

CHAPTER 13

UTILITIES-SEWAGE SERVICE AND GAS CODE*

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13.01 General Provisions.

(1) Intent.

It is hereby determined and declared to be necessary for the protection of the health, safety and welfare of the Village of Casco and the inhabitants thereof to levy and collect sewer charges or rentals upon all lots, lands, and premises served or benefitted by the Sewerage System of the Village of Casco, which shall include, without limitation, all facilities within or without said Village for the collection, treatment and disposal of sewage for the Village of Casco and its inhabitants.

(2) Purpose.

On and after the completion of the Sewage System of the Village of Casco, Kewaunee County, Wisconsin, construction of which has heretofore been provided for, said Utility shall be operated by the Village of Casco as a public utility in accordance with the laws of the State of Wisconsin and the ordinances and resolutions of the Village of Casco, and the rates and charges herein set forth shall be applicable to all services furnished and made available by said Utility to the Village and to its inhabitants, and all other persons, firms, and corporations, both public and private, until modified by ordinance amendatory hereof or supplemental hereto, provided, however, that such rates and charges as amended shall always be fixed, maintained and collected in such amounts as shall produce gross revenues adequate to pay as incurred all costs of the operation and maintenance of said Utility, and to

accumulate as adequate reserve for the depreciation thereof, and to pay when due the principal of and the interest on all bonds of the Village which are payable from the revenues of said Utility.

(3) Deposit of Funds.

The funds received from the operation of said public utility, in accordance with the rates and charges authorized by this chapter, shall be deposited at regular intervals in a depository to be designated by the Board of Trustees and shall be set aside into the separate and special funds heretofore provided for by this for the reasonable and proper operation and maintenance of said Utility, for a proper and adequate depreciation account and for the payment of the interest and principal of bonds issued and outstanding, or which may be hereafter issued to provided funds to construct, improve, and extend said public utility.

(4) Audit.

Annual Audit. The Village of Casco shall conduct an annual audit, the purpose of which shall be to re-establish the equity and adequacy of the user charges relative to changes in system operation and maintenance costs.

(5) Validity.

(a) Repeal of Conflicting Ordinance.

All ordinances or parts of ordinances or regulations or parts of regulations in conflict with this ordinance are hereby repealed.

(b) Invalidation Clause.

Invalidity of any section, clause, sentence, or provision in the ordinance shall not affect the validity of any other section, clause, sentence or provision of this ordinance which can be given effect without such invalid part or parts.

(c) Amendment.

The Village of Casco through its duly qualified officers, reserves the right to amend this ordinance in part or in whole wherever it may deem necessary, but such right will be exercised only after due notice to all persons concerned and proper hearing on the proposed amendment.

(6) Penalties.

The penalty for violation of any provision of this ordinance shall be a penalty as provided in Sec. 2.08 of the Casco Municipal Code. A separate offense shall be deemed committed on each day on which a violation occurs or continues, provided no forfeiture shall be imposed for a violation of Section 13.03(2) when connection to the sewer is enforced at the expense of the property owner.

13.02. DEFINITIONS.

(1) Approving Authority shall mean the Village Board (or other designated officials) of the Village of Casco or its duly authorized deputy, agent or representative.

(2) BOD (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees Centigrade, expressed as milligrams per liter. Quantitative determination of BOD shall be made in accordance with procedures set forth in "Standard Methods."

(3) 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 sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

(4) Building Sewer shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection.

(5) Combined Sewer shall mean a sewer intended to receive both wastewater and storm or surface water.

(5a) Combined Sewer System shall mean a sewer for the conveyance of wastewater and stormwater runoff.

(6) Commercial User--Any establishment involved in an enterprise, business, or service that discharges primarily domestic wastes or wastes from sanitary conveniences.

(7) Composite Sample (24 hours) shall be the combination of individual samples taken at intervals of not more than one hour.

(8) Compatible Pollutant means biochemical oxygen demand, suspended solids, PH, or fecal coliform bacteria, plus additional pollutants identified in the WPDES permit for the publicly owned treatment works receiving the pollutants if such works was designed to treat such additional pollutants, and in part does remove such pollutants to a substantial degree.

(9) Chlorine Requirement shall mean the amount of chlorine, in milligrams per liter, which must be added to sewage to produce a specified residual chlorine content in accordance with procedures set forth in "Standard Methods".

(9a) Debt Service shall mean that cost required to pay back principal and interest on long term debts.

(10) Easement shall mean an acquired legal right for the specific use of land owned by others.

(11) Floatable Oil is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.

(12) Flow Proportional Sample shall be taken so that the total sample is proportional to the flow during the sampling period.

(13) Garbage shall mean the residue from the preparation, cooking and dispensing of food, and from the handling, storage and sale of food products and produce.

(14) Ground Garbage shall mean the residue from the preparation, cooking and 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.

(15) Incompatible Pollutant means any pollutant which is not a compatible pollutant.

(16) Industrial Cost Recovery System-That system which recovers, without interest, that proportion of the total Federal Grant to the community for construction purposes attributable to industrial users.

(17) Industrial User is any nongovernmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under the following divisions:

1. Division A. - Agriculture, Forestry, and Fishing
2. Division B. - Mining
3. Division D. - Manufacturing
4. Division E. - Transportation, Communications, Electric, Gas, and Sanitary Services
5. Division I. - Services

A user in the Division listed may be excluded if it is determined that it will introduce primarily segregated domestic wastes or wastes from sanitary conveniences.

(18) Industrial Waste - Any trade or process waste as distinct from segregated domestic wastes or wastes from sanitary conveniences.

(19) Intercepting Sewer - A sewer whose primary purpose is to convey sewage from a collection system or systems to a wastewater treatment plant. Size of the sewer is not a factor.

(20) Major Contributing Industry means an industrial or commercial facility that is a user of publicly owned treatment works and:

- (a) Has a waste discharge flow of 50,000 gallons or more per average work day;
- (b) Has a waste discharge flow greater than 5% of the flow carried by the municipal system receiving the waste;
- (c) Has in its waste, a toxic pollutant in toxic amounts as defined in Wisconsin Administrative Code Chapter NR 215; or
- (d) Has a waste which the department determines has, or in the case of a new source will have a significant impact, either singly or in combination with other wastes on the publicly owned treatment works or on the quality of effluent from such works.

(21) Natural Outlet shall mean any outlet, including storm sewers and combined sewer overflows, into a water-course, pond, ditch, lake or other body of surface water or groundwaters.

(22) Normal Sewage shall mean sanitary sewage in which BOD₅ and S.S. Concentrations do not exceed normal concentrations of:

- a) A five day, 20° C, BOD of not more than 200 mg/l
- b) A suspended solids content of not more than 250 mg/l

(23) Operation and Maintenance - all direct costs associated with the operation and maintenance of the treatment works including but not limited to employee salaries and benefits; training costs for update and upgrade of employees; operation, maintenance, administrative and auxiliary equipment and supplies; power charges and similar expenses for utility uses; replacement costs.

(24) Parts Per Million shall be a weight to weight ratio; the parts per million value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

(25) Person shall mean any and all persons including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

(26) PH shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a PH value of 7 and a hydrogen ion concentration of 10^{-7} .

(27) Public Sewer shall mean any sewer provided by or subject to the jurisdiction of the Approving Authority. It shall also include sewers within or outside the Village boundaries that serve one or more persons and ultimately discharge into the Village sanitary or combined sewer system, even though those sewers may not have been constructed with the Village funds.

(28) Replacement Costs - Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. The term "Operative and Maintenance" includes replacement.

(29) Residential User shall mean any user whose premises are used primarily as a domicile for one or more persons, and discharges only domestic wastes.

(29a) REU shall also mean residential equivalent unit and shall be equal to 87,000 gal/year of normal sewage.

(30) Sanitary Sewage shall mean a combination of water carried wastes from residences, business buildings, institutions, and industrial plants (other than industrial wastes from such plants); together with such ground, surface and storm waters as may be present.

(31) Sanitary Sewer shall mean a sewer that carries sanitary and industrial water-carried wastes from residents, commercial buildings, industrial plants, and institutions, together with minor quantities of ground, storm and surface water that are not admitted intentionally.

(32) Segregated Domestic Wastes may be defined as wastes from non-residential sources resulting from normal domestic activities. These activities are distinguished from industrial, trade, and/or process discharge wastes.

(33) Separate Sewer System also defined as a sanitary sewer.

(34) Sewage is the spent water of a community. The preferred term is "wastewater", Section 13.02(47).

(35) Sewer shall mean a pipe or conduit that carries wastewater or drainage water.

(36) Sewage System shall mean the composite network of underground conduits carrying wastewater and appurtenances incidental thereto. (ie. manholes, liftstations, service lateral)

(37) "Shall" is mandatory: "May" is permissible.

(38) Slug shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the system and/or performance of the wastewater treatment works.

(39) Standard Methods shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes" published jointly by the American Public Health Association, the American Water Works Association and the Federation of Sewage and Industrial Wastes Associations.

(40) Storm Drain (sometimes termed "storm sewer.") shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

(41) Stormwater Runoff shall mean that portion of the rainfall that is drained into the sewers.

(42) Suspended Solids shall mean solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and that are removable by laboratory filtering as prescribed in "Standard Methods for Examination of Water and Wastewater" and are referred to as nonfilterable residue.

(43) Unmetered User shall mean a user who is not connected to a municipal water system thereby does not have his private waste supply metered.

(44) Unpolluted Water is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.

(45) User Charge System - A system implemented to assure that each recipient of waste treatment services within the service area will pay its proportionate share of the costs of operation and maintenance including replacement costs of all waste treatment services.

(46) Village is the Village of Casco, Kewaunee County, Wisconsin.

(47) Wastewater shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any ground water, surface water, and storm water that may be present.

(48) Wastewater Facilities shall mean the structures, equipment, and processes required to collect, carry away, and treat

domestic and industrial wastes and dispose of the effluent.

(49) Wastewater Treatment Works shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with waste treatment.

(50) Watercourse shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

(51) WPDES Permit - Wisconsin Pollutant Discharge Elimination System Permit. General provisions are stated in Chapter NR 205 of the Wisconsin Administrative Code.

13.03 RULES - USE OF THE PUBLIC SEWERS

(1) Sanitary Sewers

No person(s) shall discharge or cause to be discharged any unpolluted waters as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer, except stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the Approving Authority.

(2) User Connections.

(a) The owner(s) of all houses, buildings or properties used for human occupancy, employment, recreation, or other purposes situated within the village and abutting on any street, alley or right-of-way and located within 200 feet of a public sewer main of the sanitary sewer of the Village of Casco is hereby required at the owner(s)' expense to install suitable toilet facilities therein, and connect such facilities directly to the proper public sewer in accordance with the provisions of this Ordinance within 3 months after the date of official notice to do so, provided that the system has capacity for such connection.

(b) The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Village and abutting on any street, alley or right-of-way and located 200 feet or more from a public sewer main of the sanitary sewer of the Village of Casco is hereby required to make application to the Village Board for permission to install a suitable sewerage disposal system which may or may not involve connection to the sanitary sewer system of the Village. Each such landowner shall obtain written permission to install any alternate sewerage disposal system before applying for a building, house or other structure.

(3) Storm Sewers.

Stormwater other than that exempted under Section 13.03 (1), and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewer or storm sewers or to a natural outlet approved by the approving authority and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the Approving Authority, to a storm sewer, combined sewer, or natural outlet.

(4) Prohibitions and Limitations.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer.

(a) Any gasoline, benzine, naptha, fuel oil, other flammable or explosive liquid, solid or gas.

(b) 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 waste treatment process, constitute a hazard to humans or animals or create a public nuisance in the receiving waters of the wastewater treatment plant.

(c) Any waters or wastes having a PH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works.

(d) Any waters or wastes having a PH in excess of 9.

(e) 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 wastewater facilities such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(f) The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Approving Authority may set limitations

lower than the limitations established in the regulations below if in his opinion such more severe limitations are necessary to meet the above objectives. In forming his opinion as to the acceptability, the Approving Authority will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the Approving Authority are as follows:

- i. Wastewater having a temperature higher than 150 degrees Fahrenheit (65 deg. Celsius)
- ii. Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
- iii. Wastewater from industrial plants containing floatable excess oils, fat or grease.
- iv. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- v. Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Approving Authority for such materials.
- vi. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Approving Authority.
- vii. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Approving Authority in compliance with applicable state or federal regulations.

viii. Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.

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

x. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

xi. Materials which exert or cause:

1. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the Wastewater Treatment Plant.
2. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
3. Unusual concentrations of inert suspended solids (such as, but not limited to fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium sulfate).
4. Excessive discoloration (Such as, but not limited to dye wastes and vegetable tanning solutions).
5. Any reaction that prevents the Approving Authority from meeting the conditions of their discharge permit.

(5) Special Arrangements.

No statement contained in this article shall be construed as prohibiting any special agreement between the Village and any person whereby an industrial waste or unusual strength or character may be admitted to the sewage disposal works, either before or after pre-treatment, provided that there is no impairment of the functioning of the sewage disposal works by reason of the admission of such wastes, and no extra costs are incurred by the Village without recompense by the person provided that all rates and provisions set forth in this ordinance are recognized and adhered to.

13.04 CONTROL OF INDUSTRIAL WASTES DIRECTED TO PUBLIC SEWERS

(1) Submission of Basic Data.

Within three (3) months after passage of this ordinance, firms required by Approving Authority discharging industrial wastes to a public sewer shall prepare and file with the Approving Authority a report that shall include pertinent data relating to the quantity and characteristics of the wastes discharged to the wastewater works. The following forms or the information required to complete them will be accepted:

Annual NR 101 Report or Form 3400-28, Industrial Waste Contribution to Municipal System

Similarly, each person desiring to make a new connection to public sewer for the purpose of discharging industrial wastes shall prepare and file with the Approving Authority a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.

(2) Extension of Time.

When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule imposed by Sec. 13.04(1) a request for extension of time may be presented for consideration of the Approving Authority.

(3) Industrial Discharges.

If any waters or wastes are discharged, or proposed to be discharged to the public sewers, which waters or wastes contain substances or possess the characteristics enumerated in Article II and which in the judgment of the Approving Authority, may have deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life health, or constitute a public nuisance, the Approving Authority may:

- (a) Reject the wastes
- (b) Require pretreatment to an acceptable limit for discharge to the public sewers
- (c) Require control over the quantities and rates of discharge and/or
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 13.02(5).

(4) Control Manholes.

Each person discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or

access points to facilitate observation, measurement and sampling of his wastes, including domestic sewage.

Control manholes or access facilities shall be located and built in a manner acceptable to the Approving Authority. If measuring devices are to be permanently installed, they shall be of a type acceptable to the Approving Authority.

Control manholes, access facilities and related equipment shall be installed by the person discharging the waste, at his expense and shall be maintained by him so as to be in safe condition, accessible and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the Approving Authority prior to the beginning of construction.

(5) Waste Sampling.

Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said wastes. The determinations shall be made by the Industry as often as may be deemed necessary by the Approving Authority.

Sampling shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the Approving Authority.

Installation, operation and maintenance of the sampling facilities shall be the responsibility of the person discharging the waste and shall be subject to the approval of the Approving Authority. Access to sampling locations shall be granted to the Approving Authority or its duly authorized representatives at all times. Every care shall be exercised in the collection of samples to ensure their preservation in a state comparable to that at the time the sample was taken.

(6) Analyses.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest revision of EPA Regulations, 40 CFR 136. Sampling methods, location times, durations, and frequencies are to be determined on an individual basis subject to approval by the Approving Authority.

Determination of the character and concentration of the industrial wastes shall be made by the person discharging them, or his agent, as designated and required by the Approving Authority. The Village may also make its own analyses on the wastes and these determinations shall be binding as a basis for charges.

(7) Pretreatment.

Where required, in the opinion of the Approving Authority, to modify and eliminate wastes that are harmful to the structures, processes or operation of the wastewater treatment works, the person shall provide at his expense such preliminary treatment or processing facilities as may be determined required to render his wastes acceptable for admission to the public sewers, in conformance with existing Federal and State regulations.

(8) Submission of Information.

Plans, specifications and any other pertinent information relating to proposed flow equalizations, pre-treatment or processing facilities shall be submitted for review of the Approving Authority prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

(9) Grease and/or Sand Interceptors.

Grease, oil, and sand interceptors shall be provided when, in the opinion of the Approving Authority, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Sec.13.03(4)(f)(iii) Article II, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters to dwelling units. All interceptors shall be of a type and capacity approved by the Approving Authority, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates, and means of disposal which are subject to review by the Approving Authority. Any removal and hauling of the collected materials not performed by owner(s)' personnel must be performed by currently licensed waste disposal firms.

13.05 USER CHARGES AND COST RECOVERY CHARGES

(1) Basis for Sewer User Charges

(a) Sewer Users by Private Wells. The residential sewer user served by private wells, discharging sewage into the public sewer system shall pay a "flat rate" user charge. The flat rate shall consist of an operation, maintenance, and replacement charge plus a fixed fee.

(b) Basis of Operation, Maintenance and Replacement Charges. Charges shall be computed based upon an average household yielding approximately 87,000 gas/year of normal sewage to the treatment works. This basis shall be the "Residential Equivalent Unit". Cost allocations shall be determined as set forth in "Sewer Service Charges - Computation and Implementation" dated November 1977.

(c) Basis of Fixed Fee. The fixed fee shall be set to assist in defraying debt retirement costs.

(2) Amount of User Charges.

(a) Class A Residential Users.

1. Class A residential users located within the Village limits shall pay a "flat rate" user charge consisting of an operation, maintenance, and replacement charge plus a fixed fee.

2. Class A residential users located outside the Village limits shall pay a user charge calculated by multiplying the "flat-rate" user charge by a multiplier of 1.25.

(b) Class A Commercial Users. Commercial users shall be classified as follows:

Category I -- Commercial Facilities with rest rooms only. These customers shall be considered as contributing three-fourths REU.

Category II-- Commercial Facilities which discharge domestic waste but have more load than rest room facilities only. These customers shall be considered as contributing 1 REU.

C = Charge to sewer user for collection and treatment of wastewater for the billing period.
 M = Annual fixed charge = \$60.00
 V = Annual volume of normal sewage
 REU = Annual charge per residential equivalent unit for operation, maintenance and replacement

Annual charges shall be prorated for the billing period.

(c) Class B (Industrial Users) is defined as Industrial Users contributing industrial waste.

The Class B User charges for volume, BOD, and Suspended Solids shall be computed in accordance with the formula presented below:

$$C = M + \frac{(V_A - 87,000)}{A} (\text{REU}) + \frac{(B - (V_B \times 200 \times 8.34))}{B} (1) \frac{(C)}{B} + \frac{(S - (V_B \times 250 \times 8.34))}{B} (1) \frac{(CS)}{B}$$

(1) When either of the expressions $(B - V_B \times 200 \times 8.34)$ or $(S - (V_B \times 250 \times 8.34))$ are equal to or less than zero that expression should be deleted eg... no surcharge made for that parameter.

Where:

M = Annual fixed charge
 C = Charge to sewer user for collection and treatment of wastewater for the billing period.
 B = Total pounds of BOD during the billing period.
 S = Total pounds of Suspended Solids during the billing period.
 V_A = Annual wastewater volume in gallons
 V_B = Wastewater volume in MGD for the billing period.
 C_B = Cost per pound of BOD - \$.256/lb.
 C_S = Cost per pound of Suspended Solids = \$.137/lb.

8.34 = Conversion factor

REU = Annual charge per residential equivalent unit for operation, maintenance and replacement

Annual charges shall be prorated for the billing period.

(3) Amount of Industrial Cost of Recovery Charges

(a) Class B (Industrial Users) is defined as those users who discharge other than segregated sanitary wastewater. The cost recovery charge for Class B wastewater is as follows:

Waste Loan Parameter:

Volume	\$.155/1,000 gallons
BOD	\$.050/pound
S.S	\$.018/pound
Flow as a	\$.328/1,000 gallons
Minimum Volume	

The Class B cost recovery charges for volume, BOD, and suspended solids, (Waste load parameter) shall be computed in accordance with the formula presented below:

$$V = V_T - E \quad (30)$$

$$R = (V \times R_V \times 10^{-3}) + (B \times V \times R_B \times 8.34 \times 10^{-9}) + (S \times V \times R_S \times 8.34 \times 10^{-9})$$

The Class B cost recovery charges based on flow as a minimum shall be computed in accordance with the following formula:

$$V = V_T - E \quad (30)$$

$$R = V \quad (\text{RFM})$$

Where:

- R = Charge to Sewer user for Cost Recovery System
- B = Concentration of BOD in milligrams per liter (mg/l) in the wastewater
- S = Concentration of suspended solids in milligrams per liter (mg/l) in the wastewater
- 10^{-3} = Conversion factor to get 1,000 gallons.
- 10^{-9} = Conversion factor to get 1,000,000 gallons.
- R_S = Cost Recovery charge per pound of suspended solids.
- R_V = Cost recovery charge per 1,000 gallons
- R_B = Cost recovery charge per pound of BOD
- RFM = Cost recovery charge per 1,000 gallons based on flow as a minimum
- E = Number of employees
- V_T = Total Wastewater Volume (gallons)
- V = Total Wastewater Volume, excluding normal domestic waste, in gallons
- 8.34 = Conversion factor
- 30 = Approximately 1/3 of 100 gal/capita/day D.N.R. sewer design flow allowable (30 gal./employee/day)

(b) Charges

Industrial cost recovery charges shall be computed by both methods and the user shall pay the greater amount.

(c) Disbursement

The revenue collected from the Industrial Cost Recovery Charge shall be disbursed as follows:

Ten percent of the original ICR payments can be invested or spent by the Village of Casco, subject to two limitations.

They may not be used for industrial pretreatment facilities or as rebates to industrial users.

Fifty percent of the original amount, together with 50 percent of the accumulated interest, is to be paid by check to the U.S. Environmental Protection Agency and forwarded to the Financial Management Office of the Regional Administrator. The closing date for making such payments has been established as no later than four months after the end of the Village's annual accounting period.

The remaining 40 percent of the original amount is to continue to be invested in appropriate accounts (together with the optional 10 percent if desired) until its use is required by the Village for expansion or reconstruction of the treatment works. Eligible costs are defined in 40 C.F.R. 35.940. The written approval of the Regional Administrator is required prior to commitment of any of this 40 percent (40 C.F.R. 35.928 - 2(b)). Approval is not considered a grant, since these funds are considered to belong to the Village.

(d) Duration.

Industrial Cost Recovery shall be collected for a period of thirty (30) years from the date that the treatment system begins operation.

(4) Billing Practice.

(a) Billing Period. User charges and cost recovery charges shall be billed on a quarterly basis.

(b) Payment. User charges and/or cost recovery charges shall be payable by 20 days after the billing date at Village Treasurer or ~~Valley Bank of Casco~~ *Bank of Lewy Casco*

(c) Penalties. Such surcharges levied in accordance with the ordinance shall be a debt due to the Village and shall be a lien upon the property.

If this debt is not paid within thirty (30) days after it is due and payable, it shall be deemed delinquent and may be recovered by civil action in the name of the Village against the property owner, the person, or both.

Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

13.06 RULES OF OPERATION AND CONSTRUCTION OF SEWERAGE FACILITIES

(1) Right of Entry, Safety and Identification.

(a) Right to Enter Private Property.

The Director of Sewerage Service or other duly authorized employee of the Village bearing proper credentials and

identification shall be permitted to enter all properties for the purpose of inspection, observation, testing, all in accordance with the provisions of this ordinance and Section 196.171 Wisconsin Statutes. The Superintendent or other duly authorized employee of the Village shall have no authority to inquire into any process beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastewater treatment.

(b) Safety. While performing the necessary work on private premises referred to in Section 801, the duly authorized Village employees shall observe all safety rules applicable to the premises established by the company and the Village shall indemnify the company against loss or damage to its property by Village employees and against the liability claims and demands for personal injury or property damage asserted against the company and growing out of gauging and sampling operation, and indemnify the company against loss, or damage to its property by Village employees; except as such may be caused by negligency or failure of the company to maintain safe conditions as required in Section 13.04(4).

(c) Right to Enter Easements. The Director of Sewerage Service and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement, all subject to the terms, if any, of the agreement.

(2) Sewer Construction (Building Sewers)

(a) Work Authorized. 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 permit from the Approving Authority.

(b) Cost of Sewer Connection. All costs expense incident to the installation and connection of the building sewer shall be borne by the Owner. The Owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. The Approving Authority may require the Owner to post a bond in an amount to be determined by the Village Board, to indemnify the Village from such potential loss or damage.

(c) Use of Old Building Sewers. Old building sewers may be used in connection with new buildings only when they are found on examination and test by the Approving Authority, to meet all requirements for this ordinance.

(d) Materials and Methods of Construction.

The size, slope, alignment, materials of construction of 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 building and plumbing code or other applicable rules and regulations of the Village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

(e) Building Sewer Grade.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(f) Storm and Ground Water Drains.

No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which is connected directly or indirectly to a public sanitary sewer.

(g) Conformance to Plumbing Code.

The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Approving Authority before installation.

(h) Inspection of Connection.

The applicant for the building sewer permit shall notify the Approving Authority when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Approving Authority.

(i) Barricades: Restoration.

All excavations for the building sewer installation shall be adequately guarded 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 Village.

(3) Maintenance of Building Sewers

(a) Work Authorized.

No unauthorized person shall uncover, make or disturb any connections with or openings into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Approving Authority.

(b) Cost of Maintenance.

All costs expense incident to any cleaning or repair of the building sewer shall be borne by the Owner. The Owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by any cleaning or repair of the building sewer. The Approving Authority may require the Owner to post a bond, in an amount to be determined by the Village Board, to indemnify the Village from such potential loss or damage.

(c) Inspection and Supervision of Maintenance.

During the cleaning or repair of any building sewer, the Approving Authority may, from time to time, inspect the same to see that said work is being done in accordance with approved procedures. Unless otherwise approved by the Approving Authority, all cleaning and repair of any building sewer shall be done under the direction of a Licensed Master Plumber or Licensed Sewer Cleaner.

(4) Connections to the Village Wastewater Collection System.

(a) Application to Connect Proposed New Sewerage System.

Any person desiring to connect a proposed new sewerage system with the Approving Authority sewage works shall make application to the Approving Authority for permission to make such connection or use.

(b) Alterations.

Alterations to existing sewerage systems connected to the sewage works, shall be treated as Proposed New Sewerage Systems.

(c) Permit to Connect.

Prior to permitting such connection or use, the Approving Authority may investigate, or cause to be investigated, the sewerage system for which such connection or use is requested. If the Approving Authority finds such system to be in a satisfactory condition, it will grant a permit for such connection or use. If the Approving Authority finds such system to be defective in operation, construction, design, or maintenance, the Approving Authority will so notify the applicant who will be informed as to the reason for nonapproval.

(d) Reserve Capacity.

Prior to permitting any connection or use of the treatment works, the Approving Authority shall ascertain that all downstream sewers, interceptors, lift stations, forcemains and treatment works have sufficient reserve capacity for volume, suspended solids, and B.O.D. to assure adequate collection and treatment of the additional sewage contributed to the sewage works. The Approving Authority reserves the right to refuse a connection or use permit if the requirements of this subsection cannot be met with the granting of the permit.

(e) Inspections and Supervision During Construction.

During the construction of any sewerage system which the Approving Authority has approved, the Approving Authority may, from time to time, inspect the same to see that said work is being done in accordance with the approval plans and specifications. Failure to make such inspections shall not nullify the rights of the Approving Authority to require reconstruction should non-adherence to approved plans be subsequently discovered. Every person in the construction of laterals or sewerage systems within its jurisdiction shall require that such construction be under the direction of a Wisconsin Registered Professional Engineer or Licensed Master Plumber,

if plan approval has obtained under his license. The Engineer or Master Plumber shall keep accurate records of the location, depth, and length of the sewers as built and of the location of the Y-branches or slants. If such construction is not under the direction of a Wisconsin Professional Engineer or Licensed Master Plumber, the Owner shall post a bond, in an amount determined by the Village Board, to indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the construction of any sewage system.

(f) Permits-Not Granted. Permits shall not be granted for the connection of combined sewers to the interceptors or municipal sewers. Permits shall not be granted for the connection of any proposed or existing storm sewers to the Approving Authority Sewage works. Connection of catch basin or curb inlets to any sanitary sewer directly or indirectly connected to the Approving Authority sewage works is strictly prohibited.

(g) Physical Connection. All proposed sewer connections shall be planned to be made at a manhole with the flow line of the connecting sewer being at or below the manhole shelf or the connection shall be made through an approved drop. At least twenty-four hours before connection is to be made, notice of such intent must be given to the Approving Authority. When the actual connection is made, it must be done in the presence of an Approving Authority inspector.

(5) Septic Tank and Holding Tank Disposal.

No person in the business of gathering and disposing of septic tank sludge or holding tank sewage shall transfer such material into any disposal area or sewer manhole located within the Village of Casco boundaries unless a permit for disposal has been first obtained from the Approving Authority. Written application for this permit shall be made to the Approving Authority and shall state the name and address of the applicant; the number of its disposal units; and the make, model, and license number of each unit. Permits shall be non-transferrable except in the case of replacement of the disposal unit for which a permit shall have been originally issued. The permit may be obtained upon payment of a fee of \$10.00 per calendar year, provided that the fee for any permit obtained after June 30, shall be \$5.00. The place of disposal will be designated by the Approving Authority. Charges for disposal shall be as established by the Approving Authority. The Approving Authority may impose such conditions as it deems necessary on any permit granted.

(6) Damage or Tampering with Sewage Facilities.

(a) Willful, Negligent or Malicious Damage.

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

(b) Liability to District for Losses.

Any person who intentionally, negligently or accidentally violates any provisions of this ordinance shall become liable to the Village of Casco or any downstream user, for any expense, loss or damage occasioned by reason of such violation which the Village or any downstream user may suffer as a result thereof. This section shall be applicable whether or not a written notice of the violation was given as provided in Section 13.01 and without consideration for any penalties which may be imposed for a violation of this ordinance.

13.07 ENFORCEMENT

(1) Jurisdiction of Officials.

It shall be the duty of the Village Health officer and of the Director of Sewage Service, and the Village Board to strictly enforce the provisions of this chapter relating to sewage service and see that all violations thereof are abated as herein provided and it shall be the duty of the Building Inspector or police officer to investigate and report in writing to the Board of Health any violation of this chapter. Said Board thereupon shall service notice to abate such private sewerage disposal system, privy or outhouse and connect with the sewerage system in compliance with this chapter.

(2) Violations and Penalties

(a) Written Notice of Violation.

Any person found to be violating any provision of this Ordinance, except Section 13.05 (4) shall be served by the Village with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(b) Accidental Discharge.

Any person found to be responsible for accidentally allowing a deleterious discharge into the sewer system which causes

damage to the treatment facility and/or receiving body of water shall, in addition to a fine, pay the amount to cover damage, both values to be established by the Approving Authority.

(c) Continued Violations.

Any person who shall continue any violation beyond the aforesaid notice time limit provided shall, upon conviction thereof forfeit, not more than \$200.00 together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the Kewaunee County Jail for a period not to exceed 30 days. Each day in which any violation is continued beyond the aforesaid notice time limit shall be deemed a separate offense.

(d) Liability to Village for Losses.

Any person violating any provision of this Ordinance shall become liable to the Village for any expense, loss, or damage occasioned by reason of such violation which the Village may suffer as a result thereof.

(3) Lien on Property Served.

Each charge levied by or pursuant to this chapter for sewerage service as hereinbefore provided in hereby made a lien upon the corresponding lot, land or premises served by the Sewerage Utility of the Village of Casco, 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 Village's tax roll as provided in Section 66.069(1)(b) of the Wisconsin Statutes.

(4) Appeals

(a) Procedures.

Any user, permit applicant, or permit holder affected by any decision, action, or determination, including cease and desist orders, made by the Approving Authority interpreting or implementing the provisions of this ordinance or in any permit issued herein, may file with the Approving Authority a written request for reconsideration within ten (10) days setting forth in detail the facts supporting the user's request for reconsideration. The Approving Authority shall render a decision on the request for reconsideration to the user, permit applicant or permit holder in writing within 15 days of receipt of request. If the ruling on the request for reconsideration made by the Approving Authority is unsatisfactory, the person requesting reconsideration may, within 10 days after notification of the Approving Authority's action, file a written appeal with the Village Clerk.

A fee of \$100.00 shall accompany any appeal to the Village Board. This fee may be refunded if the appeal is sustained in favor of the appellant.

The written appeal shall be heard by the Village Board within 45 days from the date of filing. The Village Board shall make a final ruling on the appeal within 60 days from the date of filing.

13.08 STANDARD GAS CODE.

(1) Scope.

The purpose of this section of the code is to promote the health, safety, and welfare of the public and to safeguard property by regulating the minimum requirements for gas appliances and the installation of gas piping and the installation, alteration, maintenance, and use of gas equipment connected thereto.

(2) Provisions Regulating the Sale of Gas Appliances.

(a) All gas appliances and accessories hereafter installed, sold or offered for sale shall conform to reasonable standards of safety.

(b) The presence on a gas appliance or accessory of a safety seal or label of a nationally recognized testing agency or a certificate or letter of approval from such agency or the inclusion of an appliance or accessory in an approved listing by such agency shall be prima facie evidence that such appliance or accessory conforms to reasonable standards of safety. Such nationally recognized testing agency shall be one qualified and equipped to perform periodic inspections of current models of gas appliances and accessories.

(3) Provisions Regulating the Installation of Appliances.

(a) All gas appliances, accessories and piping systems shall be installed to conform to reasonable standards of safety.

(b) Installation of appliances, accessories, and piping that complies with the standards recommended by the American Standards Association in their Manual entitled "Installation of Gas Appliances and Gas Piping" 1964 editions, as amended to this date, shall be prima facie as conforming to reasonable standards of safety.

(c) It shall be unlawful for any person, firm or corporation, excepting an authorized agent or employee of the gas supplier to turn on or reconnect gas service in or on any premises where and when gas service is not at the time being rendered. This shall not prohibit an installer from turning on the supply of gas temporarily for the purpose of testing the installation made by him or from turning on gas that he had temporarily turned off for the purpose of connecting an appliance or making repairs.

(d) It shall be unlawful for any person, firm, or corporation to install any gas appliance for the purpose of space heating without first determining from the gas supplier that adequate facilities are present to supply gas to such appliances in quantities that will assure reasonable safe and uninterrupted operation.

(4) Enforcement.

(a) No person, firm or corporation shall sell or offer for sale or install any gas appliances or accessories or gas piping system if the same when installed for use would be in violation of any of the provisions of this code or would be unsafe or dangerous.

(b) The department having jurisdiction is hereby authorized to disconnect or to order disconnection of any gas appliance, accessory or gas piping which does not conform to the requirements of this ordinance or which may be found defective and in such condition as to endanger life or property. Where such disconnection has been made, a notice shall be attached to such appliance, accessory or gas piping which shall state that it has been disconnected and the reasons therefore, and such notice shall not be removed nor shall the appliance accessory or gas piping be reconnected until it shall have been made to conform with the requirements of this ordinance and its reconnection has been authorized by the department having jurisdiction.

(5) All ordinances or parts of ordinances in conflict herewith are hereby repealed.