LAKE COMO SANITARY DISTRICT NO. 1
PUBLIC SEWER SYSTEM ORDINANCE

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Section 1: Definitions

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

A. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° +/- 1° C., expres sed in milligrams per liter.

B. "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 walls of the building and conveys it to the Building Lateral, beginning five (5) feet outside the inner face of the building wall.

C. "Building Inspector" shall mean the building inspector authorized to make building inspections or his authorized agent, or representative.

D. "Building Lateral" shall mean the extension from the building drain to the public sewer or other place of disposal.

E. "Commercial User" shall mean all private establishments such as restaurants, hotels, multiple family residences, retail and wholesale stores, filling stations and industries with a daily wastewater flow of less than 25,000 gallons per day; all private, nonprofit entities such as churches, schools, hospitals and charitable organizations with a daily wastewater flow less than 25,000 gallons per day; and public facilities such as boat landings and university facilities with a daily wastewater flow less than 25,000 gallons per day.

F. "Commission" shall mean the duly appointed governing body of the Lake Como Sanitary District No. 1 of the Town of Geneva.

G. "Connection Permit" shall mean a permit issued by the District after proper application and payment of the required permit fee which allows connection of a Building Lateral to the Public Sewer.

H. "Connection Charge" shall mean a lump sum payment due upon the availability of sewer and issuance of a Connection Permit, but no later than a date to be set by the Commission.

I. "Debt Service" shall mean costs to the Sanitary District for the retirement of debts incurred in the provision of wastewater collection and conveyance facilities including both principal and interest.

J. "District" shall mean Lake Como Sanitary District No. 1 of the Town of Geneva, Walworth County, Wisconsin.

K. "Floatable Oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater in an approved pretreatment facility. Wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does

not interfere with the collection system.

L. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of meat, fish, fowl, fruits, vegetables and other food products.

M. "Industrial User" shall mean:

1. Any non-governmental, non-residential user of a publicly-owned treatment works which discharges more than the equivalent of 25,000 gallons per day (gpd) of sanitary waste and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:

   Division A. Agriculture, Forestry, and Fishing.
   Division B. Mining.
   Division C. Manufacturing.
   Division D. Transportation, Communications, Electric, Gas and Sanitary Services.
   Division 1. Services.

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

   b. After applying the sanitary waste exclusion in subparagraph a. of this paragraph, discharges in the above divisions that have a volume exceeding 25,000 gpd or the weight of biochemical oxygen demand (BOD) or suspended solids (SS) equivalent to that weight found in 25,000 gpd of sanitary waste are considered industrial users. Sanitary waste, for purposes of this calculation of equivalency, shall be wastes of Normal Concentration as defined in this Ordinance.

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

N. "Industrial Wastes" shall mean wastes discharged by "Industrial Users."

O. "May" is permissive. “Shall” is mandatory.

P. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

Q. "Normal Concentration" shall mean:

1. 5-day 20°C., BOD of not more than 200 mg/L.
2. A suspended solids concentration of not more than 250 mg/L.

R. "Normal Wastewater/Normal Sewage" shall mean wastewater or other wastes in which BOD or suspended solids concentrations do not exceed normal concentrations.

S. "Operation and Maintenance Costs" shall mean the day-to-day expenses of the sewage works including cost of equipment, materials, energy, and manpower necessary for continued operation and maintenance of the system. Included shall be all expenses of preventative maintenance, repair costs and non-lapsing depreciation (replacement) expenses necessary for continuous operation of the system within its design limits.

T. "Person" shall mean any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

U. "pH" shall mean the logarithm (base 10) of the reciprocal of the hydrogen ion concentration expressed in moles per liter as determined by "Standard Methods."

V. "Properly Ground Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (½) inch (1.27 centimeters) in any dimension.

W. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.

X. "Quarter" shall mean any three consecutive months as determined by the Sanitary District.

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

Z. "Residential User" shall mean all single family dwelling units whose main purpose is to provide housing for individual family units.

AA. "Revenue Account" shall mean an account in which all receipts and disbursements of the Commission shall be recorded. Revenues in the account shall be apportioned in accordance with the District's accounting system.

BB. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm,

surface, and ground waters are not intentionally admitted.

CC. “Septic Tank” and “Holding Tank” shall mean any POWTS component as defined in section Comm 81.01(12) of the Wis. Admin. Code.

DD. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

EE. "Sewage Treatment Plant" or "Wastewater Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.

FF. "Sewage Utility or Utility" shall mean the Lake Como Sanitary District No. 1.

GG. "Sewage Works" shall mean all facilities for collecting, pumping, conveying, treating and disposing of sewage.

HH. "Sewer" shall mean a pipe or conduit for carrying sewage.

II. "Sewer User Charge" shall mean a monthly charge assessed to all users of the system to pay for debt retirement, all Operation and Maintenance Costs and WALCOMET charges. Such charge shall be payable as determined by the Commission in accordance with the terms of this Ordinance.

JJ. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation.

KK. "Storm Sewer" shall mean a sewer which carries storm and surface waters, but excludes sewage and industrial wastes, other than unpolluted cooling water.

LL. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

MM. “WALCOMET” shall mean Walworth County Metropolitan Sewerage District, the regional sewerage district serving Lake Como Sanitary District No. 1.

NN. "Watercourse" shall mean a natural or artificial channel for the passage of water.

Section 2: Connection Charge

A. 1. Connection Charge: There is hereby imposed upon each future building constructed within the District, a connection charge. Such connection charge shall be payable as herein provided and shall be assessed and collected for each building connected to the Public Sewer as determined by the Commission.

2. Existing and Future Buildings: For the purposes of this Ordinance, buildings in the District shall be classified as existing buildings or future buildings. Existing buildings shall be those in existence and buildings for which a building permit has been issued and construction started as of midnight, October 15, 1998. Future buildings shall be those not in existence as of midnight, October 15, 1998.

B. The Connection Charge imposed by the District shall consist of two components:

1. WALCOMET Connection fee paid by the District to WALCOMET upon connection of buildings requiring sanitary sewer. The WALCOMET connection fee paid by the Dsitrict to WALCOMET upon connection of buildings requiring sanitary sewer is as established and published by WALCOMET from time to time.

2. Excess capacity costs incurred by the District in constructing the common elements of the collection system capable of serving future users. The excess capacity charge shall be in accordance with the schedule established and published by the District.

adopted 10/20/2010

Section 3: **Sewer User Charges**

A. 1. Sewer Service Charge: There is hereby levied and assessed upon each lot or parcel of land with a building having a lateral available to discharge normal sewage to the Public Sewer System, a sewer service charge based upon rates established by the Commission. Such sewer service charge shall be payable as herein provided and shall consist of a system charge and a sewer use charge to be determined by the commission as provided herein. Said service charges shall be assessed and collected as determined by the Commission.

a. System Charge. The system charge component of the sewer service charge shall be calculated on the basis of the number of connections to the system. The monthly system charge shall be equal to one-twelfth (1/12) of the annual system charge per connection.

b. Sewer Use Charge. The sewer use charge component of the sewer service charge shall be based upon the total water use of system users. The monthly sewer use charge shall be the product of each user's monthly metered water use times the per gallon cost of operation, maintenance and replacement costs.

2. Budget and Sewer Service Charge Approval: Upon completion of preparation of the annual budget and determination of the annual sewer system charge per connection and the sewer use charge, the Commission shall set the annual sewer service charge, and shall record such action in the official minutes.

3. Payments:

a. Sewer service charges shall be established annually for the year and shall be payable monthly.

Sewer service charges shall commence with the next full month following connection to the sewer, but in any event, not later than the date of installation of a water meter serving the property.

b. In the event of late payment after payment is due, a late charge of one percent (1.0%) per month (of the total amount due) shall be added to the sewer user charge and shall be collectible with the normal sewer user charge.

4. Disposition of Revenue: The amounts received from collection of the charges authorized by this Ordinance with the exception of the replacement fund shall be credited to a sewer revenue account which shall show all receipts and expenditures of the District. When appropriated and authorized by the District, credits to said account shall be available for payment of the

costs of operation, maintenance, and repairs of the sewer system. Any surplus in the account shall be applied to the following year's operation and maintenance costs.

5. Replacement Fund: Annual income from the Sewer Service Charge which include funds required for "Replacement" shall be separately accounted for and shall not be utilized for any purposes other than replacement.

6. Special Rates: The rates set forth above for sewage service shall be for all types of service for collection of normal sewage. The Commission may at any time hereafter set special rates for large commercial service or industrial users.

7. Notification: Users shall be notified annually of the portion of user charges attributable to wastewater treatment services.

B. 1. Industrial and Commercial Charges for Other Than Normal Sewage: Charges for sewage other than Normal Sewage shall be based on flow, BOD, suspended solids, and such other constituents which affect the cost of collection, conveyance and treatment. Charges shall be made in accordance with rates established and published by the Commission as set forth in B.2.

2. All persons discharging wastes into the public sewers shall be subject to a surcharge, in addition to any other service charge, if their sewage has a concentration greater than "normal" concentrations (see Definition.) The volume of Flow used for computing waste surcharges shall be the metered water consumption, subject to adjustments as otherwise herein provided, or the actual volume of waste as determined by a waste metering and monitoring installation.

The amount of surcharge shall reflect the cost incurred by the District in removing BOD, suspended solids, and other constituents.

Rates of Surcharge. The rates of surcharge for each of the aforementioned constituents shall be at the rate as included in the "Sewer Use Ordinance" of the Walworth County Metropolitan Sewerage District multiplied by 101 percent.

In addition to the above surcharges, the District's costs of sampling and analyzing commercial and industrial wastes shall be charged to the applicable industry as provided in Section 7.I.

Where industrial wastes are of such a strength or magnitude or are delivered over such a period of time that the above surcharges do not reflect the cost of treatment to the District, the District reserves the right to establish a special charge for handling the waste. The depreciation portion of the charge shall be based on the design capacity required for the particular waste. In no event shall the charges be less than those charges determined

by applying the above surcharge.

C. Industrial Waste Pretreatment: In the event the District provides or requires pretreatment of industrial wastes, the entire cost of such pretreatment shall be charged to the person or entity producing the industrial wastes. The costs shall include but are not limited to capital expenditures, operation and maintenance expenses, labor, chemicals, heat and power.

D. Contract Basis: Nothing in this Ordinance shall prohibit the District from providing sewage services to persons outside the corporate limits of the District under mutually agreeable conditions.

E. 1. Remedies For Failure to Pay User Charges: Each sewer user charge levied by, or pursuant to this Ordinance, is hereby made a lien upon the corresponding lot, land, or premises served by a connection to the sanitary sewer system of the District and if the same is not paid within the period allotted for such payment, said charge shall constitute a lien on the property served and be inserted in the Town tax roll as provided in 66.0821 of the Wisconsin Statutes in the same manner as water rates are taxed and collected under the provisions of Section 66.0809 or 62.69(2)(f) of the Wisconsin Statutes as same has been, and from time to time may be amended or recreated, so far as applicable.

2. The delinquent sewer user charges, including interest on any delinquencies, taxed or levied pursuant to this Ordinance shall be collected by the Town Treasurer at the time and place indicated on the annual real estate tax bill.

F. Designation of-Depository: The funds received from said sewage service charges shall be deposited at regular intervals in the depository elected by the Commission. Said funds shall be available for payment of the cost and expense of the management, maintenance, depreciation and repair of the sewage works and to provide funds for the retirement of debt as it matures and interest thereon.

G. Annual Audit: An audit of the Utility's financial standing shall be made annually on a calendar year basis. This audit will be used to review the adequacy of the then existing rates and said rates shall be adjusted if necessary to provide sufficient revenues to adequately finance the Utility's operation in accordance with the intent of the rate structure.

The annual audit and review shall also be used to insure that each recipient of sewage service (or class) is charged in proportion to the cost of providing said recipient (or user class) with sewage service.

H. Standby Charge Imposed: There is hereby imposed a standby charge against each lot or parcel of land abutting on any street, alley, or right-of-way in which there is now located a public sanitary sewer of the District. The standby charge shall be in accordance with the schedules established and published by the District. The imposition of the standby charge shall not relieve the owner of such property from the obligation to make proper connection to the public sewers as otherwise provided

in this ordinance and shall be in addition to any penalty which may be imposed for failure to make timely connection.

adopted 10/20/2010

Section 4: **Use of Public Sewers Required**

A. It shall be unlawful for any person to place, deposit, or permit to be deposited any human or animal excrement, garbage or other objectionable waste in an unsanitary manner on any public or private property within the District.

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

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

D. The owner of each house, building, or property used for human occupancy, employment, recreation, or other purposes, situated within the District 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 the District, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance prior to occupancy.

E. It shall be unlawful to discharge any Holding Tank or Septic Tank waste into the Sewage Works.

adopted 10/20/2010

Section 5: **Private Sewage Disposal**

A. Where a public sanitary sewer is not available under the provision of Section 4, D, any existing Building Lateral shall be connected to a private sewage disposal system complying with the provisions of this Article and all applicable Town, County and State codes and regulations.

B. Before commencement of the construction of a private sewage disposal system or additions to an existing private sewage disposal system, the owner shall first obtain a sanitary sewer permit from Walworth County, pursuant to Chapter 281 of the Wisconsin Statutes.

C. The type, capacity, location and layout of a private sewage disposal system shall comply with all requirements of the Laws of the State of Wisconsin.

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

E. No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

F. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in D of Section 4, the Owners shall obtain the necessary plumbing permits, pay special assessments and connection fees (or make other satisfactory arrangements for payment) and shall cause the Building Lateral to be connected to said sewer within one (1) year and the private sewage disposal system shall be cleaned of sludge and filled with sand, gravel, or similar material and abandoned.

adopted 10/20/2010

Section 6: **Building Laterals and Connections**

A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written connection permit issued by the District.

B. There shall be two (2) classes of Building Lateral connection permits:(a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town of Geneva Building Inspector. The Connection Permit Application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the building inspector and the District. A connection and inspection fee as established by the District and the Town of Geneva shall be paid to the District and the Town, respectively, at the time of application for such permits.

C. All costs and expense incident to the installation and connection of the Building Lateral shall be borne by the property owner. The property owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the Building Lateral.

D. A separate and independent Building Lateral shall be provided for every building intended for human habitation or occupancy.

E. Old Building Laterals may be used in connection with new buildings only when they are found, after examination and testing by the District's representative, to meet all requirements of this Ordinance.

F. The size, slope, alignment, materials of construction of a Building Lateral, and the methods to be used in excavating, placing of the pipe, jointing, testing, backfilling the trench, and connecting to the District lateral shall all conform to the requirements of the State of Wisconsin or other applicable rules and regulations pertinent to the installation. Service laterals for single family residences shall be four (4) inch minimum. All other service laterals shall be six (6) inch minimum.

G. Whenever possible, the Building Lateral 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 any means authorized by state codes and discharged to the Building Lateral at the owner's expense.

H. Roof-leaders, surface drains, groundwater drains, foundations drains, and other clear water drains shall not be connected to a Building Lateral which discharges into a sanitary sewer or private sewage treatment facility. All such connections existing at the time of passage of this Ordinance shall thereafter be illegal. If storm water or clear water is being discharged into a sanitary sewer, the District shall give the offending person fifteen (15) days' notice to disconnect. Failure to disconnect after such notice shall authorize the District to cause disconnection of service lateral and assessment of the costs of such disconnection against the property involved. The

District may, in the alternative, institute action for violation of this subsection.

I. The connection of the Building Lateral into the public sewer shall conform to the requirements of the State of Wisconsin building and plumbing code or other applicable rules and regulations.

J. The applicant for the Building Lateral connection permit shall notify the building inspector when the Building Lateral is ready for inspection and connection to the public sewer and shall obtain a permit for connection from the District. Application for such a permit shall be on a form for that purpose provided by the District. The connection shall be made under the supervision of the District's representative. In the event that any Building Lateral connection is made without the required permit and inspection by the District or the District's representative, the person making such connection shall, at his sole expense, expose the connection for inspection by the District's representative upon request.

K. All excavations for Building Lateral installation shall be adequately guarded by the property owner with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District at the property owner's expense.

L. Before any permit is issued, the person or contractor who is to perform the work shall file with the District a certificate of insurance for general liability in the amount of Three Hundred Thousand Dollars ($300,000), with sufficient sureties, indemnifying the District and its officers and agents and holding them harmless against all damages, injuries and costs, arising out of the work to be performed including restoration and replacement of the premises to as good a condition as they were in before such work was commenced and guaranteeing the faithful performance of all work with proper care and skill. Such insurance shall remain in force until the final expiration of the permit except that on expiration it shall remain in full force as to all penalties, claims and demands that have accrued thereunder prior to expiration.

adopted 10/20/2010

Section 7: **Use of the Public Sewers**

A. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

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

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

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

3. Any waters or wastes having a pH lower than 5.5, or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

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

C. No persons shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the District that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming an opinion as to the acceptability of these wastes, the District will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

1. Any liquid or vapor having a temperature higher than one hundred fifty (150° F). (65°C.).

2. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/L or containing substances which may solidify or become viscous at temperatures between thirty-two (32°F)

and one hundred fifty (150°F).

3. Any garbage that has not been properly ground. The installation and operation of any garbage grinder equipped with a motor of one-half (1/2) horsepower or greater shall be subject to the review and approval of the District.

4. Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

5. Any waters or wastes containing iron, chromium, cadmium, nickel, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment plant exceeds the limits established by the Commission for such materials.

6. Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the District as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulations.

8. Materials which exert or cause:

    a. Unusual concentrations of inert suspended solids (such as but not limited to, Fullers earth, lime slurries, lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

    b. Excessive discoloration (such as, but not limited to, dye wastes and similar solutions).

    c. BOD, chemical oxygen demand, phosphorus, nitrogen, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment facility.

    d. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

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

D. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in C of this Section, and which in the judgement of the District, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the District shall do one or more of the following:

1. Reject the wastes.

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

3. Require control over the quantities and rates of discharge.

4. Require payment to cover the added cost of handling and treating the wastes not covered by existing sewage service charges or charges under the provision of L of this Article.

   If the District permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the District's Engineer and subject to the requirements of all applicable codes, ordinances, and laws.

E. Grease, oil, and sand interceptors shall be provided as required by the State Plumbing Code for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; 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 District and shall be located as to be readily and easily accessible for cleaning and inspection.

F. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

G. When required by the District, the owner of any property serviced by a Building Lateral carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the Building Lateral to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the District's Engineer. The manhole shall be installed by the property owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

H. <u>Waste Meters</u>. Devices for metering the volume of waste discharged may be required by the District if these volumes cannot otherwise be determined by estimating or by the use of water meters. Metering devices for determining the volume of waste shall be purchased, installed, owned and maintained by the

property owner. The type of meter and metering arrangement shall be approved by the District's Engineer before installation and it shall be installed in accordance with approved methods. Following approval and installation, such meters may not be removed without the consent of the District.

I. Waste Sampling. Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration. A determination shall be made as often as deemed necessary by the District. Where samples are taken often enough to produce meaningful averages, charges will be determined based on the average values determined during the billing period after due allowances for values not believed to be representative. Any person may request the District to make new tests, such tests to be at the expense of the person discharging the waste as hereinafter stated, and such tests to be a minimum of 24 hours duration unless otherwise approved. If the District is satisfied that such test was made when the plant was operating under normal conditions, the results of these tests shall be used in computing the subsequent billing in the manner previously described. All costs in connection with waste sampling and analysis shall be paid for by the applicable industry in addition to their normal sewage service charge.

J. All measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property.

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

L. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the District and any customer where such agreement is in accordance with this Ordinance and the rate structure herein.

adopted 10/20/2010

Section 8: **Protection From Damage**

A. No unauthorized person shall maliciously, willfully, or intentionally break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to arrest and all prosecution pursuant to Wisconsin Statutes Sec. 943.01.

adopted 10/20/2010

Section 9: **Powers and Authority of Inspectors**

A. Duly authorized employees of the District 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. Duly authorized employees shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having 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 referred to in Section 9, A above, the duly authorized employees or agents of the District shall observe all safety rules applicable to the premises established by the Owner or Company and the Owner or Company shall be held harmless for injury or death to the District Employees and the District shall indemnify the Owner or Company against loss or damage to its property by District Employees and against liability claims and demands for personal injury or property damage asserted against the Owner or Company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the Owner or Company to maintain safe conditions as required in Section 7, G.

C. Duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works laying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

adopted 10/20/2010

Section 10: **Future Sewer Main Extension**

A. All future sanitary sewer extensions, whether required by annexations to the District, by future subdivisions or for existing land parcels, shall be designed, planned, constructed and installed by the District in accordance with District policy.

B. All costs including, without limitation by enumeration, construction, rights of way, land, engineering, inspection, legal, administrative, fees, interest and other items of cost in connection with future sewer main extensions shall be paid for by the District and shall be specially assessed against property benefitted by such sanitary sewer main.

C. If greater than eight (8) inch diameter sewers are required to handle the contemplated sewage flows from the design tributary area, the cost of such larger sewers shall be prorated in proportion to the ratio which the total area of the proposed subdivision or land being serviced by said sewer main is to the total design tributary area to be served by such larger sewer. The excess cost shall either be borne by the District or assessed against the total design tributary area as the Commission shall determine.

D. All public sewage pumping stations required for the provision of proper sanitary sewer service shall be designed, constructed and maintained by the District. The total capital cost for installation of sewage pumping stations shall be prorated over the design tributary area and shall be assessed to benefitting property, as the Commission shall determine after due consideration of the evidence and facts.

E. All requests for extension of future sewer mains shall be in writing to the Commission. Such requests shall include a topographic map with one (1) foot contour interval delineating the area where sewer main is being requested, shall include lot lines, proposed streets and street grades, and such other information as the District's Engineer may require.

F. Property owners requesting the installation of sewer mains shall provide all perpetual easements and rights of way considered necessary by the Commission for the installation of the system requested at no cost to the District. Perpetual easements and rights-of-way shall be in the name of the District.

G. When application is made to the Commission for future sewer main extension, the Commission shall attempt to reach agreement with the individual(s) or firm requesting such extension on the method of payment for the extension pursuant to procedures as adopted by the Commission from time to time. If no payment method can be mutually agreed upon, the Commission may refuse to design and construct such extension. If a future sewer main extension is deemed in the best public interest by the Commission, it may assess the costs of such extensions against benefitting property owners in accordance with Section 66.0703 of the Wisconsin Statutes.

H. The Commission shall, as the need requires, establish standards, design criteria,

procedures and miscellaneous requirements for the installation of future sewer mains. All fees determined to be payable by the Commission shall be collected at the times and places so set by the Commission.

adopted 10/20/2010

Section 11: Penalties

A. Any person found to be violating any provision of this Ordinance except Section 8 shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

B. Any person who shall continue any violation beyond the time limit provided for in Section 11, A, shall, upon conviction, forfeit not less than $10.00 nor more than $500.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

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

adopted 10/20/2010

APPENDIX A

I. INTRODUCTION

A. Purpose

The purpose of the sewer user charge system is to establish a revenue system that enables the District to generate the monies needed to own, operate and maintain the wastewater collection and conveyance system and to pay the Commission charges for treatment. The sewer user charge system shall comply with guidelines established in the Sewer Use and Service Charge Ordinance.

B. Basis of Charges

1. System Charge. The charges for debt service retirement shall be based on the number of connections to the system.

2. Sewer Use Charge. The charges for operation, maintenance and replacement shall be on a cost per gallon basis and shall be based on the total water use of system users. The cost per gallon to be applied is calculated by summing all operation, maintenance and replacement costs and dividing by total flow. The individual users will be billed in proportion to their metered water usage.

II. ANNUAL REVENUE REQUIREMENTS

A. Annual Operation and Maintenance Costs

Commission Salaries	$ 3,600.00
Engineering Services	5,000.00
Audit Expense and Billing Services	6,000.00
Office Supplies/Expenses	1,750.00
Insurance	4,000.00
Labor - General Manager, clerical, operators	33,800.00
Power	20,000.00
Legal	10,000.00
Wastewater Treatment	177,965.00
TOTAL OPERATION AND MAINTENANCE	$262,115.00

B. Annual Replacement Costs

A replacement fund to replace equipment shall be established. Table A-1 summarizes the annual contributions.

C. Annual Debt Service

Table A-2 summarizes the total annual estimated debt service. These values will vary depending on final construction costs.

D. Annual Reserve

The Sanitary District will establish and make annual contributions to a general reserve fund intended to meet extraordinary expenses incurred by the District. The initial annual contribution is $14, 500.

III. AD VALOREM TAXES

The Sanitary District may fund in part the annual revenue requirements through an ad valorem tax if revenue from other sources does not meet estimates. The Sanitary District does not project the need for an ad valorem tax.

IV. SEWER USER CHARGES

A. Monthly System Charge Component

CS = (R+DS)/U/12

Where:
R = Annual Contributions to Equipment Replacement Reserve and Annual Reserve
DS = Debt Service

= AD - T - CC - BRs - Brd - SA

AD	= Total Annual Debt Service
T	= Ad Valorem Tax
CC	= Annual Connection Charges
BRs	= Bond Reserve Fund Interest
Brd	= Bond Redemption Fund Interest
SA	= Special Assessment Revenues

U = Total number of connections to the system

Initial projected monthly system charge component

= (($52,500 + ($490,283 - $0 - $0 - $0 - $0 - $474,841))/982/12
= $5.77/Month

B. Monthly Sewer Use Charge Component

CU = OM/G x GU/12

Where:
OM = Annual Operation and Maintenance Costs Excluding Debt Service
G = Total gallons of wastewater
= GU x 982
GU = Gallons per Unit
= 2.53 people per unit x 70 gallons per person per day
= 177 gallons per unit per day x 365
= 64,642 gallons per unit per year

Initial projected monthly system charge component

$262,115/63,478,444 gd x 64,642guy/12 = $22.24

*Assuming 2.53 persons per unit using 70 gallons per day each, 365 days per year.

C. Monthly Sewer Service Charge Rate (1999)

SS =CS +CU = $5.77+ $22.24 = $28.01/unit/month

adopted 10/20/2010

APPENDIX A-2
ANNUAL DEBT SERVICE REQUIREMENTS
LAKE COMO SANITARY DISTRICT NO. 1

YEAR	ANNUAL CONTRIBUTION
1	$490,283.00
2	$457,033.00
3	$450,158.00
4	$443,283.00
5	$436,408.00
6	$429,533.00
7	$422,658.00
8	$390,783.00
9	$385,283.00
10	$379,783.00
11	$374,283.00
12	$368,783.00
13	$363,283.00
14	$357,783.00
15	$352,783.00
16	$346,783.00
17	$341,283.00
18	$335,783.00
19	$230,283.00
20	$230,283.00

Total Project Costs	$17,383,000.00
Clean Water Fund Grants	10,604,930.00
Clean Water Fund Loans (0%)	4,544,970.00
Market Rate Loan	2,233,100.00
Total Assessments	4,870,160.00

1. Based on cost update of February 2, 1998.

2. Total loans = $ 6,778,070

   Less assessments (4,870,160)
   $ 1,907,910 to be paid from user charges

3. Annual debt service assumes that monthly user charges are used to repay a portion of the 0% Clean Water Fund Loan. Special Assessments will be used to repay the market rate loan and the balance of the 0% loan.

adopted 10/20/2010

TABLE A-1
REPLACEMENT FUND[1]
LAKE COMO SANITARY DISTRICT NO. 1

YEAR	ANNUAL CONTRIBUTION
1	38,000.00
2	38,000.00
3	38,000.00
5	38,000.00
6	38,000.00
7	38,000.00
8	38,000.00
9	38,000.00
10	38,000.00
12	38,000.00
13	38,000.00
14	38,000.00
15	38,000.00
16	38,000.00
17	38,000.00
18	38,000.00
19	38,000.00
20	38,000.00

[1]Replacement fund contains monies to replace the following items:
Pumps and related equipment at the District's pump station Nos. 1,2,3 and 4, generator and vehicle. The equipment, with the exception of the vehicle, has an average useful life of 20 years and initial cost of $700,000. It is anticipated that earnings on the replacement fund deposits will offset future cost increases.

adopted 10/20/2010

APPENDIX B

POLICY #1-98 OF POLICIES AND PROCEDURES OF THE LAKE COMO SANITARY DISTRICT NO. 1 OF THE TOWN OF GENEVA, WALWORTH COUNTY, STATE OF WISCONSIN RELATING TO FUTURE MAIN EXTENSIONS.

POLICY

The policy of the Commission, as established in its Sewer Ordinance, is that all design, planning and construction of future sewer main extensions be done by the District is affirmed. This affirmation is based on a recognition of the Commission's responsibilities in taking into consideration the best interest of the public and all of the potential users of the sewer system. The Commission must develop and maintain a system which is compatible within all of its existing or potential parts. Comprehensive basic engineering and planning data and thorough records will become increasingly important as the District develops and expands. All future sewer main extensions will be owned and maintained by the District. The Commission has the powers and the responsibility to insure that all of the public affected be treated fairly, and it is for that reason that the planning, design, construction and installation of all future sewer extensions be done by the District.

PROCEDURES

A. Any person requesting an extension of a future sewer main shall make such a request on application forms to be provided by the District. The application shall be accompanied by the following:

1. A preliminary plat substantially in compliance with the requirements of Wis. Stat. Chapter 236 and reasonably anticipated to be approved by the appropriate governmental authorities, or its equivalent in approvable form. It may be desirable from the developer's standpoint to submit a preliminary sketch plan of the proposed development prior to proceeding with the preliminary plat. This will permit early comment by the Sanitary District and could result in cost savings to the developer.

2. A topographic map of the area affected with one (1) foot contour interval.

3. An application fee based on the number of lots to be serviced by the extension in accordance with the following schedule.

a.	25 or less lots or parcels	$1,000
b.	26-50 lots or parcels	$2,000
c.	51 or more lots or parcels	As Set By Commission

4. The agreement of the applicant to pay all costs for the preliminary design of the sewer main extension including engineering, legal, administrative, soil borings, survey, testing, or any other costs incurred in obtaining information required by the District's Engineer and in the preliminary design of the sewer main extension regardless of whether or not the sewer extension is ever constructed. The application fee shall be a credit against the total costs for the preliminary design, and the balance shall be due and payable in full at the time of submission of the preliminary design to the applicant.

5. A complete and accurate legal description of the entire area to be included in the design and the names and addresses of all owners of any parcel within and adjacent to the confines of the area effected.

6. An area map reasonably locating the proposed service area in relationship to the sanitary district and adjoining landowners.

7. A statement of the proposed uses and zoning of the premise.

8. Such other information as may be required.

B. Upon receipt of a copy of the application, the application fee, and accompanying materials, the District's Engineer shall proceed to gather whatever further information may be required for preliminary design. The District's Engineers shall bill the Commission separately for such services as to each application and the Commission shall pay for said services out of the application fee of applicant or shall advance the costs as the appropriate case might be.

1. Upon completion of the preliminary design, the plans shall be submitted to the Commission together with recommendations as to considerations to be made by the Commission, problems to be encountered, and feasibility of the extension.

2. The engineer shall compute and include in his recommendations to the Commissioners the anticipated total costs of the project, which costs shall include a computation for the Connection Charge for each lot based on the then current Connection Charge rate.

C. Upon receipt of the preliminary plans, report and recommendations of the District Engineer, the Commission shall prepare a proposed contract with the applicant which shall set forth the rights and obligation of the Commission and the applicant based on the recommendations of the District Engineer and the District's Attorney, and which proposed contract shall specifically include the following:

1. The agreement of the applicant to pay all costs determined allocable to applicant by the Commission. It is anticipated that there may be extensions which will be for the benefit of more property than that included in applicant's application and that some of the costs would therefore be borne by other persons or the Commission. The estimated total cost to applicant as determined by the District's Engineer shall be inserted, which amount shall be increased or reduced when actual costs are finally determined.

2. The agreement of applicant to provide, without cost to the Commission, on forms acceptable to the Commission, all easements or other land rights required for the construction of the extension on lands owned by applicant.

3. The agreement of applicant to execute appropriate documents granting the Commission a lien against all lots in the affected area to guarantee payment of the costs of the sewer extension.

4. Payment of an initial deposit for final design engineering and agreement for payment of further deposits required by the Commission and the balance due as set forth herein.

5. Upon execution of the contract and payment of the initial deposit the District shall proceed with whatever procedures may be necessary under Wisconsin Statutes to procure any land rights required which cannot be provided by applicant, to prepare final plans and specifications, to advertise for bids, to obtain bids, to award the construction contracts (subject to applicant's approval), and to construct the sewer extension.

6. The Commission shall keep accurate and complete records of payments of all monies relating to the project, which costs shall be paid out of the required deposits until said sums have been exhausted.

7. When the required deposits have been exhausted the District shall advance monies for the completion of the project as said costs become due and payable and District's interest costs shall be added to the total cost of the project.

8. When the District notifies applicant that the sewer main is operational and connections can be made, the District shall compute the actual total costs of the project and shall give notice thereof to applicant. Deposits paid by applicant shall be subtracted from the total costs to determine the actual balance due.

9. Thereafter, applicant shall pay interest accrued at the agreed upon rate plus 1/5th of the unpaid balance at the end of each calendar year. A credit shall be given to applicant for any amounts paid during the year by virtue of applicant's sale of lots as set forth in these procedures.

10. The total number of lots in the project shall be divided by two and the result shall be rounded to the next whole number. The difference between the total project cost and the deposits shall next be ascertained and the result shall be divided by the whole number as determined in the proceeding sentence. The result shall be the amount payable as each lot is sold. Said payment shall be a credit against the annual payments of interest and principal required. Upon receipt of each such payment the District shall execute a release of its lien as to the parcel conveyed.

adopted 10/20/2010