

**Chapter 13.08**  
**Sewer Service System**  
**Generally**

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**13.08.010 Authority.**

A. The Wisconsin Statutes, Sections 62.18 and 146.14, authorize the village board to enact an ordinance in regard to the use of the sewerage collection system.

B. The sewer utility 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 of the village; and generally, to do all such work as may be found necessary or convenient in the management of the sewer system. The village board shall have power by themselves, and through their officers and agents, to enter upon any land for the purpose of making examination or supervision in the performance of their duties under this chapter, without liability therefore. The board shall have the power to purchase and acquire for the village all real and personal

property which may be necessary for construction of the sewer system, or for any repair, remodeling or additions thereto.

**13.08.020 Definitions.**

"Biochemical oxygen demand (BOD)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty (20) degrees Centigrade expressed in terms of weight and concentration (milligrams per liter, mg/l).

"Director" or "superintendent" means the director/superintendent of wastewater disposal system or water pollution control of public works of the village or the person's duly authorized representative.

"DNR" means Wisconsin Department of Natural Resources.

"Industrial user" means a user who discharges liquid wastes into the wastewater disposal system, resulting from the processes employed in industrial, manufacturing, trade or business establishments, or from the development of any natural resource.

"Infiltration and inflow (I/I)" are terms referring to groundwater and/or rainwater that enters the sanitary sewer system through cracked pipes, groundwater and/or rainwater that enters the sanitary sewer system through leaky manholes, roof and gutter downspouts, sump pumps, foundation drains, or improperly connected storm drains. Most infiltration comes from groundwater, and most inflow comes from rainwater and/or snow melt. Extensive studies have shown that as much as 40% of I/I enters the collection system from building sewers. Additional I/I flow in the sanitary sewer collection systems results in the need for larger sewers and treatment plants. Higher sewer user fees must be collected to treat the increased volume of wastewater from I/I.

"Lateral" means the section of the sanitary sewer system that extends from the street main to and throughout the premises.

"Permit" means Wisconsin Pollutant Discharge Elimination System permit (WPDES permit).

"Pretreatment" means the process of reducing the amount of pollutants, eliminating pollutants, or altering the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into the wastewater disposal system. The reduction, elimination or alteration may be obtained by physical, chemical or biological processes, process charges, or other means accepted by the DNR.

"Private Lateral" or "Private Sewer Lateral" means the segment of the sanitary sewer system that connects a residence or business to the Village sanitary sewer system main and is maintained by the property owner.

"Sanitary sewer" means a sewer intended to carry wastewater from homes, businesses and industries.

"Storm sewer" means a separate sewer that carries runoff from storms, surface drainage, and street wash, but excludes domestic and industrial wastes.

"Suspended solids" means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by a standard glass fiber filter.

"User" means any person who discharges, causes or permits the discharge of wastewater into the city wastewater disposal system.

"Wastewater" means the liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which

is discharged into or permitted to enter the village wastewater disposal system.

"Wastewater disposal system" or "system" means any devices, facilities, structures, equipment or works owned or used by the village for the purpose of the transmission, storage, treatment, recycling and reclamation of wastewater. (Ord. dated 12/22/82 § 2)

#### **13.08.030 Use of system.**

A. User Rules. Users of the sanitary sewer system shall be considered as expressing their acceptance of the rules, regulations, and sewer rates adopted by the village. The right is reserved by the village to make changes in the rules, regulations, and the sewer rates from time to time as the village board deems necessary.

B. Use of System. All areas occupied for a distinct purpose such as a residence, apartment, flat, store, office, factory, etc., which is equipped with one or more fixtures for rendering service separate and distinct from other users shall be considered a customer or unit of service. All such occupied areas located inside the village limits which can be served by the sewer system shall be connected to the system.

All municipalities, government bodies, or individuals outside the village limits shall have executed agreements with the village and shall adopt the user charges of the village before being served by the wastewater treatment facility. The village board may agree to accept wastewater from outside the village limits if it is determined to be in the best interest of the village.

#### **13.08.040 Connection to sewer system.**

A. Connections to Sanitary Sewer. No person shall uncover, make any connections with, or disturb any sewer or appurtenance thereof without first obtaining permission to do so from the village board. Sewer laterals shall be installed by qualified plumbers, pipe

fitters, or other persons qualified and experienced to do such work.

The village board shall authorize the connection of any new service connections only when there is sufficient capacity in the downstream collection system and the treatment system.

The village board shall request whatever information, including flow rates and loading rates, that may be necessary from new users to determine the effect on either the collection or treatment system prior to approval of the proposed connection.

No person, except those having special permission from the village board, or persons in their service and approved by them, will be permitted, under any circumstances, to tap the collection pipes. Pipes should always be tapped on the top, and not within six inches of the joint, or within twenty-four (24) inches of another lateral connection. Excavations made for laying service pipe or making repairs shall protect the public by providing barricades and warning lights around openings. All openings shall be filled and compacted and the ground surface must be restored to its original condition.

B. Laterals. All sewer services within the village limits from the street main to and throughout the premises must be maintained free of defective conditions, including excessive I & I. The owner of the property adjacent to the sewer services is responsible for the expense of such maintenance. Any damage to the sewer lateral resulting from negligence or carelessness on the part of the property owner, a tenant, or any agent of the owner, will be repaired at the expense of the property owner. 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 service shall be installed for each building.

C. Private Sewer Laterals.

1. Purpose. The purpose of this section is to prevent significant water inflow and infiltration into the Village's sanitary sewer system and to protect public health, safety and welfare by assuring that Private Laterals are tested, inspected, maintained and repaired or replaced.

2. Owner Maintenance Required. All property owners shall keep their private laterals in good repair. The owner of property containing a Private Lateral shall maintain the Private Lateral. Maintenance under this section includes:

a. Clearing obstructions from the Private Lateral;

b. Repairing a defect in the Private Lateral that allows the introduction of extraneous flow or debris into the sanitary sewer system;

c. Repairing a defect in the Private Lateral that allows the discharge of sewage on the property;

d. Keeping a manhole cover in place or a clean out cap tight and in place; and

e. Providing a solid manhole cover.

3. Testing and Notice of Defective Private Laterals. The director may periodically perform special tests to confirm the integrity of the sanitary sewer system, including smoke testing, dyed water testing, hydraulic testing, closed circuit television inspection, and other testing and inspection techniques approved by the utility commission.

The director may enter private property to inspect or test a Private Lateral as allowed by law.

The director shall give the property owner no less than 24 hours written notice before city personnel enter private property to conduct an inspection or test, unless;

a. City personnel are conducting an investigation of a complaint or responding to a customer request to test or inspect a Private Lateral; or

b. Sewage is exposed on the property

in a manner that creates a potential public health hazard.

The director may identify defects in a Private Lateral that allow extraneous flow or debris to enter the Private Lateral or the discharge of sewage on the property, or a condition that may interfere with the proper operation of the Private Lateral.

A defect under this section may include;

- a. Any visible leak;
- b. Evidence of pipe or joint deterioration;
- c. Root intrusion into a pipe that separates a pipe joint or enlarges an existing crack;
- d. A misaligned pipe segment, sag, or lack of positive gradient;
- e. A lack of necessary cleanout cap or manhole cover;
- f. All failing materials
- g. A downspout, drain, or other connection that allows storm water or other extraneous water to enter the sanitary sewer system.

If the director identifies a defective Private Lateral or a condition that interferes with the proper operation of the Private Lateral outside of a sewer lateral remediation project, the director shall send the property owner written notice of the defect or condition, including a statement that the Private Lateral must be replaced or repaired, or the condition corrected, not later than 90 days after the date of the notice, or within such longer time deemed reasonable by the director.

4. Repair or Replacement Required. A property owner shall repair, replace or maintain a defective Private Lateral from the sewer main line to the building. The property owner shall pay the appropriate fee and obtain a permit from the Village before performing the repair or replacement of a defective Private Lateral. Correction of a defect may include the installation of a sump pit, sump

pump and drainage tile.

If sewage is exposed on the property in a manner that makes it a potential public health hazard, a property owner must:

- a. Stop the discharge of sewage immediately;
- b. Remediate the site not later than 24 hours after the owner has notice of the exposed sewage; and
- c. Complete all necessary repairs or replacement of a Private Lateral immediately, but not later than 30 days after the owner has notice of the exposed sewage.

A person who repairs an existing Private Lateral or installs a new or rehabilitated Private Lateral shall perform the repair or installation as prescribed by the sewer utility's sanitary sewer connection standards and the state plumbing code.

The repair or replacement of the Private Lateral and the connection of the Private Lateral to the sanitary sewer shall conform to the requirements of the Building and Plumbing Codes or other applicable rules and regulations of the Village. All connections to the sanitary sewer shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the director before installation.

The property owner is responsible for all costs of Private Lateral repair, replacement, and maintenance from the main sewer line into the building. The Village has the authority to contract for repairs/replacements of laterals in the right-of-way and special assess the cost to the property owner.

5. Repair and Replacement Inspection and Testing Requirements. During the replacement of the Private Lateral the director shall:

- a. Inspect the Private Lateral to determine that it complies with the sewer utility's sanitary sewer

connection standards and the state plumbing code; and

- b. Observe the testing of the Private Lateral per current State code.

If a Private Lateral fails the post-repair or post-replacement inspection or test, the property owners shall perform additional repairs as required by the director to correct the defect.

D. Sanitary Sewer Lateral Remediation/Reconstruction Projects. The Village recognizes that its public sewer system has a finite life and, in many cases, has exceeded the useful life of the system. The Village also recognizes that private building sewers possess many of the same characteristics as the public sewer system. The Village will undertake the systematic reconstruction of the public sewer system lying within the corporate limits. As part of this reconstruction, the Village will conduct Sanitary Sewer Lateral Remediation Projects.

The village shall inspect all private connections to the public sewer system when the public system is being reconstructed. Any existing private sewer lateral not meeting the requirements of this section or the village's policy on private I/I shall be considered illegal. As the reconstruction progresses, the village shall inspect each private sewer connection for conformance with this section; or in the event an inspection has been made previously, determine the condition of the private sewer connection from inspection records. In the event that the private lateral meets the requirements of this section, the village shall reconnect the private system to the public system at an appropriate time. If the private sewer is found not to meet the requirements of this section, the village shall notify the owner of the deficiencies.

During a Sanitary Sewer Remediation Project, the Village shall require that the property owner replace/remediate their Private Lateral if the lateral is found to be

defective. The property owner shall, at the owner's expense, make the necessary repairs to correct the deficiency (ies). In all cases, the village shall supply an appropriate connection point as part of its work. The property owner may elect to:

- a. Contract with a properly licensed contractor to complete the repair. All work needed to accomplish the repair shall be done at the expense of the property owner.
- b. Have the Village contractors complete the repair.

The Village will publically bid all sanitary sewer lateral remediation projects and the property owners, if they elect to have the Village contractors complete the work, will be special assessed for the Private Lateral project costs per the Village's special assessment policy. The sanitary sewer lateral remediation projects may include;

- a. Replacement or remediation of defective Private Laterals
- b. Installation of sump pump/pit and drainage tile where required under Section 13.08.045 (D) or any other applicable law or ordinance.

The property owner will be given a recommendation for the method of repair by the Village Engineer. Options include but not limited to, open cut construction, slip lining (6-inch laterals only) or pipe bursting or any other method allowed by State code. Should the property owner choose to not follow the recommendation by the Village Engineer, they will be liable for all additional costs associated with the lateral remediation from the residence to the main, including, but not limited to, sidewalks, terrace, curb and gutter, road repair and other public right-of-way repairs. A tape of the repaired sewer lateral must be provided to the Village by the property owner as proof of a complete and acceptable repair.

Full time on-site inspector will be provided for the replacement/remediation of

the sanitary sewer lateral by the Village.

The sanitary sewer lateral remediation project will include patching of basement floors if needed. Any other restoration needed in the building and basement shall be the responsibility of the property owners and will not be done as part of the sanitary sewer lateral remediation project.

Any and all fences, trees, shrubs, swimming pools, decks, sheds, porches or other landscaping, paving or structures that will need to be removed in order to facilitate the remediation of the Private Lateral, shall be removed and replaced by the property owner at their expense.

Final restoration of the yard will be the responsibility of the property owner. The Village contractor will backfill the trench or holes that are dug and rough grade the top soil. The contractor will not be responsible for final landscaping. It will be the responsibility of the property owner to restore the lawn, pavement or garden areas that are disturbed as part of the sanitary sewer lateral remediation project.

Any required road repair will be done only by the Village.

E. Sanitary Sewer Lateral Fees. Televising refusal fee. A \$50.00 monthly fee is hereby imposed for connection of sewer laterals against every property connected to the Village of Oakfield sanitary sewerage system, in the utility, which owner refuses to consent to televising of the sewer lateral by the village. This fee will be imposed beginning 30 days after request has been made by the village for permission to televise the owner's sewer lateral. This fee will continue until the property owner consents to televising by the village.

F. Right of entry and inspection. Freshwater infiltration into the village sanitary mains through sanitary sewer laterals serving residential, commercial, and industrial properties adversely affects the sewerage treatment system in terms of

expense, efficiency, and overall burden on sewerage treatment facility. In the interest of health, safety, and general welfare of village residents, it is necessary to impose inspection and enforcement provisions in an effort to minimize such adverse effects.

The village (or an authorized agent of the village) bearing the proper credentials and identification shall have authority to enter, during reasonable hours, any building, structure or premises in the village to inspect for any violations of this section, to observe, test, and/or enforce the provisions of this section for the purpose of public protection. The village (or its authorized agent) shall have no authority to inquire into any process beyond that having a direct bearing on the kind and source of discharge to the sewers, waterways or the wastewater treatment facility. In addition to the foregoing, such inspections may be conducted in any of the following circumstances:

1. During such times that the village is in the process of replacing sanitary mains or laterals adjacent to a particular property.

2. During such times when village personnel, including but not limited to the water meter crew, are required to enter a property for other business.

3. During such times when village personnel identify certain areas within the village that are experiencing unusually high levels of infiltration into the village's wastewater conveyance infrastructure system.

G. Search warrants. If the village has been refused access to a building, structure or property, or any part therefore, the village may seek issuance of a special inspection warrant, pursuant to Wisconsin Statutes, Chapter 66.0119, from the Circuit Court of Fond du Lac County.

H. Failure to correct. If an owner fails to take corrective action to repair a damaged sewer lateral within thirty (30) days, the village retains the right to make the repairs and

charge the property owner for the cost of said repairs.

I. Connection inspection. All individual house or building laterals and sewer main connections shall be inspected by a municipal building inspector, utility personnel, or authorized agent of the village prior to the backfilling of any excavation. An applicant for a building sewer permit shall notify the municipal 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 municipal approving authority.

J. System requirements:

1. All sanitary sewer mains and laterals, both public and private, shall be constructed and maintained in such a fashion that the effects of clear water on the system are held to an absolute minimum.

2. The size, slope, alignment, materials or construction of a 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 ASTM, and W.P.C.F. (WEF) Manual of Practice No. 9 shall apply or Standard Specifications for Sewer and Water Construction in Wisconsin, latest edition.

3. The connection of the building sewer into the sanitary sewer shall conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the Village or the procedures set forth in appropriate specifications of the ASTM and W.P.C.F. (WEF) 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 municipal approving authority before installation.

4. All excavations for building sewer installations 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 work shall be restored in a manner satisfactory to the village.

K. Backwater valves. The installation of backwater valves is strongly recommended for new and reconstructed building sewers at a location approved by the municipal approving authority. The installation of floor drain backwater preventers is also strongly recommended at properties where backwater valves are not installed. Property owners are responsible for maintaining backwater valves per manufactures specifications.

L. Connections to storm water and ground water drains. Storm water and ground water drain connections are prohibited as follows:

1. No person shall allow the discharge, or cause to be discharged into any sanitary sewer, any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling waste or unpolluted industrial process waters. All storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water and all other unpolluted drainage and clear water shall be discharged into such sewers as are designated as storm sewers whenever reasonably available. It is further provided that if no storm sewer is available, in no event shall any such waters be discharged into any sanitary sewer.

2. All sump pumps installed for the purpose of discharging clear water from foundation drains, basement drains and ground infiltration shall discharge into a storm sewer whenever available, and, if no storm sewer is available, shall discharge into an underground conduit leading to a drainage ditch, drywell or onto the ground at

a point which is not less than three feet from the building and is above permanent grade. No sump pump is allowed to flow on or across a public sidewalk.

3. It shall be presumed that clear water is being discharged into a sanitary sewer if it is shown that existing sump pumps or other means of clear water discharge are connected to, or can readily be connected to, drains, pipes or other mechanisms of discharge connected to the sanitary sewer drain within the premises.

M. Disconnection. All existing downspouts or ground water drains, etc., connected directly or indirectly to a sanitary sewer must be disconnected within 30 days of the date of an official written notice from the village. Exceptions to this subsection may be made by the village. (Ord. 2009-2)

#### **13.08.050 Discharges into sanitary sewer.**

A. Clear Water. No person shall discharge or cause to be discharged any unpolluted waters, such as ground water, roof runoff, subsurface drainage surface water, or cooling water made by the appropriate village official of the flow for the billing period.

Cisterns in operation for household purposes, previous to the adoption of the ordinance codified in this chapter, shall be charged a surcharge in addition to the regular sewer usage fees. Said charges may be determined by resolution of the village board as required from time to time, and shall be collectible in the same manner as other utility charges.

Other Prohibited Water. No person shall discharge or cause to be discharged to the sanitary sewer system, any substance which is flammable or explosive, nor any waste which could be toxic or poisonous to personnel or treatment processes. Waters with a pH lower than 5.5 or greater than 9.5, corrosive waste, waters with fats, wax or grease in concentrations greater than one hundred (100) mg/l, and

large substances capable of plugging sewers shall be prohibited. Users discharging such injurious materials may be held financially responsible for resulting operation, maintenance, or replacement costs. (Ord. dated 12/22/82 § 5)

#### **13.08.055 Storm Water Regulation.**

A. Purpose. The purpose of these regulations is to prevent safety hazards caused by inappropriate Discharge of Storm Water and reduce the unnecessary cost and burdens associated with treatment of Storm Water by the wastewater utility. The Village Board of the Village of Oakfield finds that Discharge of Storm Water from private properties onto public rights-of-way creates a safety hazard to pedestrians and motorists. The Village Board also finds that the Discharge of Storm Water to the sanitary sewers adds to the cost of treating sewerage and it detracts from the available capacity of the Wastewater Treatment Plant. Further, the Village Board declares that violations of the Chapter regulating Storm Water shall constitute a public nuisance.

##### **B. Definitions**

For the purposes of this chapter, the following terms are defined as follows:

"Clear Water" means wastewater other than storm water, having no impurities or where impurities are below a minimum concentration considered harmful, including but not limited to, non-contact cooling water and condensate drainage from refrigerator compressors and air conditioning equipment, drainage of water used for equipment chilling purposes including condensation from steam heating systems or other equipment.

"Discharge" means a discernible, confined and discrete conveyance of Storm Water.

"Drainage Facility" means the system of collecting, conveying, and storing surface and Storm Water runoff. Drainage Facilities shall include but not limited to all surface and Storm Water conveyance and containment



facilities including streams, pipelines channels, ditches, swamps, lakes, wetlands, closed depressions, infiltration facilities, retention/ detention facilities, erosion/ sedimentation control facilities, and other drainage structures and appurtenances, both natural and constructed.

"Outfall" means the point at which Storm Water is discharged to the Village storm sewers, to the surface of the grounds, or to any other collection system.

"Person" means an individual, owner, operator, corporation, partnership, association or entity.

"Storm Water" means water run-off from downspouts, roofs, sump pumps, and surface water run-off and drainage; provided none of the foregoing is combined with sewerage or other pollutants requiring treatment by the Wastewater Utility.

#### C. Storm Water Discharges.

1. No Person may Discharge Storm Water from an Outfall by combining such Discharge with the sanitary sewer distribution or collection system of the Village.

2. No Person may Discharge Storm Water from an Outfall in such a manner that the Discharge disperses directly onto the surface of any public sidewalk.

3. A Person may Discharge Storm Water directly to a storm sewer, provided the manner of connection has been approved in writing by the Building Inspector per State plumbing code.

4. If there is no storm sewer adjacent to the property, storm water Discharges from the roof downspouts may Discharge to the paved portion of the street, provided no obstruction to any public sidewalk is created, and provided the Outfall location and plan therefore are approved in writing by the Building Inspector and, if also required by law, by the Plumbing inspector.

5. Property owners, whose properties are not adjacent to a storm sewer, may apply for compliance deferral until a storm sewer is

available to connect to.

#### D. Sump Pumps

1. All sump pumps installed for the purpose of discharging storm water and/ or clear water from foundation drains, basement drains and ground infiltration shall discharge into a storm sewer wherever available and, if no storm sewer is available, shall discharge into an underground conduit leading to a drainage ditch, gutter, dry well, or onto the ground at a point which is not less than one foot from the building and is above permanent grade. No sump pump discharge shall be allowed to discharge onto, to flow on, or to flow across a public street or public right-of-way within the Village of Oakfield, and all such sump pump discharge shall be directed to flow to the side, back or front yards of any and all properties located within the Village of Oakfield.

2. All sump pumps installed hereinafter for the purpose of discharging storm water and/ or clear waters from the foundation drains, basement drains and ground infiltration in plats having storm sewers available shall require, for all building purposes, the connection of the sump pump drainage underground from the building proper to the storm sewer lateral per the specifications of the Plumbing Inspector in compliance with State code.

3. Disconnections notices. If storm water and/ or clear water is being discharged into a sanitary sewer, the Building Inspector, or authorized agent of the Village, shall give the offending person 30 days' notice to disconnect. Failure to disconnect after such notice shall authorize the Building Inspector, or other authorized agent, to cause disconnection and assessment of the costs of such disconnection against the property involved. The Building Inspector may, in the alternative, institute action for violation of this section.

4. Inspection authority. In carrying out the provisions of this section, the Building

Inspector, director and/or his/her agents shall have authority to enter upon private premises at reasonable times to determine whether any of the water drainage hereinbefore described exists thereon and whether such drainage complies with the provisions of this section. No person shall refuse to permit the Plumbing Inspector, director, or his/ her agents to enter upon any premises at reasonable times to exercise their duties under this section.

5. Nonconforming sump pumps. For those parcels of real estate in the Village of Oakfield having sump pump discharges in existence through the curb, directing sump pump discharge water onto public streets, such sump pump discharge across public rights- of - way, be the sidewalks, streets, etc., is prohibited in its entirety from October 15 of each year through April 15 of the following year. As storm sewer facilities become available, these grandfathered parcels of real estate in the Village of Oakfield shall be required to hook up to then-available storm sewers.

#### E. Penalties and Enforcement.

1. The Building Inspector is empowered to investigate any suspected violations of this Chapter through any lawful means.

2. Upon finding a violation of this Chapter, the Building Inspector may issue a Notice of Non-Compliance to the property owner. Such notice shall state that the non-compliance is required to be corrected within 90 days of receipt of notice, or within such longer time deemed reasonable by the Building Inspector, taking into consideration such factors as the nature of Outfall, the weather conditions which may interfere with any likely corrective measures, and any relevant difficulties presented by the topography and configuration of the property.

3. Upon failure to correct the non-compliance within the time stated in the notice, the Building Inspector shall issue an order directing the property owner to correct

the violation within 30 days of receipt of the notice or otherwise to subject to possible municipal citations and forfeitures of up to \$100.00 per violation per day, plus costs.

4. In addition to the foregoing, or as an alternative in cases of immediate hazard to public safety, the Village Attorney may seek other lawful remedies in effort to abate a public nuisance.

#### **13.08.060 Industrial or heavy commercial use of system.**

A. Whenever the superintendent of the sewer department shall determine that any lot, parcel of land, building or premises is discharging industrial or heavy commercial wastes of unusual volume, concentration or character, or of greatly variable volume, he shall recommend that the user be charged based on the industrial surcharge as defined in the user charge system. Nothing herein shall affect any of such rates as heretofore might have been established unless and until changed by action of the village board. If a user of the sewerage system discharges any substance therein which is deemed injurious by the superintendent to the operation of the sewerage system, such user shall be required to discontinue the discharge of such substance in the sewerage system. When necessary to prevent overloading or shock loading the wastewater treatment facility or to meet DNR pretreatment standards, the superintendent may require pretreatment of the wastewater by the industry or commercial user. Pretreatment facilities shall be effectively operated and maintained at the expense of the owner. When industrial wastewater monitoring or sampling is necessary, the owner shall install a conveniently located, easily accessible manhole approved by the superintendent. The manhole shall be installed and maintained at the expense of the owner. Grease, oil or sand traps shall be provided when, in the opinion of the superintendent, they are necessary for the

proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sands, and other harmful ingredients. All interceptors shall be of the type and capacity approved by the superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection. This shall be installed at the expense of the owner.

B. Authority of Inspectors. The inspector for the village or any other person authorized by the village board shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter. (Ord. dated 12/22/82 § 6)

3. It shall be presumed that clear water is being discharged into a sanitary sewer if it is shown that existing sump pumps or other means of clear water discharge are connected to, or can readily be connected to, drains, pipes or other mechanisms of discharge connected to the sanitary sewer drain within the premises.

K. Disconnection. All existing downspouts or ground water drains, etc., connected directly or indirectly to a sanitary sewer must be disconnected within 30 days of the date of an official written notice from the village. Exceptions to this subsection may be made by the village. (Ord. 2009-2)

#### **13.08.070 Sewer service charges.**

A. Charges. Each unit of service shall be charged a fee per quarter as established. Sufficient revenues will be generated to pay the total operation, maintenance and replacement costs for treatment, and maintain a proportionate distribution of these costs among the user classes. Excess revenues collected from a user class will be applied to operation, maintenance and replacement costs attributable to that class for the next year.

B. Sewer Cleaning. It shall be the

responsibility of the customer or owner to clean sewer laterals from the sewer main to and into the building. The customer or owner shall have such cleaning or rodding done by a private contractor at their own expense.

C. Records. The village will maintain sufficient records to accurately record expenses and revenues associated with the wastewater disposal system operation, maintenance and replacement. A separate replacement account will be maintained by the village with funds used for replacement purposes. (Ord. dated 12/22/82 § 7)

#### **13.08.080 Submittal of bids for sewer work not required.**

Pursuant to the authority granted by Wisconsin Statutes Sections 61.56 and 62.15 the village of Oakfield may directly construct, install and repair sanitary sewer lines and mains in the village of Oakfield without submitting the same for bids. (Ord. dated 10/12/71 § 1)

#### **13.08.090 Miscellaneous rules and regulations.**

A. Utility Responsibility. It is expressly stipulated that no claim shall be made against said village or village board member by reason of the breaking, clogging, stoppage or freezing of any service pipe. Whenever it shall become necessary to shut off the sewer service within any area of the village, the village shall, if practicable, give notice to each and every consumer within said area, of the time when such service will be shut off.

B. Damage Recovery. The village shall have the right of recovery from all persons, any expense incurred by said village 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 any negligent act. No 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 works.

C. Vacating of Premises and Discontinuance of Service. Whenever premises served by the system are to be vacated, or whenever any person desires to discontinue service from the system, the system must be notified in writing. The owner of the premises shall be liable for any damages to the property of the system by reason of failure to notify the system of a vacancy or any 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.

All new sewer extensions or interceptor sewers to be constructed or connected to the wastewater treatment facility shall be designed and shall be approved by the Department of Natural Resources prior to construction.

Connections to the sewer system shall be in accordance with local and state codes and shall be constructed by persons experienced in the construction of sewer systems. (Ord. dated 12/22/82 § 8)

#### **13.08.100 Adoption of other rules.**

There are 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 of the state of Wisconsin insofar as the same are applicable to the city. (Ord. dated 12/22/82 § 10)

#### **13.08.110 Violation—Penalty.**

A. Any person, firm or corporation who shall violate any of the provisions of this chapter or rules or regulations of the village or who shall violate any provisions of the Wisconsin Statutes, Wisconsin Administrative Code, or any other materials which are incorporated by reference, shall upon conviction thereof be subject to penalty. Each day of the continuance of such violation shall constitute a separate and

distinct offense.

B. The forfeiture against such person, firm or corporation shall be not less than twenty-five dollars (\$25.00) and not exceeding one hundred dollars (\$100.00), together with the cost of prosecution. In default of said payment, such person or responsible officer or director of said firm or corporation shall be imprisoned in the county jail for a period of not less than one day or more than thirty (30) days or until said forfeiture is paid. (Ord. dated 12/22/82 § 9)