

**SEWER USE ORDINANCE**  
**FOR**  
**LAKELAND SANITARY DISTRICT NO 1**

Towns of Minocqua, Woodruff, and Arbor Vitae  
Oneida and Vilas Counties, Wisconsin

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The Provisions and Regulations of Wisconsin State Statutes Chapters 145 and 281 and Chapters COMM 82 and 83 of the Wisconsin Administrative Code are hereby made, by reference, a part of this ordinance and shall extend over and govern the installation of all plumbing, sewers, laterals, and such other items that make up a sanitary sewer or wastewater collection system installed or repaired in the Sanitary District.

## ARTICLE 1 – SCOPE OF CONTROL

All persons now receiving sanitary sewer service from the Lakeland Sanitary District No. 1, or who may hereafter make application therefore, are deemed to be bound by rules and regulations of the Sanitary District as may be filed with the Public Service Commission of Wisconsin and in the office of Lakeland Sanitary District No. 1, and such state and federal statutes and administrative rules as are applicable.

All plumbing work being done within the bounds of Lakeland Sanitary District No. 1 shall conform to the provisions of Chapter COMM 82, Wisconsin Administrative Code (State Plumbing Code).

## ARTICLE 2 – DEFINITIONS

Unless the context specifically indicates otherwise, the following terms used in this ordinance shall have the meanings hereinafter designated:

- a) Approving Authority – the board, commission, or committee that manages the Sanitary District.
- b) Biochemical Oxygen Demand (BOD) – the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees centigrade (20°C), expressed in terms of weight and volume (milligrams per liter). Quantitative determination of BOD shall be made in accordance with procedures set forth in “Standard Methods” as defined in this section.
- c) Building Sewer – that part of the lowest piping of a drainage system which receives the discharge from soil waste, and other drainage pipes (building drain) inside the walls of the building and conveys it to the lateral sewer.
- d) Chapter COMM 82 and 83 – the Department of Commerce Administrative Code governing the design, construction, installation, supervision, and inspection of plumbing.
- e) Cooling Water – the water discharged from any use such as air conditioning, cooling, or refrigeration whose character undergoes no chemical change during such use.
- f) Compatible Pollutant – BOD, suspended solids, pH and fecal coliform bacteria, and such additional pollutants as are now, or may be in the future, specified and controlled in the Wisconsin Pollutant Discharge Elimination System (WPDES) permit issued to Lakeland Sanitary District No. 1.
- g) Domestic Wastes-liquid wastes from (1) the non-commercial preparation, cooking, or handling of food, or (2) containing human excrement and similar matter discharged from the sanitary facilities of dwellings, commercial buildings, industrial facilities, institutions, and other places where humans congregate.
- h) Easement – an acquired legal right for the specific use of land owned by others.

## ARTICLE 2 – DEFINITIONS - Continued

- i) Garbage – solid wastes from the handling, preparation, cooking, dispensing, or storage of food.
- j) Ground Garbage – the residue from the preparation, cooking, or dispensing of food that has been shredded to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one-half (1/2) inch in any dimension.
- k) Improved Property – any property upon which there is erected a structure intended for continuous or periodic habitation, occupancy, or use by human beings or animals and from which structure sanitary sewage and/or industrial wastes are or may be discharged.
- l) Incompatible Pollutant – any pollutant which is not a “Compatible Pollutant” as defined in this section.
- m) Industrial Wastewater – the liquid wastes resulting from the processes employed in industrial, manufacturing, trade, or business establishments as distinct from domestic wastes.
- n) Lateral – that part of the sewer system extending from a street sewer to the curb line or, if there shall be no curb line, to the property line or, if no such lateral shall be provided, then “Lateral” shall mean that portion of, or place in, a sewer which is provided for connection of any building sewer.
- o) May – permissible.
- p) Normal Wastewater Concentrations – a BOD content of not more than 300 milligrams per liter and a suspended solids content of not more than 300 milligrams per liter, and an ammonia-nitrogen content of not more than 45 milligrams per liter.
- q) Owner – any person vested with ownership, legal or equitable, sole or partial, of any property.
- r) Parts per Million – a weight to weight ratio as the parts per million value multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water.
- s) Person – any human, firm, company, partnership, corporation, association, group, or society, and includes the State of Wisconsin and agencies, districts, commissions, and political subdivisions created by or pursuant to state law.
- t) pH – the logarithm of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.
- u) Plumbing Code – “Chapter COMM 82 and 83” as defined in this section.

## ARTICLE 2 – DEFINITIONS - Continued

- v) Plumbing – all processes, undertakings, installation, and materials contained in “Chapter ILHR 82” as described in this section.
- w) Plumbing Permit – that written permission required when plumbing, consisting of more than one bathroom group or equaling 6 or more drainage fixture units, is being done within the bounds of Lakeland Sanitary District No. 1.
- x) Pretreatment – application of physical, chemical, or biological processes to reduce the amount of pollutants in, or alter the nature of, the pollutant properties in a wastewater prior to discharging such wastewater into the publicly owned wastewater treatment system.
- y) Pretreatment Standards – all applicable federal, state, and local statutes, laws, ordinances, rules, and regulations. In cases of conflicting standards or regulations, the more stringent thereof shall control.
- z) Private Sewage Systems – a sewage disposal system as defined in Chapter COMM 82 and 83, WI Adm. Code.
- aa) Right-of-Way of Easement – an acquired legal right for the specific use of land owned by others.
- bb) Sanitary District – Lakeland Sanitary District No. 1, operators of the wastewater and water utilities in the Minocqua, Woodruff, and Arbor Vitae areas of the State of Wisconsin.
- cc) Sanitary Sewage – a combination of water carried wastes from residences, business buildings, institutions, and industrial plants (other than industrial wastes from such plants) together with such ground, surface, or storm waters as may be present.
- dd) Sanitary Sewer – a sewer which carries wastewater and to which storm surface and groundwaters are not intentionally admitted.
- ee) Sewer – any pipe or conduit that carries wastewater, domestic drainage, sanitary sewage, or other industrial wastes.
- ff) Significant Industrial User – any industrial user of the wastewater treatment system whose flow exceeds (1) 10,000 gallons per day or (2) five percent (5%) of the daily capacity of the treatment system or (3) contains greater than normal wastewater concentrations or (4) toxic pollutants.
- gg) Shall – mandatory.
- hh) Slug – any discharge of wastewater or industrial waste which in concentration of any given constituent exceeds more than 5 times the average 24-hour concentration during normal operation.

## ARTICLE 2 – DEFINITIONS - Continued

- ii) Standard Methods – the examination and analytical procedures set forth in the most recent edition of “Standard Methods for the Examination of Water, Sewage, and Industrial Wastes”, published by the American Public Health Association, the American Water Works Association, and the Federation of Sewage and Industrial Wastes Associations.
- jj) Storm Water – any flow occurring during or following any form of natural precipitation and resulting therefrom.
- kk) Superintendent – the superintendent of the Lakeland Sanitary District No. 1 or his duly appointed deputy, agent, or representative.
- ll) Suspended Solids – the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, a high percentage of which is removable by laboratory filtering. Measurement of quantities of suspended solids shall be made in accordance with the procedures set forth in this section under the “Standard Methods” definition.
- mm) Unpolluted Water – water free from pollutants in excess of the quantities limited or prohibited by the federal, state, or local effluent standards in effect, or water whose discharge will not cause any violation of federal, state, or local receiving water quality standards.
- nn) User – any person who discharges, causes, or permits the discharge of wastewater into the wastewater treatment system.
- oo) User Classification – a classification of user based on the latest edition of the Standard Industrial Classification (SIC) manual prepared by the U.S. Office of Management and Budget.
- pp) Wastewater – the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, or storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the wastewater treatment system.
- qq) Wastewater Treatment System – any publicly owned devices, facilities, structures, equipment, or works used for the purpose of the transmission, storage, treatment, recycling, and reclamation of industrial and domestic wastewaters.
- rr) Wisconsin Pollutant Discharge Elimination System (WPDES) – the program established by Chapter 147, Wisconsin Statutes, for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into the waters of the State of Wisconsin.

## ARTICLE 3 – REQUIRED CONNECTION TO THE PUBLIC SEWER

- (a) It shall be unlawful to discharge to any natural outlet or stream in any area under the jurisdiction of the Sanitary District, any wastewater, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance, as well as with applicable regulations of the U.S. Environmental Protection Agency (USEPA or EPA) and the Wisconsin Department of Natural Resources (WDNR or DNR).
- (b) To assure preservation of the health, comfort, and safety of the public, all owners of any houses, buildings, or properties intended for human occupancy, either continuous or periodic, located adjacent to or near a sanitary sewer, or in a block through which a sanitary sewer systems extends, where sewage will flow by gravity from such places into the sanitary system, are hereby required to connect within one year, and use such sewers and other related wastewater facilities for the collection and disposal of all sanitary sewage and wastes from such places. (Refer to Chapters COMM 82.10(7) and 83.03(2)).
- (c) The Sanitary District shall send a notice, by registered mail or as provided in Wisconsin Statutes, when said services are available and not utilized. If the owners or their agents fail to comply with said notice after 90 days, the notifying officer of the Sanitary District may cause connection to be made in accordance with the provision of § 281.45, Wisconsin Statutes, and the expense thereof assessed as a special assessment tax against the property.
- (d) The owners of all houses, buildings, or properties intended or used for human occupancy, employment, recreation, or other purposes situated within the Sanitary District and abutting on any street, alley, right-of-way, or easement in which there is now located or may in the immediate future be located a public sanitary sewer of the Sanitary District, are hereby required, at the owner's expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper sanitary sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so. All sanitary sewage and industrial wastes from any improved property, after connection of such improved property with a sewer shall be subject to such limitations and restrictions as are established herein or otherwise shall be established by the Sanitary District from time to time.
- (e) It shall be unlawful to construct or maintain a privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater from any property within the boundaries of the Sanitary District.
- (f) No provision of this ordinance shall be construed to interfere with any requirements imposed by any applicable Town, County, or State Statutes or ordinances.
- (g) Private sewage disposal systems shall be properly abandoned in accordance with WDNR regulations within 60 days from the date of connection to the public sewer.

#### ARTICLE 4 – SEWER CONNECTION AND PLUMBING PERMITS

- (a) No person shall connect any improved property with any part of the wastewater treatment system without first making application, in writing, for securing a permit, from the Sanitary District, as provided for herein. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent.

#### ARTICLE 4 – SEWER CONNECTION AND PLUMBING PERMITS – Continued

(b) A written application, signed by a master plumber, for a sewer connection and/or plumbing permit shall be made to the Sanitary District on official forms provided by the Sanitary District by all property owners who are required to connect with the sewer systems or who desire to connect their properties to the sewer system. The application for sewer connection and/or plumbing permit must be completely filled out and must include the following information:

1. A description of the property, including street address or fire number.
2. Location of the desired sewer connection.
3. Name of the property owner and parcel identification number (PIN).
4. Size, location, and usage of the structure for which the sewer connection is requested.
5. A list of the number and types of plumbing fixtures to be installed in the structure that will discharge wastewater to the public sewer system.
6. Plumbing contractor's name, telephone number, and master plumber license number.
7. Building permit number. (If applicable.)
8. Copy of Wisconsin State approved Plumbing Plans for all plumbing installations required by Chapter ILHR 82.20.
9. Diagram of location of installed lines and clean-outs.

An application for a sewer connection permit for disposal of industrial waste shall, in addition to the above, include the following:

1. Estimated volume of waste (gallons per day).
2. Variation in rates of discharge.
3. Characteristics of the waste to be discharged.
4. Strength of the waste (an estimate of BOD and Suspended Solids).

(c) Each application for a sewer connection and/or plumbing permit shall be accompanied by the proper fees unless theretofore paid. The fee for sewer connection and/or plumbing permits shall be as follows:

Permit Application Fee	\$5.00
First Fixture	\$2.00
Second Fixture	\$1.00

#### ARTICLE 4 – SEWER CONNECTION AND PLUMBING PERMITS - Continued

Each Additional Fixture

\$ .50

- (d) Applications will be entertained for a period of one (1) year and only for improved properties and for properties on which bonafide construction has begun for a structure requiring sewer service.
- (e) Upon receipt of a properly prepared application for connection to the sewer system or to do plumbing work in a structure that is, or will be, connected to the public sewer system, together with the required fees and the other supplementary material, the Sanitary District shall issue a sewer connection and/or a plumbing permit to the owner of the property, or to his authorized representative. Neither the owner nor any subsequent owner or tenant shall allow any other property to be attached to or connected with the sewer lines authorized under the original permit.
- (f) The Sanitary District may prohibit or limit new connection permits to the existing sanitary sewer when the existing downstream sewers or pumping stations experience flows in excess of their design capacity.

#### ARTICLE 5 – BUILDING SEWER CONSTRUCTION

- (a) The provisions of Wisconsin Statutes, Chapters 145 and 281 and Chapter COMM 82 and 83 of the Wisconsin Administrative Code are adopted by reference as a part of this ordinance and shall govern the building sewers installed to the extent applicable.
- (b) The Superintendent or his duly appointed agent shall inspect the Building Sewer. It shall be the duty of the plumber in charge to notify the Superintendent whenever any work is ready for inspection. All work shall be left exposed until such time as the Superintendent has completed his examination and inspection. When in the opinion of the Superintendent, a test in addition to requisites of Chapters COMM 82 and 83, Wisconsin Administrative Code is necessary, he may require a water or air test on any part of or the entire installation.
- (c) The building sewer shall be connected to the lateral at the place designated by the Superintendent. The connection of the building sewer to the lateral shall conform to the Standard Specifications for Sewer and Water Construction in Wisconsin, latest edition. A smooth, neat joint shall be made and the connection of a building sewer to the lateral shall be made secure and watertight through the use of an approved manufactured adapter specifically designed for such installation. The provision of Chapter COMM 82.30 (b) (2) shall apply to all building drains subject to backflow or backwater.
- (d) Each improved property shall be connected separately and independently. Grouping of more than one improved property on one building sewer shall not be permitted except under special circumstances and for good sanitary reasons or other good cause shown and then only after special permission of the Superintendent as may be prescribed by the Sanitary District Commission. However, a single service line shall be permitted to serve a school, mobile home park, apartment house, or other permanent multiple unit property whose individual units are not subject to separate ownership. (Refer to S COMM 82.30 (4) (d) for Private Interceptor Sewer construction information.)



ARTICLE 5 – BUILDING SEWER CONSTRUCTION – Continued

- (e) The size, slope alignment, and materials of construction of the building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the latest edition of the Standard Specifications for Sewer and Water Construction in Wisconsin. 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, wastewater carried by such building drain shall be lifted by an approved means and discharged to the building sewer. (Refer to S COMM 82.30 (10).)
- (f) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of the Ordinance. The Sanitary District shall not be liable for failure of any such sewer examined and tested under this ordinance provision.
- (g) Any materials approved by the Department of Commerce may be installed. However, the Superintendent may demand use of specific approved material consistent with soil conditions. All sewer piping shall be protected from injury, frost, or settling to the satisfaction of the Superintendent.
- (h) Whenever necessary to disturb a drain or sewer in actual use, the same shall not be obstructed or disturbed without special permission of the Superintendent and it shall be unlawful to make new connections with, or extension to, an old drain without permission of the Superintendent.
- (i) A permit shall be applied for and received before excavating in any street, alley, or other public way to repair, alter, or install plumbing. Before the permit may be issued for excavating for plumbing in any public street, way, or alley, the person applying for such permit shall have executed unto the Town of Minocqua, Town of Woodruff, or the Town of Arbor Vitae and the Sanitary District and deposited with the Sanitary District treasurer a corporate surety to be approved by the Sanitary District Board in the sum of \$2,000 conditioned that he will perform faithfully all work with due care and skill, and in accordance with the laws, rules, and regulations of this ordinance and the herein before mentioned State of Wisconsin Codes. The bond shall state that the person will indemnify and save harmless the said Towns and Sanitary District and the owners of the premises against all damages, costs, expenses, outlays, and claims of every nature and kind arising out of unskillfulness or negligence on his part in connection with plumbing or excavating for plumbing as prescribed in this ordinance. Such bond shall remain in force and must be executed that on such expiration it shall remain in force as to all penalties, claims, and demands that may have occurred thereunder prior to such expiration.
- (j) No openings in streets, alleys, or other public ways, to install plumbing, will be permitted when the ground is frozen, except with special permission of the Superintendent. In opening any street or other public way, all materials for paving or ballast shall be removed with the least possible injury or loss and together with the excavated material from the trenches, shall be placed where the least practicable inconvenience to the public will be caused and to allow the free passage of water along the street gutters.
- (k) All openings made in the public streets or alleys in accordance with permission given pursuant hereto shall be enclosed with sufficient barriers, and lamps (which shall be maintained at night), and

#### ARTICLE 5 – BUILDING SEWER CONSTRUCTION - Continued

all other necessary precautions shall be taken to guard the public against accidents from the beginning to the completion of the work. Sewers and drains may be laid only on condition that the excavator or plumber is bonded as before mentioned for all damages that may result from his neglect of necessary precaution against all accident to persons or property of others.

- (l) In opening a trench on any street or lot, the sidewalk material, sand, gravel, and earth or whatever material is removed or penetrated, must be replaced in precisely the same condition and relation to the remainder as it was before. All rubbish must be removed at once, leaving the street, or sidewalk in perfect repair and must be so maintained for a period of one year thereafter. All gas, water, sewer, cable TV, and electric lines or conduits must be protected, from injury or settling, in a manner approved by the Superintendent.
- (m) When any excavation is made in a permanently paved road or street or in any road or street which is to be permanently paved, all clay or hard pan shall be removed and the excavation entirely backfilled with sand or gravel thoroughly wetted and consolidated. Any tunnel dug in such road or street shall be backfilled with concrete in a manner approved by the Superintendent.
- (n) All costs and expense incident to the installation and connection of the building sewer shall be borne by the property owner.
- (o) Every building sewer, including the lateral to which it is connected, shall be maintained in a sanitary and safe operating condition by the owner of such improved property and at the expense of the property owner.

#### ARTICLE 6 – PROHIBITIONS AND LIMITATIONS ON WASTEWATER DISCHARGE

- (a) Sanitary Sewers – No person shall cause to be discharged any storm water, surface drainage, subsurface drainage, groundwater, roof runoff, cooling water, or unpolluted water into any sanitary sewer.
- (b) Prohibitions on Wastewater Discharges- No person shall discharge or deposit into the wastewater treatment system any of the following:
  - 1. Oil and Grease – Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/L or containing substances which may solidify or become viscous at temperatures prevailing in the sewage system.
  - 2. Explosive Mixtures – Liquids, solids, or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the wastewater collection and treatment facilities or to the operation of the system. At no time shall two successive readings on an explosive hazard meter, at the point of discharge into the sewer system, be more than five percent (5%) nor any single reading over ten percent (10%) of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, fuel oils, naptha, benzene, toluene,

ARTICLE 6 – PROHIBITIONS AND LIMITATIONS ON WASTEWATER DISCHARGED - Continued

zylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides.

3. 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 are or may be sufficient to prevent entry by humans into a sewer for its maintenance and repair.
4. Improperly Shredded Garbage – Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers, with no particle greater than one half (1/2) inch in any dimension.
5. Radioactive Wastes – Radioactive wastes or isotopes of such half life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use and which will or may cause damage or hazards to the sewerage facilities or personnel operating the system.
6. Solid or Viscous Wastes – Solid or viscous wastes which will or may cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the wastewater treatment system. Prohibited materials include, but are not limited to, grease, uncomminuted garbage, animal guts or tissues, paunch manure, bones, hair, hides or flesh, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil and similar substances.
7. Excessive Discharge Rate – Wastewater at a flow rate or containing such concentrations or quantities of pollutants that exceeds for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hours concentration, quantities, or flow during normal operation and that would cause a treatment process upset and subsequent loss of treatment efficiency.
8. Toxic Substances – Any toxic substances in amounts exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency (USEPA) pursuant to Section 307 (a) of the Act, at exceeding standards as listed herein, and chemical elements or compounds, phenols, or other taste or odor producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment system, or that will pass through the system.
9. Unpolluted Waters – Any unpolluted water including, but not limited to, water from cooling systems or of stormwater origin, which will increase the hydraulic load on the treatment system.
10. Discolored Material – wastes with objectionable color not removable by the treatment system.
11. Corrosive Wastes – Any waste which will cause corrosion or deterioration of the treatment system. All wastes discharged to the public sewer system must have a pH value in the range of six (6) to nine (9) standard units. Prohibited materials, include, but are not limited to, acids,

ARTICLE 6 – PROHIBITIONS AND LIMITATIONS ON WASTEWATER DISCHARGES - Continued

sulfides, concentrated chloride and fluoride compounds, and substances which will react with water to form acidic products.

(c) Limitation on Wastewater Discharges – No person shall discharge or convey or permit or allow to be discharged or conveyed to a public sewer any wastewater containing pollutants of such character or quantity that will:

1. Not be susceptible to treatment or interfere with the process or efficiency of the treatment system.
2. Have concentrations greater than “normal wastewater concentrations”, as defined, when averaged proportional-to-flow during the discharge period of 24 hours or less.
3. Constitute a hazard to human or animal life, or to the stream or water course receiving the treatment plant effluent.
4. Violate pretreatment standards.
5. Cause a violation of the Wisconsin Pollutant Discharge Elimination System (WPDES) permit held by the Lakeland Sanitary District No. 1 or applicable receiving water standards.
6. Exceed the following maximum concentrations of pollutants in wastewater discharges to the system.

POLLUTANT

MAXIMUM PERMISSIBLE  
CONCENTRATION (mg/L)

Aldrin	0.001
Arsenic	0.05
Barium	1.0
Beryllium	0.1
Boron	1.0
Cadmium	0.2
Chloride	250.0
Chlorine	1.0
Chromium	2.0
Cobalt	2.0
Copper	0.5
Cyanide	0.025
Dieldrin	0.0005
Fluoride	2.0
Heptachlor	0.0005
Hexavalent	0.1
Iron	5.0
Lead	0.1

#### ARTICLE 6 – PROHIBITION AND LIMITATION ON WASTEWATER DISCHARGE - Continued

Manganese	5.0
Mercury	0.002
Nickel	0.2
Phenols	0.2
Polychlorinated Biphenyls	0.0005
Selenium	0.05
Silver	0.1
Sulfate	250.0
Sulfide	1.0
Sulfite	2.0
Thallium	0.05
Zinc	0.01

- (d) Special Agreements – The Sanitary District may issue a written permit allowing discharges of higher strengths or other unusual characteristics into the system, and the discharger shall pay any additional fees as determined by the Sanitary District.

#### ARTICLE 7 – CONTROL OF PROHIBITED WASTES

- (a) Regulatory Action – If wastewaters containing any substance described in Article 6 of this ordinance are discharged or proposed to be discharged into any system subject to this ordinance, the Superintendent shall issue an order to provide for one or more of the following:
1. Prohibit the discharge of such wastewater;
  2. Require a user to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with this ordinance;
  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 any additional cost or expense incurred by the system or Sanitary District for handling and treating excess loads imposed on the treatment plant;
  5. Take such other remedial action as the Superintendent deems necessary to achieve the purposes of this ordinance.
- (b) Submission of Plans – Where pretreatment or equalization of wastewater flows prior to discharge into any part of the system is required, plans, specifications and other pertinent data or information relating to such pretreatment of flow-control facilities shall first be submitted to the Superintendent for review and approval. Such approval shall not exempt the discharger or such facilities from compliance with any applicable code, ordinance, rule, regulation, or order of any governmental

## ARTICLE 7 – CONTROL OF PROHIBITED WASTES - Continued

authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval of the Superintendent.

- (c) Pretreatment Facilities Operations – If pretreatment or control of waste flows is required, such facilities shall be maintained in good working order and operated as efficiently as possible at the cost and expense of the user, subject to the requirements of these rules and regulations and all other applicable codes, ordinances, and laws.
- (d) Grease, Oil, and Sand Interceptors – Grease, oil, and sand interceptors shall be provided as required by ILHR 82, Wisconsin Administrative 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 Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.
- (e) Admission to Property
  - 1. The Sanitary District Superintendent or his representative shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance. The aforesaid inspectors shall not inquire into any industrial processes, including metallurgical, chemical, oil refining, ceramic, paper or other processed, except as they affect the kind and source of discharge to the sewers, waterways, or facilities for waste treatment.
  - 2. While performing the necessary work on private properties referred to above, the Superintendent shall observe all safety rules applicable to the premises established by the user, not inconsistent with the inspection process.
  - 3. Specific easements for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement may be required. 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.
- (f) Protection from Accidental Discharge – Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at said user's cost or expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Superintendent for review and approval before construction of the facility begins. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify such facility as necessary to meet the requirements of this ordinance.
- (g) Reporting of Accidental Discharge – If for any reason a facility does not comply with, or will be unable to comply, with any prohibition or limitations in this ordinance, the facility responsible for such discharge shall immediately notify the Superintendent, by the fastest and most effective means

## ARTICLE 7 – CONTROL OF PROHIBITED WASTES - Continued

possible, any time of the day or night so that corrective action to protect the system may be taken. In addition, a written report, addressed to the Superintendent, detailing the date, time, and cause of the accidental discharge and corrective action taken to prevent future discharges, shall be filed by the responsible industrial facility within 5 days of the occurrence of the non-complying discharge.

## ARTICLE 8 – INDUSTRIAL WASTEWATER MONITORING AND REPORTING

### (a) Monitoring

1. All industrial wastes discharged into the wastewater system shall be subject to periodic inspection and a determination of volume, character, and concentration by the Superintendent or his representative, as often as deemed necessary. The volume of flow shall be determined from the metered water consumption of the industry or from a wastewater metering survey. Sampling may consist of either instantaneous grab samples or composite samples of wastewater. The costs of such testing and flow determination shall be charged to the industrial waste discharger.
2. The industrial user discharging industrial wastes into the wastewater system shall install and pay for a suitable control manhole or access facilities to facilitate the accurate observation, sampling, and measurement of wastes being discharged. Such equipment shall be maintained in proper working order and kept safe and accessible at all times.
3. The control manhole or access facilities shall be located and maintained on the industrial user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the Superintendent may allow such access to be constructed in the Public street or sidewalk area, with the approval of the local governing body, and located so that it will not be obstructed by public utilities, landscaping, or parked vehicles.
4. When more than one local user can discharge into a common lateral, the Superintendent may require installation of separate control manholes or access facilities for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Superintendent may require that separate control manholes or access facilities be installed for each separate discharge.
5. Whether constructed on public or private property, the control manhole or access facilities shall be constructed in accordance with the Superintendent's requirements and all applicable standards and specifications. A location plan and construction details of the control manhole or access facilities shall be submitted to the Superintendent for review and approval prior to construction.
6. Metering of Waste. Devices for measuring the volume of waste discharged may be required by the Superintendent, if this volume cannot otherwise be determined from metered water consumption records. Metering devices for determining the volume of waste shall be installed, owned, and maintained by the user. Following approval and installation such meters may not be removed without the consent of the ordering Superintendent.

## ARTICLE 8 – INDUSTRIAL WASTEWATER MONITORING AND REPORTING - Continued

### (b) Discharge Reports

1. Every significant industrial user shall file a periodic Discharge Report (The report required by WDNR Administrative Code is acceptable in lieu of that report required herein) at such intervals as are designated by the Superintendent. The Superintendent may require any other industrial users discharging, or proposing to discharge in the wastewater treatment system, to file such periodic reports.
2. The discharge report shall include, but in the discretion of the Superintendent, shall not be limited to, nature of process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants, or other information which relates to the generation of waste. Such reports may also include the chemical constituents and quantity of liquid materials stored on site even though they are not normally discharged into the wastewater treatment system. In addition to discharge reports, the Superintendent may require information in the form of self-monitoring reports.
3. Such records shall be made available upon request by the Superintendent. A summary of such data indicating the industrial user's compliance with this ordinance shall be prepared quarterly and submitted to the Superintendent.

### (c) Inspection, Sampling, and Analysis

1. Compliance Determination – Compliance determinations with respect to Article 3 – Prohibitions and Limitations may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a 24-hour period, or over a longer or shorter time span, as determined by the Superintendent.
2. Analysis of Industrial Wastewaters – Laboratory analysis of industrial wastewater samples shall be performed in accordance with the current edition of Standard Methods, Methods of Chemical Analysis of Water and Waste published by the U.S. Environmental Protection Agency or the Annual Book of Standards, Part 23 , Water, Atmospheric Analysis published by the American Society for Testing and Materials. Analysis of those pollutants not covered by these publications shall be performed in accordance with procedures established by the State of Wisconsin.

## ARTICLE 9 – ENFORCEMENT PROCEDURES

- (a) Notification of Violation – Whenever the Superintendent finds that any person has or is violating this ordinance, or any prohibition, limitation, or requirement contained herein, an order shall be served upon such violator stating the nature of the violation and providing a reasonable time, not to exceed thirty (30) days, for the satisfactory correction thereof.

### (b) Show Cause Hearing



#### ARTICLE 9 – ENFORCEMENT PROCEDURE – Continued

1. If the violation is not corrected by timely compliance, the Superintendent may order any alleged violator to show cause before the local approving authority why sewer service should not be terminated. A notice shall be served on the alleged violator specifying the charges and the time and place of the hearing thereon. The notice shall be served personally or by certified mail, return receipt requested, at least 8 days before the hearing. Service may be made on any agent or officer of a corporation.
  2. The Sanitary District may itself conduct the hearing and take the evidence, or may designate some person, excluding a member, to be the hearing examiner to:
    - A. Issue subpoenas requiring the attendance of witnesses and the production of evidence relevant to any matter involved in any such hearing.
    - B. Take testimony and rule on the introduction of evidence.
    - C. File finding of fact and conclusion of law with the approving authority.
  3. At any public hearing, testimony taken before the Sanitary District will be recorded stenographically or electronically. The transcript shall be made available to any person upon payment of the charges therefore.
  4. After the Sanitary District has reviewed the evidence it may issue an order to the violator directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices, or other related appurtenances shall have been installed or existing treatment facilities, devices, or other related appurtenances are properly operated and such further orders and directives as are necessary and appropriate.
- (c) Enforcement – Any discharge in violation of this ordinance shall be considered a public nuisance. The Sanitary District shall bring an action for appropriate legal and/or equitable relief to abate the nuisance and enforce the ordinance.

#### ARTICLE 10 – PENALTY AND COSTS

- (a) Any person who is found to have violated any order or provision of this ordinance, and the orders, rules and regulations issued hereunder, shall be fined not less than One hundred Dollars (\$100.00), and not more than Five Hundred Dollars (\$500.00), per day, for each violation. Each day of violation shall be deemed a separate offense and subject to a separate forfeiture.
- (b) Any person found to be responsible for a discharge into the system, which causes damage to the system, receiving body of water and/or downstream waters, shall pay the cost of such damages to the Sanitary District and each affected authority.
- (c) In addition to the penalties provided herein, the Sanitary District may recover reasonable attorney's fees, court costs, court reporter's fees, and other expense of litigation by appropriate suit at law

ARTICLE 10 – PENALTY AND COSTS - Continued

against the person found to have violated this ordinance, or the orders, rules, and regulations issued hereunder.

If any provision, paragraph, word, section, or article of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and articles shall not be affected but shall continue in full force and effect.

Passed and adopted by the Board of Commissioners, Lakeland Sanitary District No. 1, Oneida County, Wisconsin.

ATTEST:

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Thomas J Wipperfurth, President

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Richard Schroeter, Secretary

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Mark Killian, Treasurer

PASSED \_\_\_\_\_

ADOPTED \_\_\_\_\_

POSTED \_\_\_\_\_