen Demand or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment plant,
 - 2, Unusual concentrations of inert suspended solids, such as fullers earth, lime slurries and lime residues, or of dissolved solids, such as sodium sulfate,
 - 3, Excessive discoloration, such as dye wastes, inks and/or vegetable tanning solutions.

SECTION 9. PRETREATMENT

- A, Pretreatment required. When, in the opinion of the Approving Authority, and in accordance with Title 40, Part 128 of the Code of Federal Regulations, and/or other applicable State and Federal regulations, pretreatment is required to modify or eliminate wastes that are harmful to the structures, processes or operation of the wastewater treatment facility, the person or persons creating the waste shall provide, at their expense, such preliminary treatment or processing facilities as may be determined required to render their wastes acceptable for admission to the public sewers.
- B, Interceptor requirements. Grease, oil and sand interceptors shall be provided when, in the opinion of the Utility, they are necessary for the proper handling of such wastes; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the SPS Plumbing Code, and shall be located so as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner shall be responsible for the proper removal and disposal, by appropriate means, of the captured material, and shall maintain records of a yearly inspection date and means of disposal, which are subject to review by the Approving Authority. Any removal and handling of the collected materials not

performed by the owner's personnel must be performed by currently licensed waste-disposal firms.

- C, Regulatory Action. If the wastewater to be discharged by a user may be harmful to the sanitary sewer system or to the operation of the treatment system, or if the proposed wastewater discharge is prohibited, limited or restricted by this Ordinance the Utility may take the following actions:
- 1) Prohibit the discharge of such wastewaters.
 - 2) Require a discharger to demonstrate that in-plant modifications will eliminate the discharge of such substances to a degree as to be acceptable to the Utility.
 - 3) Require pretreatment including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations.
 - 4) Require the person making, causing or allowing the discharge to pay all additional costs of collecting, handling and treating the wastewater.
 - 5) Take such other remedial action, as may be deemed desirable or necessary to achieve the purpose of this Ordinance.
- D, Submission of Plans. Where pretreatment or equalization of wastewater flows prior to discharge into any part of its sanitary sewer facilities is required by the Utility, plans and specifications, other pertinent data or information relating to such pretreatment or flow-control facilities shall be submitted to the Public Works Department for review and approval. Approval shall in no way exempt the discharge or such facilities from compliance with any applicable code, ordinance, rule or regulation of any other governmental unit or the Utility. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to, and approval of the Public Works Department.
- E, Costs. The cost of constructing grease, oil and sand interceptors, pretreatment facilities and flow equalization facilities shall be the responsibility of the person needing these facilities so as to allow their wastewater to be discharged to the municipal sanitary sewer system.
- F, Operations. If pretreatment or flow equalization facilities are installed, they shall be effectively operated and maintained at the user's expense.

SECTION 10. SPECIAL AGREEMENTS

No statement contained in this Ordinance shall be construed as prohibiting any special agreement between the Utility and any person or persons, notwithstanding or limited to an industrial waste of unusual strength or character may be admitted to the sewage disposal works, either before or after pretreatment, provided that there is not impairment of the functioning of the sewage

disposal works by reason of the admission of such wastes, and no extra costs are incurred by the Village without recompense by said person or persons to the Utility.

SECTION 11. INDUSTRIAL WASTES

An Industrial Wastewater Discharge Permit is required under Section 3 of this Ordinance. For any discharge by an existing industrial user as defined in Section 2, Item L or M of this Ordinance, this permit must be obtained prior to Jan 1st of every year. Any new industries shall obtain this permit prior to hookup to the Utility. In support of this application, the user shall comply with the following:

A, Application Information.

- 1, Name, address and standard industrial classification number of applicant.
- 2, Average daily hydraulic volume of wastewater to be discharged.
- 3, Wastewater constituents and characteristics as determined by examination according to the latest edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes."
- 4, Time and duration of discharge.
- 5, Average and peak wastewater flow rates, including daily, monthly and seasonal variations; if any.
- 6, Site plan, floor plans, mechanical and plumbing plans and details to show all sewers and appurtenances by size, location and elevation.
- 7, Description of activities, facilities and plant processes on the premises including all materials and types of materials, which are, or could be, discharged.
- 8, Each product produced by type, amount and rate of production.
- 9, Number and type of employees including work hours of week.
- 10, Any other information as may be deemed appropriate by the Approving Authority to be necessary to evaluate the permit application.

B, Review. The Approving Authority will evaluate the data furnished by the prospective user and may require additional information be supplied by applicant. After evaluation and acceptance of the data furnished, the Approving Authority may issue a Wastewater Discharge Permit; subject to appropriate terms and conditions.

C, Duration of Permit. Industrial discharge permits shall be issued for a period of one (1) year. The permit shall become active on or before Jan 1st. A permit may be issued for a period of less than one year, or may be stated to expire on a specific date. If the user is not notified by the Utility 15 days prior to the expiration of the permit, the permit shall automatically be extended for 12 months. The terms and conditions of the permit may be

subject to modification and change by the Utility during the life of the permit. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

- D, Permit Conditions: Industrial wastewater discharge permits shall be subject to all provisions of this Ordinance. Additional permit conditions may include:
- 1, The average and maximum wastewater flow and constituent limits the user will be allowed to discharge to the municipal sewerage system.
 - 2, Limits on the rate of discharge and time of discharges necessary to reduce slug flows.
 - 3, Requirement to construct and maintain a flow regulation or equalization facility.
 - 4, Requirement to construct, operate and maintain a monitoring station.
 - 5, The monitoring requirements for the industrial discharge will include type of sample, sampling frequency and the laboratory analyses required. All analyses shall be performed in accordance with "Standard Methods" and shall be at the user's expense.
 - 6, Require the user to install pretreatment facilities.
 - 7, Require the user to maintain stipulated wastewater records and to allow the Utility access to these records.
 - 8, Other conditions deemed necessary by the Utility to insure compliance with the Ordinance.
- E, Transfer Of Permit. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned, transferred or sold to a new owner, new user, different premises, or a new or changed operation.
- F, Wastewater Monitoring. The user discharging industrial waste shall be responsible for the required flow monitoring, sample collection and laboratory analyses stated in their permit. If the user is not qualified to perform these duties, the user shall engage a qualified private firm. As an alternative, the user may engage the Utility to perform these duties provided the associated costs are born by the user.

SECTION 12. INDUSTRIAL COST RECOVERY

The Federal Water Pollution Control Act Amendments of 1972 require that industrial users of municipal wastewater treatment works make payments for that portion of the cost of construction of such treatment works which is allocable to the treatment of such industrial wastes. The Utility shall individually prepare Industrial Cost Recovery Agreements with each and every applicable Industry. Said agreements shall be part of this Ordinance by reference. The agreements shall be

prepared in accordance with the Federal Regulations.

SECTION 13. VIOLATIONS AND PENALTIES

- A, Written Notice Required. Any person found to be violating any provision of this Ordinance, shall be served by the Village of Weyerhaeuser with a written notice stating the nature of the violation, and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

- B, Civil Penalties. Whoever fails to comply with any provisions of this Ordinance or with an Order of the Utility issued in pursuance of this Ordinance shall be fined not less than \$100.00 nor more than \$1,000.00 for each offense. Each day's continuance of such failure is a separate offense. The penalties so imposed, plus reasonable attorneys' fees, court costs and other expenses of litigation, are recoverable by the Utility upon its suit as debts are recoverable by law.

- C, Recovery of Costs Incurred by the Utility. Any User violating any of the provisions of this Ordinance, or who discharges or causes a discharge producing a deposit or obstruction; or causes damage to or impairs the municipal sanitary sewer system shall be liable to the Utility for any expense, loss or damage caused by such violation or discharge. The Utility shall bill the cleaning, repair, or replacement work resulting from the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Ordinance, and shall be enforceable under the provisions of this Ordinance.

- D, Falsifying Information. Any person who knowingly makes any false statement, representation or certification in any application, record, or report, plan or other document filed or required to be maintained pursuant to this Ordinance, or a Wastewater Discharge Permit; or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall, upon conviction be punished by the imposition of the civil penalty stated above or by imprisonment for not more than thirty days or by both.

- E, Liability for Expense, Loss or Damage. Any person violating any provisions of this title shall become liable to the Utility for any expense, loss or damage occasioned by reason of such violation, which the Utility may suffer as a result thereof.

- F, Right to Reject Connections. The Public Works Department reserves the right to reject connections to the system if downstream facilities do not have adequate capacity.

- G, Right to Enter Premises. The Public Works Department reserves the right to enter premises of any user to sample and/or inspect.

SECTION 14. MANAGEMENT, OPERATION, AND CONTROL OF FACILITIES

The management, operation, and control of the Wastewater Treatment Facility and Sanitary Collection System for the Village of Weyerhaeuser is the responsibility of the Public Works

Department and all records, minutes, and written proceedings thereof shall be kept by the Village Clerk. The Clerk shall, also, keep all financial records of said facilities.

- A, The Sewer Utility of the Village of Weyerhaeuser shall have the power to construct sewer lines for public use, and shall have the power to lay sewer pipes in and through alleys, streets, easements, 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 Utility shall have the power by themselves, their officers, agents, and representatives, to enter upon any land for the purpose of making examination or supervise in the performance of their duties under this Ordinance, without liability therefore; and the Village of Weyerhaeuser shall have power to purchase and acquire for the sewer utility all real and personal property which may be necessary for construction of the sewer system, or for any repair, remodeling or additions thereto.

- B, Condemnation of Real Estate. Whenever any real estate or any easement therein, or use thereof, shall in the judgment of the Municipal Sewer Utility 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 Utility shall proceed with all necessary steps to take such real estate easement, or use by condemnation in accordance with Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if Federal Funds are used.

- C, Title to Real Estate and Personal Property. All property, real, personal and mixed, acquired for the construction of sewer system, and all buildings, equipment, piping, tanks, machinery, and fixtures pertaining thereto, shall be property of the Utility.

SECTION 15. USER RULES AND REGULATIONS

The rules, regulations, and sewer rates of the Village of Weyerhaeuser Sewer Utility herein set forth shall be considered a part of the contract with every person, company or corporation who is connected to the sewer system of the Utility and every such person, company, or corporation by connecting to the sewer system shall be considered as expressing his or their consent to be bound thereby. Whenever any said rules and regulations, as adopted are violated, the service shall be shut off from the building or place of such violation (even though two or more parties are receiving service through the same connection), and shall not be re-established except by order of the Approving Authority, and on payment of all debts, plus the expenses and established charges of shutting off and turning on, and such terms as the Utility may determine, and a satisfactory understanding with the parties that no further cause for complaint shall arise. In case of such violation, the Utility, furthermore, may declare any payment made for the service by the party or parties committing such violation, to be forfeited. The right is reserved by the Utility to change said rules, regulations, and sewer rates from time to time, as they may deem advisable; and to make special rates and contracts as necessary in the best interests of the Sewer Utility.

SECTION 16. PLUMBING REQUIREMENTS

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

- A, Plumbing: No plumber, pipe fitter, or other persons will be permitted to do any

plumbing or pipe fitting work in connection with the sewer system without first receiving a proper license from the State of Wisconsin.

- B, Application for Service: Every person connecting with the sewer system shall file an application in writing to the Utility on such forms as are prescribed for that purpose. Blanks for such applications will be furnished at the Office of the Village Clerk. The application must state fully and truly all the use, which is requested. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. People connected to the Sewer System of the Utility are referred to herein as "users". The application may be for service to more than one building, or more than one unit of service through one service connection; and, in such case, charges shall be made accordingly. If it appears that the service applied for will not provide adequate service for the contemplated use, the Utility may reject the application.
- C, Tap Permits: After sewer connections have been introduced into any building or upon any premises, no plumber shall make any alterations, extensions, or attachments, unless the party ordering such tapping or other work shall exhibit the proper permit for the same from the Utility.
- D, User Use Only: No user shall allow others or other services to connect to the Sewer System through their lateral. In some extremely rare occasions this may be acceptable but not without express written consent from the Utility, and only after all other avenues have been exhausted. The Utility shall have the final authority to allow or deny this action.
- E, User to Permit Inspection: Every user shall permit the Utility, or their duly Authorized Agent at any reasonable hour 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.
- F, Utility Responsibility: It is expressly stipulated that no claim shall be made against the Village of Weyerhaeuser or its representative by reason of the breaking, clogging, stoppage, or freezing of any service pipes; nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary. The right is hereby reserved to cut off the service at any time for the purpose of repairs or any other necessary purpose; any permit granted or regulation to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer service within any district of the said Sewer Utility, the Public Works Department shall, if practicable, give notice to each and every consumer within such affected district of the time when such service will be temporarily discontinued.

SECTION 17. EXCAVATIONS

- A, The Contractor executing the excavation must properly notify all affected utilities prior to commencing any work; i.e. notify Diggers Hotline.

- B, In making excavations in streets, alleys, highways, or easements for laying service pipe or making repairs, the paving and earth removed must be deposited in a manner that will occasion the least inconvenience to the public.
- C, No person shall leave 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.
- D, In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than twelve (12") inches in depth, and each layer thoroughly compacted to prevent settling. This work together with the replacing of sidewalks, gravel, paving and curb replacement must be done so as to make the street as good, at least, as before it was disturbed and satisfactory to the Utility. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.

SECTION 18. TAPPING MAINS

No person, except those having permission from the Utility, will be permitted, under any circumstances to tap the sanitary mains or collection pipes. The kind and size of the connection with the pipe network shall be that specified in the permit or order from the Utility.

- A, Laterals: All private service laterals and pumping facilities shall be installed according to the specifications approved by the Utility.
- B, Inspection: All private service laterals and pumping facilities will be inspected by a Utility representative upon completion of pipe installation and prior to backfilling and testing.

SECTION 19. SEPTIC TANK SLUDGE AND HOLDING TANK DISPOSAL

The Village of Weyerhaeuser Municipal Waste Treatment Facility will accept septage and or holding tank waste. The waste shall be disposed of at the Wastewater Treatment Facility Receiving Station. The Hauler shall obtain approval from the Operator prior to dumping. The volume of the disposal will be based upon truck measure and the strength of the contents will be determined based upon laboratory analysis for BOD, SS and phosphorous. The laboratory analysis may be waived by the Operator based upon their discretion. The Operator has the right to reject any load.

SECTION 20. EFFLUENT WITHDRAWAL FOR LAND APPLICATION

The Village of Weyerhaeuser Municipal Waste Treatment Facility will, upon agreement and permit issuance, allow waste haulers to remove effluent from the stabilization pond, provided all of the DNR requirements for land disposal are confirmed with the Utility. During effluent withdrawals the hauler will meter the amount of water that he, or she removes from the facility, and report to the Utility along with the DNR, those results.

SECTION 21. AUDIT

The Utility shall conduct an Annual Audit, the purpose of which shall be to maintain equitable proportionality 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. The Village shall conduct an annual audit of the separate Industrial Cost Recovery Account, if and when it is applicable, to ensure that proportionate and adequate payments are being made by industries to the Utility.

SECTION 22. VALIDITY

- A, Repeal of Conflicting Ordinances.
All Ordinances, Resolutions, Orders or parts thereof heretofore adopted, enacted or entered which are in conflict with this Ordinance are hereby repealed.
- B, 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 effect without the invalid or unconstitutional provision of application.
- C, Amendments. The Village of Weyerhaeuser, through its duly qualified governing body, may amend this Ordinance in part or in whole whenever said body may deem it necessary.

PART B: AMENDED USER CHARGE SYSTEM

SECTION 23. BASIS OF SEWER SERVICE CHARGE

- A, Authority. The Utility shall have the authority to establish and collect a sewer service charge for the use of the Wastewater Treatment Works maintained and operated by the Village of Weyerhaeuser.

It shall be the policy of the Utility to obtain sufficient revenues through a User Charge System to pay for the costs of: annual debt retirement, operation & maintenance expenses, replacement account, administration costs and any other related costs. The User Charge System (UCS) shall assure that each user of the Wastewater Treatment Works pay an equitable share of all costs necessary to operate the utility. These charges are to be reviewed annually and all excess revenues shall be applied to the replacement account. The initial User Charge System shall be as set forth in this Resolution, which may then be changed from time to time by the Utility, with the then current Resolution to be included in the Appendix.

- B, Classes of Users. For the purpose of billing there shall be two classes of users:
 1. **Industrial/Commercial** – any Ind/Com user that has wastewater strength in excess of domestic strength waste [as defined on page (2) section (M)]
 2. **Residential** (this includes residential, commercial, institutional, Public

Authority and any industry that discharges domestic strength wastewater)
All users will pay at the residential rate plus any appropriate surcharges.

- C, Usage. The service charge shall be based on water or wastewater meter readings, when available. When such meter readings are unavailable, the service charges will be a flat charge based on the estimate. This estimate shall be 12,000 gallons per quarter. Where the flat charge must be used, it will be paid for the full month and shall not be prorated.
- D, Debt Service Charge. All charges incurred for debts for capital improvements for the Wastewater Treatment Works shall be paid for by a debt service charge, which is a part of the total sewer service charge. The amount of this charge will be reviewed when required and adopted by resolution.
- E, Minimum Charge. The minimum charge per user shall be the administration costs, plus the debt service charge per connection based upon meter size plus capital improvements costs per connection based upon meter size. This charge will be made regardless of the amount of use and shall be adopted by resolution (this is referred to as a stand by charge under State Statutes ss 66.0821(4)(b)).
- F, Replacement Fund Charge: This charge represents the total yearly replacement cost necessary to cover the expenditures for replacement and installation of equipment, accessories or appurtenances that are necessary to maintain the capacity and performances during the service life of the Wastewater Treatment Works for which such works were designed and constructed.
- G, Administration Costs shall include all costs related to the cost of billing, collection, administration of accounts and administration of the Sewer Utility.
- H, Operation & Maintenance Costs shall be the sum of all non-fixed annual costs such as: labor, electrical power, testing, supplies, repairs, insurance, maintenance, chemicals, fees etc.
- I, Capital Improvements Costs shall be the sum of all annual costs spent on construction projects that are not financed through the Debt Service Charge.
- J, Surcharge is an additional fee charged per pound of BOD, SS and Phosphorus discharged in excess of domestic strength.
- K, Treatment Charge is the sum of operation and maintenance costs, plus replacement fund costs expressed as a charge per 1,000 gallons of use.
- L, User Charge. The user charge for all users discharging domestic wastewater shall be based on a minimum charge per meter size, plus the treatment charge according to the volume used. Those discharging wastewater in excess of domestic strength shall also pay the surcharges. The amount of this charge will be reviewed annually and adopted by resolution.

- M, Billing Periods. The total sewer service charge shall be billed monthly. The due date shall be as set forth on the monthly bill.
- N, Late Penalties. Charges levied in accordance with this Section shall be a debt due to the Utility and shall be a lien upon the property. If this debt is not paid within thirty (30) days after it is due and payable, it shall be deemed delinquent, and a late payment charge is added. The late payment charge is equal to three percent (3%) but not less than 50 cents of the balance on bill not paid by the due date. This debt may then be recovered by civil action in the name of the Village of Weyerhaeuser against the property owner, the person or both. If delinquent payments are not received by November 4th of the calendar year, a ten percent (10%) charge shall be added to delinquent bills. Thereafter, if payment is not received prior to November 15th, the delinquent bill will be forwarded to the County for placement on the succeeding tax roll.
- O, Failure to Pay, Removal or Closure of Connection, Restoration of Service:
- 1, In the event of failure to pay sewer service charges after they become delinquent, the Utility shall have the right to remove or close sewer connections and enter upon the property for accomplishing such purposes.
 - 2, The expense of such removal or closing, as well as the expense of restoring service, shall likewise be a debt to the Village and a tax lien upon the property, and may be recovered by a civil action in the name of the Village of Weyerhaeuser against the property owner, the person, or both.
 - 3, Sewer service shall not be restored until all charges, including the expense of removal, closing and restoration have been paid.
 - 4, Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.
- P, Discharging waste without water service.

If any user has been denied water service due to non-payment or neglect of their water service, in the form of damaged/frozen pipes and or meter, the sewer service shall not be used until payment is made in full, or all plumbing is repaired. If the Utility discovers that the sewer system is being used in this scenario, the user shall be charged a three (3) month average of their normal sewer charge.