

ORDINANCE NO. 1

AN ORDINANCE ESTABLISHING THE SEWER UTILITY OF THE DALE SANITARY DISTRICT OF OUTAGAMIE COUNTY AND ESTABLISHING SEWER RATES, RULES AND REGULATIONS CONCERNING THE GOVERNMENT THEREOF AND ALSO CONCERNING GOVERNMENT OF SEWER USERS, LICENSED PLUMBERS AND OTHER, AND PENALTIES.

THE DALE SANITARY DISTRICT OF OUTAGAMIE COUNTY, WISCONSIN, HEREIN REFERRED TO AS THE SANITARY DISTRICT, BY ITS COMMISSIONERS, DOES HEREBY ORDAIN:

SECTION 1.00

1.01 DEFINITIONS

The following definitions are applicable to this Ordinance:

B.O.D. Biochemical Oxygen Demand – Means 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".

Building Drain (Sanitary) – Means that part of the lowest horizontal piping of a drainage system which receives the discharge of wastewaters from toilet wastewater, waste and other drainage pipes inside the walls of a building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.

Building Sewer – Means the extension from the building drain to the sanitary sewer or interceptor or other place of disposal.

Combined Sewer – Means a sewer intended to receive both wastewater and storm water.

Commission/Board – Means the Commission/Board of the Dale Sanitary District.

Discharger – Means any person, Municipality or other entity that discharges anything, without limitation, directly or indirectly into a sewerage system or any part thereof.

Domestic Wastewater – Means water-carried wastes normally discharging into the sanitary sewers from dwellings (including apartment houses and hotels), office buildings, factories and institutions, free from storm water non-contact cooling water, and industrial wastes.

Effluent – Means wastewater, water or other liquid after some degree of treatment, flowing out of any wastewater treatment facility.

Existing Sewer – Means any sanitary sewer or sewerage system for which construction approval was not granted by the commission prior to its construction. Existing sewers may occur through annexations, public dedications of private sewers or sewerage systems, or construction undertaken in violation of this Ordinance.

Floatable Oil – Means oil, fat or grease in a physical state such that it will separate by gravity from wastewater.

Garbage – Means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of food.

Grease – Means a group of substances including fats, waxes, free fatty acids, calcium and magnesium soaps, mineral oils, and certain other non-fatty materials as analyzed for in accordance with Standard Methods.

Grit – Means the heavy suspended mineral matter in wastewater such as, but not limited to, sand, gravel and cinders.

Groundwater – Means sub-surface water occupying the zone of saturation, from which wells and springs are fed. In a strict sense, the term applies to water below the water table.

Industrial Wastes; Industrial Wastewater – Means the waste dischargeable to sanitary sewers from industrial manufacturing processes, trade or business, or from the development, recovery or processing of natural resources, as distinct from sanitary or normal domestic wastewater.

Infiltration – Means the water unintentionally entering sanitary sewers, building drains and building sewers, from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls. (Infiltration does not include and is distinguished from, inflow).

Infiltration/Inflow – Means the total quantity of water from both infiltration and inflow without distinguishing the source.

Inflow – Means the water discharge into the sanitary sewers, building drains and building sewers, from such sources as, but not limited to, roof leaders, cellar, yard and area drains, foundation drains, unpolluted cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and combined sewers, catch basins, storm waters, surface runoff, street wash waters or drainage. (Inflow does not include, and is distinguishable from, infiltration).

Interceptor – Means any sewer which receives the flow from a number of sanitary sewers or outlets.

WPDES Permit – Means a permit issued under the State of Wisconsin Pollution Discharge Elimination System for discharge of wastewaters to navigable waters of the United States pursuant to Federal and State laws.

Person – Means any individual, firm company, association, society, corporation or group.

ph – Means the logarithm (to base 10) of the reciprocal of the concentrations of hydrogen ions in grams per liter of solution.

Pollution- Means the placing of any noxious or deleterious substance in any navigable waters of the United States in quantities which are or may be potentially harmful or injurious to human health or welfare, animal or aquatic life, or property, or which unreasonably interferes with the enjoyment of life or property, including outdoor recreation.

Pretreatment – Means partial treatment of wastewaters by dischargers before introduction into the sewerage system.

Private Sewer – Means a sewer which is owned by a person.

Properly Shredded - Means having processed solid materials to such a degree that all particles will be carried freely under flow conditions, normally prevailing in sanitary sewers with no particle greater than ½ inch in any dimension.

Sanitary Sewers – Means those sewers which receive domestic wastewater and industrial wastes without the intentional admixture of storm water.

Scum – Means the layer or film of extraneous or foreign matter that rises to the surface of a liquid and is formed there, a residue deposited on a container or channel at the water surface, or a mass of matter that floats on the surface of wastewater.

Sewer – Means a pipe or conduit for the transportation of domestic wastewater, industrial wastes and/or storm water.

Sewerage System – Means all facilities including sewers and appurtenances for collecting, transporting, pumping, treating and disposing of wastewater.

Slug – Means any discharge of water, wastewater or industrial waste which in concentration of any given constituent or in rate of flow exceeds, for any continuous 15-minute period, five (5) times the average concentration of that constituent or rate for a twenty-four (24) hour period of normal operation of the discharger.

Standard Methods – Means the latest edition of Standard Methods for the Examination of Water and Wastewater prepared, approved and published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.

Storm Sewers – Means those sewers which carry storm water but exclude domestic wastewater and industrial wastes.

Storm Water – Means not only storm water (water from snow, rain, sleet, hail, flood or other natural cause) but also roof water, overflow water (from tank, cistern, well or sump pump) and other surface water. (Storm water does not include, and is distinguished from, industrial and domestic wastewater.)

Suspended Solids (SS) or Total Suspended Solids (TSS) – Shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids and is removable by laboratory filtration as prescribed in the “Standard Methods”.

Toxic Substance – Means any substance whether gaseous, liquid or solid which, when discharged to the sewerage system in sufficient quantities, interferes with any wastewater treatment process, or constitutes a hazard to human being or animals, or inhibits aquatic life in the receiving waters of the effluent from the wastewater treatment facility.

Unpolluted Water – Means water not containing any pollutants limited or prohibited by the effluent standards in effect, or water whose discharge will not cause any violation of receiving water quality standards.

Wastewater; Waste – Means industrial wastes or domestic wastewater or both, whether treated or untreated, which enters the sewerage system.

Wastewater Treatment Facilities – Means the structures, equipment and processes for the treatment or pretreatment of domestic and industrial wastes and the disposal of the effluent and accumulated residual solids.

Watercourse – Means a natural or artificial channel for the passage of water either continuously or intermittently.

The Standard Methods' definitions of terms shall be applicable unless context implies that a dictionary, legal or other definition is intended.

Singular and Plural: When permitted by the context, use of the singular shall be construed to include the plural and of the plural to include the singular.

1.02 SANITARY DISTRICT JURISDICTION

- A. Management: The management, operation and control of the sewer system for the Sanitary District is vested in the Board of said Sanitary District; all records, minutes and all written procedures thereof shall be kept by the Deputy Clerk of the Sanitary District; the Deputy Clerk of the Sanitary District shall keep all the financial records.
- B. Construction: The sewer utility of the Sanitary District shall have the power to construct sewer lines for public use, and shall have the power to lay sewer pipes in and through the alleys, streets, and public grounds within the Sanitary District boundaries, and generally, to do all such work as may be found necessary or convenient in the management of the sewer system. The Sanitary District Board shall have power by themselves, their officers, agents, and servants, to enter upon any land for the purpose of making examination or supervise in the performance of their duties under this Ordinance, without liability therefore; and the Sanitary District shall have power to purchase and acquire for the Sanitary District all real and personal property which may be necessary for construction of the sewer system, or for any repair, remodeling or addition thereto.
- C. Inspections: It is necessary that the District periodically inspect private properties located within the Sanitary District to ensure that the owners and occupants of the properties are complying with all of the rules and regulations adopted by the Sanitary District, as well as any relevant State laws. The private facilities of any property located within the Sanitary District may be inspected by District employees or agents, as directed by the District Commissioners, so as to ensure compliance with all State and local laws, rules and regulations. The designated inspector shall be authorized to make satisfactory arrangements for such inspections. In the event that any occupant or owner of property serviced by the District fails and refuses to allow such inspection to occur in a timely manner, the occupant and/or owner may be fined in accordance with the current "Fee Schedule".
 - 1. For the purpose of obtaining a special inspection warrant pursuant to Wisconsin Statutes 66.0119, any Commissioner or designated Commission employee shall be authorized to act on behalf of the District as a "peace officer". Said peace officer may apply, obtain and execute a special inspection warrant for the purpose of verifying and correcting any District issue.
 - 2. The actual cost of applying, obtaining and executing a special inspection warrant, including legal costs and peace officer compensation, shall be designated as a special charge under Wisconsin Statutes 74.01, to be placed on the property tax bill of the affected owner.

1.03 CONDEMNATION OF REAL ESTATE

- A. Whenever any real estate or any easement therein, or use thereof, shall in the judgment of the Sanitary District be necessary to the sewer system; and whenever, for any cause, an agreement for the purchase thereof, cannot be made with the owner thereof, the Board shall proceed with all necessary steps to take such real estate easement, or use by condemnation in accordance with the Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if Federal Funds are used.

1.04 TITLE TO REAL ESTATE AND PERSONAL PROPERTY

- A. All property, real, personal and mixed, acquired for the construction of the sewer system, and all plans, specifications, diagrams, papers, books and records connected therewith said sewer system, and all buildings, machinery, and fixtures pertaining thereto, shall be the property of said Sanitary District.

SECTION 2.00

2.01 USER RULES AND REGULATIONS

- A. The rules, regulations and sewer rates of the Dale Sanitary District of Outagamie County, Wisconsin, hereinafter set forth shall be considered a part of the contract with every person, company or corporation by connecting with the sewer system to the Sanitary District and every such person, company, or corporation by connecting with the sewer system shall be considered as expressing his or their assent to be bound thereby. Whenever any of said rules and regulations, or such others as the said Sanitary District, may hereafter adopt are violated the service shall be shut off from the building or place of such violation (even though two or more parties are receiving service though the same connection) and shall not be re-established except by order of the Sanitary District Board, and on payment of all arrears, the expenses and established charges of shutting off and putting on, and such other terms as the Sanitary District Board may determine, and a satisfactory understanding with the party that no further cause for complaint shall arise. In case of such violation the said Sanitary District Board, furthermore, may declare any payment made for the service by the party or parties committing such violation, to be forfeited, and the same shall thereupon be forfeited. The right is reserved by the Sanitary District to change the said rules, regulations, and sewer rates from time to time as they may deem advisable; and to make special rates and contracts in all proper cases.

SECTION 3.00

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

3.01 PLUMBERS

- A. No plumber, pipe fitter, or other person will be permitted to do any plumbing or pipe fitting work in connection with the sewer system without first receiving a license from the State of Wisconsin, and posting a bond with the Sanitary District in an amount in accordance with the current "Fee Schedule".

3.02 USERS

A. Application for Service.

1. Persons desiring sanitary sewer service shall have the private lateral from the sewer main to the private building installed at his/her own expense.
2. Every person connecting with the sewer system shall file an application in writing to the Dale Sanitary District Board, in such form as is prescribed for that purpose. Blanks for such applications will be furnished at the office of the Deputy Clerk. The application must state fully and truly all the use which will be allowed except upon further application and permission regularly obtained from said Sanitary District Board. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. Persons connected to the sewer system of the Sanitary District are referred to herein as "Users".
3. The application may be for service to more than one building, or more than one unit of service through one service connection, only if previously approved by the State Health and Social Services Department and, in such case, charges shall be made accordingly.
4. If it appears that the service applied for will not provide adequate service for the contemplated use, the Sanitary District Board may reject the application. If the Sanitary District Board shall approve the application, it shall issue a permit for services as shown on the application.

B. Tap Permits. After sewer connections have been introduced into any building or upon any premises, no plumber shall make any alterations, extensions or attachments, unless the party ordering such tapping or other work shall exhibit the proper permit for the same from the Sanitary District.

C. User to Keep in Repair. All users shall keep their own service pipes in good repair and protected from frost, at their own risk and expense, and shall prevent any unnecessary overburdening of the sewer system. The individual property owner shall maintain the private lateral from the main sewer line to the building receiving service, without expense to the District, except when they are damaged because of negligence on the part of the District.

D. User Use Only. No user shall allow others or other services to connect to the sewer system through his lateral.

E. User to Permit Inspection. Every user shall permit the Sanitary District Board, or their duly authorized agent, at all reasonable hours of the day, to enter their premises or building to examine the pipes and fixtures, and the manner in which the drains, and sewer connections operate; and they must at all times, frankly and without concealment, answer all questions put to them relative to its use.

- F. Utility Responsibility. It is expressly stipulated that no claim shall be made against said Sanitary District or its assigns by reason of the braking, clogging, stoppage, or freezing of any services pipes; nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary. The right is hereby reserved to cut off the service at any time for the purpose of repairs or any other necessary purpose, any permit granted or regulation to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer service within any district of the said Sanitary District, the Sanitary District shall, if practicable, give notice to each and every consumer within said District, of the time when such service will be so shut off.
- G. Permit Fees. Permit fees to be paid shall be in accordance with the current "Fee Schedule". Such fees must be paid at the time the permit is issued:
1. One permit shall be issued and required when the sewer laterals are brought to the building foundation.
 2. A service connection permit shall be required at the time of hookup.

3.03 EXCAVATIONS

- A. In making excavations in streets or highway for laying service pipe or making repairs, the paving and earth removed must be deposited in a manner that will occasion the least inconvenience to the public.
- B. No person shall leave any such excavation made in any street or highway open at any time without barricades; and during the night, warning lights must be maintained at such excavations.
- C. In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than nine inches in depth, and each layer thoroughly compacted to prevent settling. This work together with the replacing of sidewalks, ballast and paving, must be done so as to make the street as good, at least, as before it was disturbed, and satisfactory to the Sanitary District and the Town, County, or State Agency responsible for the road's maintenance. No opening of the streets for tapping the pipes will be permitted when the ground is frozen, except when necessary.
- D. A permit from the Township, County, or State shall be applied for and received to excavate in any street, alley or other public way, to repair alter or install plumbing and shall be presented by the applicant prior to obtaining a plumbing permit.

3.04 TAPPING THE MAINS

- A. No person, except those having special permission from the Sanitary District, or persons in their service and approved by them, will be permitted, under any circumstances, to tap the mains or collection pipes. The kind and size of the connection with the pipe shall be that specified in the permit or order from said Sanitary District.
- B. Pipes should be tapped on a 45-degree angle from a horizontal plane, and not within six inches of the joint, or within 24 inches of another lateral connection. All service connections to mains must comply with state plumbing code. Service connections to an existing sewer main shall be made by means of a saddled wye or specially adapted tee.

3.05 INSTALLATION OF HOUSE LATERALS

- A. All service pipes (laterals) on private property will be installed in accordance with the State of Wisconsin Administration Code Chapter H-62 "Design, Construction, Installation, supervision and Inspection of Plumbing"; specifically, Section H-62. 04 (4), "Building Sewers".
- B. Per Section H-62.04 (5), all laterals will be inspected. "The building sewer and/or private interceptor main sewer shall be inspected upon completion or placement of the pipe and before backfilling; and tested before or after backfilling".

SECTION 4.00

MISCELLANEOUS RULES AND REGULATIONS

4.01 MANDATORY HOOKUP

- A. The owner of any parcel of land on which there exists a building used for human habitation, which parcel is located adjacent to a sewer main or in a block through which such system is extended, shall connect to such system within ten (10) days of notice in writing from the Sanitary District. Upon failure to do so, the Sanitary District may cause such connection to be made and bill the property owner for such costs. If such costs are not paid within thirty (30) days, such notice shall be assessed as a special tax lien against the property, all pursuant to Section 281.45, Wisconsin Statutes, provided, however, that the owner may within thirty (30) days after the completion of the work file a written option with the Sanitary District Board stating that he cannot pay such amount in one sum and ask that there be levied in not to exceed five (5) equal annual installments, and that the amount shall be so collected with interest at a rate not to exceed 15% per annum from the completion of the work, the unpaid balance being a special tax lien, all pursuant to Section 281.45, Wisconsin Statutes. The interest rate shall be established from time to time by resolution of the Sanitary District Board.
- B. In lieu of the above, the Sanitary District Board at its option may impose a penalty for the period that the violation continues, after ten (10) days written notice to any owner failing to make a connection to the sewer system. The penalty shall be equal to 150% of the minimum quarterly charge for any owner failing to make a connection to the sewer system. Such penalty shall continue to be payable quarterly for the period in which the failure to connect continues. Upon failure to make such payment, said charge shall be assessed as a special tax lien against the property, all pursuant to Section 281.45, Wisconsin Statutes.
- C. For all new construction, and for all softener replacements, all softeners installed shall be Demand Based Softeners. No Time-Based Softeners are allowed.
- D. This ordinance ordains that the failure to connect to the sewer system is contrary to the minimum health standards of said Sanitary District and fails to assure preservation of public health, comfort, and safety of said Sanitary District.
- E. All plans for new sewers and connections to the sewer system shall be reviewed and approved by the Sanitary District Board prior to the start of construction.

4.02 MAINTENANCE OF SERVICES

- A. The utility shall maintain sewer service within the limits of the Sanitary District from the street main to the property line and including all controls between the same, without expenses to the property owner, except when they are damaged as a result of negligence or carelessness on the part of the property owner, a tenant, or an agent of the property owner, in which case they will be repaired at the expense of the property owner. All sewer services from the point of maintenance by the system to and throughout the premises must be maintained free of defective conditions by and at the expense of the owner or occupant of the property.
- B. When any sewer service is to be re-laid and there are two or more buildings on such service, each building shall be disconnected from such service and a new sewer shall be installed for each building.

4.03 PENALTY FOR IMPROPER USE

- A. It shall be unlawful for any person to willfully injure the sewer system, or any building, machinery, or fixture pertaining thereto, or, to willfully and without authority of the Sanitary District Board bore or otherwise cause to lead, any tunnel, aqueduct, reservoir, pipe or other thing used in the system for holding, conveying, or distributing sewage.
- B. It shall be unlawful for any person to introduce sewage into the system which shows an excess of a B.O.D. or suspended solids concentration of over 200 mg/1 (normal domestic sewage); a surcharge shall be based on the excess of B.O.D. or suspended solids at a rate to be set from time to time by the Sanitary District Board. The Sanitary District reserves the right to test the sewage at any point within the connection system of the user or consumer.
- C. No user shall discharge or cause to be discharged any of the following described liquids or solid wastes to any sanitary sewer:
 - 1. Any storm water, surface water, ground water, roof run-off or surface drainage.
 - 2. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
 - 3. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, slug, plastics, wax, wood, flashings, hides, animal guts, spent lime, spent grain, spent hops, whole blood, paunch manure, or any other solid or viscous substance capable of causing obstruction of the flow in sewers or other interference with the proper operation of the sewerage system or any part thereof.
 - 4. Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans and animals or create any hazard in the receiving treatment facility.
 - 5. Any water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such material at the sewage treatment plant.
 - 6. Any noxious or malodorous gas or substance capable of creating a public nuisance.
 - 7. Any garbage that has not been properly shredded.
 - 8. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit or lower than 32 degrees Fahrenheit.

9. Any water or wastes which may contain more than 100 parts per million by weight of fat, oil, or grease, as analyzed in accordance with Standard Methods.
10. Any water or waste having PH lower than 5.5 or higher than 9.0 having any corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
11. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable state or federal regulations.
12. Quantities of flow, concentrations, or both which constitute a slug load.

4.04 CLEAR WATER INFLOW

- A. No property owner shall connect any roof drain, cistern overflow, sump pump, area drain, surface drain, cooling waterline, or any other type of drain line that would allow surface water, groundwater, rainwater, or any other type of unpolluted water to enter the wastewater collection system.
- B. If the District identifies clear water inflow sources to their sanitary sewer system from private property, the property owners will be notified to eliminate the source by corrective action and given adequate time to take action.
- C. The property owner will be charged fees in accordance with the current "Fee Schedule" to cover the cost of locating, transporting, treating and monitoring clear water inflows when the property owner fails to take corrective action within a reasonable time.

4.05 RESIDENTIAL SOFTENER TUNE-UP PROGRAM

- A. Per Wisconsin Department of Natural Resources mandate, residential customers are required in accordance with this Ordinance to have their water softener tuned-up once every two years at the customer's expense. Each residential customer shall provide documentation to the Dale Sanitary District that the water softener has been inspected and tuned-up by a qualified water softener servicing firm to ensure proper control settings and adjustments. The tune-up is to include testing the water before and after softening, checking salt levels, breaking up salt bridge if necessary, cycling the system with resin treatment, and general testing of the unit as a whole. In the event that the District needs to arrange for a customer's water softener tune-up, penalties as noted in the current Fee Schedule shall apply.

4.06 DAMAGE RECOVERY

- A. The Sanitary District shall have the right of recovery from all persons, any expenses incurred by said system for the repair or replacement of any sewer pipe damaged in any manner by any person by the performance of any work under their control or by a negligent act.

4.07 PENALTIES

- A. Any person who shall violate any of the provisions of this ordinance or rules or regulations of the Sanitary District; or who shall connect a service pipe without first having obtained a permit therefore; or who shall violate any provisions of the Wisconsin Statutes, Wisconsin Administrative Code, or any other requirements which are incorporated by reference, shall upon conviction thereof forfeit the amount shown in the current "Fee Schedule" and the costs of prosecution. This however, shall not bar the Sanitary District from enforcing the connection duties set forth in Section 4.01 above for mandatory hookup.

4.08 SEPTIC TANKS AND HOLDING TANKS PROHIBITED

- A. The maintenance and use of septic tanks, holding tanks and other private sewage disposal systems within the area of the Sanitary District serviced by its sewer system are hereby declared to be a public nuisance and a health hazard. The use of septic tanks, holding tanks or any private sewage disposal system within the area of the Sanitary District serviced by the sewerage system shall be prohibited unless a special permit is obtained from the Board.

4.09 VACATING OF PREMISES AND DISCONTINUANCE OF SERVICE

- A. Whenever premises service by the system are to be vacated, or whenever any person desires to discontinue service from the system; the Sanitary District must be notified in writing. The owner of the premises shall be liable for any damages to the property or such damage which may be discovered having occurred to the property of the system other than through the fault of the system or its employees, representatives, or agents.
- B. The private lateral shall be capped and sealed at the point of the private building lateral connection with the District's sewer, to be watertight and to preclude any wastewater, surface water, or debris from entering the wastewater collection system. All costs and fees for inspection of the capping and sealing of the building sewer shall be borne by the property owner.

4.10 CHARGES ARE A LIEN ON PROPERTY

- A. All sewer services, charges and special assessments shall be a lien on a lot, part of a lot, or land on which sewer services were supplied. All sums which have accrued during the preceding year and which are unpaid by the first day of October of any year, shall be certified to the Town Clerk to be placed on the tax roll for collection as provided by Wisconsin Statutes.

4.11 UNIT OF SERVICE DEFINITION

- A. A unit of service shall consist of any residential, commercial, industrial, or charitable aggregation of space or area occupied for a distinct purpose such as a residence, apartment, flat, store, office, industrial plant, church or school. Each unit of service shall be regarded as one consumer. Suites in houses, or apartments with complete housekeeping functions (such as cooking), shall be classed as apartment houses; thus, houses and apartments having suites for one, two, or more rooms with toilet facilities, but without kitchen for cooking, are classed as rooming houses.

4.12 GREASE OR SAND INTERCEPTORS

- A. The District has the authority to require commercial or industrial users to provide and maintain grease, oil, and/or sand interceptors when deemed necessary. The discharger shall be responsible for the proper removal and disposal of the captured material and shall maintain records of the dates and means of disposal, which are subject to review by the District. Properly licensed disposal firms must perform any removal and hauling of the collected materials not performed by the discharger's personnel.

- B. Plans, specifications, and any other pertinent information relating to any proposed pretreatment, grease trap, or sand interceptor shall be submitted for review by the District prior to the start of construction if the effluent from such facilities is to be discharged into the District's sewers.

4.13 ADOPTION OF OTHER RULES

- A. There is hereby adopted all the rules and regulations of the State Plumbing and State Building Codes and the building rules of the Department of Industry, Labor and Human Relations; and the Department of Natural Resources of the State of Wisconsin insofar as the same are applicable to the Sanitary District.

4.14 SEVERABILITY

- A. If any section, subsection, sentence, clause or phrase of the ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. The Dale Sanitary District hereby declares that it would have passed this ordinance and section, subsection, clause, and phrase thereof, irrespective of the fact that any one or more section, subsection sentences, clauses, and phrases be declared unconstitutional.

4.15 WISCONSIN STATUTES AND CODES

- A. In addition to the provisions provided in this section, all applicable State of Wisconsin Statutes and Wisconsin Administrative Code provisions shall apply. The District has the authority to enforce any such statute or code. If there is a conflict between this ordinance and the state statutes or the administrative code, the most restrictive requirements shall govern.

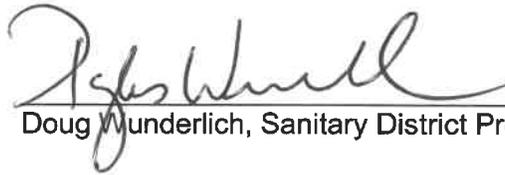
SECTION 5.00

5.01 SEWER USER CHARGES

- A. The District shall establish a District budget on an annual basis. The budget shall be based on the previous year's operating, maintenance and replacement costs of the District's collection and interceptor sewer system, expenses, revenues and charges from the Dale Sanitary District, as well as future anticipated expenses.
- B. Upon approval of the annual budget, the District shall set the sewer user charge rates which shall continue until further order of the District such that revenues will be balanced with costs and expenses. The District Commissioners shall have the right to establish new sewer user charge rates annually as required to meet budgeted costs.
- C. User charge rates established by the District may distribute costs and expenses in proportion to wastewater contributions from industrial and domestic users. Excess revenue generated by either class will be used to offset charges and rates for that class in the following budget year.
- D. The sewer user charge provisions of this chapter replace and supersede all previous provisions and agreements to the extent such previous provisions and agreements are inconsistent with the provisions of this chapter.

- E. Sewer user charges shall be billed quarterly to all users and made payable to the district within 30 days of the date of the invoice. In the event of late payment, a late charge equal to the percentage of the total amount due designated in the current "Fee Schedule" shall be added to the user charge.
- F. Each sewer user charge established by this chapter shall be a lien upon the property served by a connection to the District system, and if such user charge is not timely paid, such charge, including interest, shall constitute a lien and be inserted on the tax roll as provided in §66.0809, Wis. Stats.
- G. Sewer user charge revenues received shall be deposited at regular intervals in a depository selected by the District and shall be credited to the sewer revenue account, which shall show all receipts and expenditures of the District. Any surplus in the account shall first be applied to the payment of principal and interest on any revenue bonds issued and outstanding; then to the payment of principal and interest on any special assessment bonds or notes issued and outstanding; then to the district depreciation fund; and then to expenses for additions or improvements or other necessary disbursements.
- H. An audit of the financial standing of the District shall be made annually to review the adequacy of existing rates. Rates, which are reviewed and updated annually by Resolution as needed, shall be included in the Dale Sanitary District "Fee Schedule" document.

Adopted at a regular meeting of the Dale Sanitary District of Outagamie County, Wisconsin, on this 20th day of August, 2019.

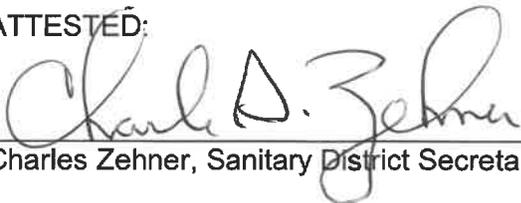


Doug Wunderlich, Sanitary District President

Of

Dale Sanitary District

ATTESTED:



Charles Zehner, Sanitary District Secretary/Treasurer

Resolution 2019-04	
Attachment A	
Dale Sanitary District Fee Schedule	
Sewer User Fees	
Quarterly Fixed Fee Residential	\$84.00
Quarterly Fixed Fee Residential - Each Apartment	\$84.00
Quarterly Fixed Fee Residential - Alzena Subdivision	\$147.00
Quarterly Fixed Fee Public Buildings	\$108.00
Quarterly Fixed Fee Commercial	\$108.00
Late Charge (15 days beyond bill due date)	1.5% per month / 18% annual
Service Connection Permit Fees	
Connection Fee Residential	\$2,000.00 Each
Connection Fee Commercial	\$3,000.00 Each
Permit Fee - Construction of Sewer Lateral to Building	\$5.00 Each
Permit Fee - Service Connection	\$5.00 Each
Plumbers	
Bond Required to be Posted with Sanitary District	\$5,000.00
Penalty Fees	
NSF Checks	\$30
Water Softener Tune-Up Arranged by Sanitary District	Actual Cost of Tune-up
Failure or Refusal to Allow Inspection of Private Property	\$25 Per Day
Clear Water Inflow to Sanitary Sewer from Private Property	\$400
Other Violation of Sewer Use Ordinance	\$10.00 to \$200.00
	Plus Any and All Resulting Bank Charges
	Plus \$25.00 Admin Fee
	Until Inspection is Complete
	Per Violation
	Per Day Plus the Cost of Prosecution