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VILLAGE OF PEPIN

CHAPTER 52: WASTEWATER

AN ORDINANCE ESTABLISHING SEWER USE REGULATIONS AND

RATE STRUCTURES FOR THE VILLAGE MUNICIPAL SEWER SYSTEM

THE VILLAGE BOARD OF THE VILLAGE OF PEPIN, PEPIN COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

SECTION 52.01. TITLE AND PURPOSE

1.1. Title. This ordinance shall be known and may be cited as the “Village of Pepin Sewer system use and Sewer Rate Structure Ordinance."

1.2. Purpose. The purpose of this ordinance is to:

(a) Regulate the use of the Village's municipal sanitary sewer system;

(b) Establish rates, fees, and charges for sewer service to ensure the financial sustainability of the system;

(c) Protect the public health, safety, and welfare of Village residents;

(d) Comply with applicable provisions of Wisconsin Statutes, including Chapter 66, and regulations of the Wisconsin Department of Natural Resources (WDNR); and Department of Natural Resources (NR210)

(e) Provide for the operation, maintenance, repair, and capital improvement of the municipal sewer system.

SECTION 52.02. AUTHORITY AND APPLICABILITY

2.1. Authority. This ordinance is enacted pursuant to the authority granted under Wisconsin Statutes §§ 61.34, 61.35, 66.0809, and 66.0821, and any other applicable state statutes.

2.2. Applicability. This ordinance applies to all persons, properties, and entities connected to or using the Village's sanitary sewer system, including residential, commercial, industrial, and governmental users within and outside the Village boundaries that have been permitted to connect.

SECTION 52.03. DEFINITIONS

As used in this ordinance, the following terms shall have the meanings ascribed to them:

3.1. "BOD" means biochemical oxygen demand, the quantity of oxygen utilized in the biochemical oxidation of organic matter.

3.2. "Building Sewer" or "Lateral" means the extension from the building drain to the public sewer, up to the connection of the sewer main, in the public right away.

3.3. "Equivalent Dwelling Unit (EDU)" means a unit of measure representing the average daily sewage flow of a single-family residential dwelling, established per rate schedule.

3.4. "Industrial Waste" means wastewater from industrial processes, trade, or business, as distinct from sanitary sewage.

3.5. "Normal Domestic Strength Sewage" means sewage having a Biochemical Oxygen Demand (BOD) not in excess of 300 mg/l and suspended solids not in excess of 300 mg/l.

3.6. "Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity.

3.7. "Public Sewer " means a sewer system that is owned, operated, and maintained by the Village.

3.8. "Sanitary Sewer" means a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions.

3.9. "Sewer System" means the entire system of sewage collection, conveyance, treatment, and disposal facilities owned and operated by the Village.

3.10. "Operator in Charge" means the official WDNR licensed operator in charge, officially responsible for the operation and maintenance of the sewer system.

3.11. "User" means any person who contributes, causes, or permits the contribution of wastewater into the Village's sewer system.

3.12. "Wastewater" means the spent water of a community, including a combination of liquid and water-carried wastes from residences, commercial buildings, public facilities and industrial plants.

SECTION 52.04. CONNECTION REQUIREMENTS

4.1. Mandatory Connection. All buildings within the Village used for human occupancy, employment, recreation, or other purposes, and situated on a lot abutting a street, alley, or right-of-way in which a public sanitary sewer if available is located, shall be required to

connect to the sanitary sewer when the use of an Individual Sewage Treatment System (ISTS) fails or is ordered to be repaired or replaced, or when otherwise required by the Village of Pepin Board.

4.2. Connection requirement, No person shall make or cause to be made any connection to the public sewer without first obtaining Land use Construction Remodel (LUCR) permit from the Village of Pepin.

4.3. Connection Fees. Connection fees shall be established per the rate schedule.

4.4. Installation Standards. All connections shall be made in accordance with the Village of Pepin specifications and standards and applicable provisions of the Wisconsin Plumbing Code, Wisconsin administrative code chapter SPS 382 or SPS 383.

SECTION 52.05. USE REGULATIONS

5.1. Prohibited Discharges. No person shall discharge or cause to be discharged any of the following into the public sewer:

(a) Stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process water;

(b) Any liquid or vapor with a temperature higher than 150°F (65°C);

(c) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas;

(d) Any garbage that has not been properly shredded;

(e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, or other solid or viscous substance capable of causing obstruction or interference with the wastewater treatment process;

(f) Any waters or wastes having a pH lower than 5.5 or higher than 9.0;

(g) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity to interfere with the wastewater treatment process or constitute a hazard to humans, animals, or the environment;

(h) Any waters or wastes containing suspended solids in excess of 300 mg/l;

(i) Any radioactive wastes or isotopes;

(j) Any materials which exert or cause unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);

(k) Any substance or excessive flow rate which will cause the Village to violate its Wisconsin Pollutant Discharge Elimination System (WPDES) permit.

5.2. Grease Traps. Grease, oil, and sand interceptors shall be installed when, in the opinion of the Operator in Charge, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients.

5.3. Control Manholes. The Village of Pepin may require users with significant industrial contributions to construct and maintain control manholes for sampling and metering.

SECTION 52.06. SEWER SERVICE RATES AND CHARGES

6.1. Rate Structure. Sewer service charges shall consist of two components: a base fee and a volume-based usage fee, as set forth per the rate schedule.

6.2. Base Fee. A base fee shall be charged to each account to recover fixed costs of the sewer system, including debt service, administrative costs, and fixed operations and maintenance costs. The base fee is charged per equivalent dwelling unit per the rate schedule and equipment replacement fund's needs.

6.3. Usage Fee. In addition to the base fee, a usage fee shall be charged based on the volume of water consumed as measured by the water meter(s) and the waste water strength serving the premises, established per the rate schedule.

6.4. Minimum Charge. The minimum sewer service charge shall be the base fee established by the rate schedule , which shall be assessed regardless of the volume of water used.

6.5. Calculation of Bills. Sewer bills shall be calculated as follows:

(a) Billing charge = Base Fee + (Rate per 1000 gallons x gallons consumed ÷1,000)

6.6. Multiple Units. For premises with multiple dwelling units or businesses, the base fee shall be assessed per equivalent dwelling units (EDU) as determined by the Operator in Charge based on the number of units and equivalent usage.

6.7. Non-Metered Accounts. In cases where water consumption cannot be determined by meter, the Operator in Charge shall estimate sewer usage based upon the nature of the

use, occupancy, or other available data, or may apply a flat rate established by resolution of the Village of Pepin Board.

6.8. Outside Users. Users located outside the Village of Pepin corporate limits who are permitted to connect to the Village of Pepin sewer system may be charged a surcharge.

6.9 Campgrounds. Fixed Rates for commercial campgrounds that have no usage during the period from October 1st to March 31st shall be established per the rate schedule.

6.10. Rate Adjustments. Sewer service rates shall be reviewed and adjusted by resolution of the Village of Pepin Board every two years or as necessary to ensure the financial sustainability of the sewer system, to cover increased costs of operation and maintenance, debt service, or capital improvements, and to comply with state and federal requirements.

SECTION 52.07. BILLING AND PAYMENT

7.1. Billing Cycle. Sewer service charges shall be billed together with the Village of Pepin water utility billing.

7.2. Due Date. Bills are due and payable within twenty (20) days of the billing date.

7.3. Delinquent Accounts. A penalty of ten percent (10%) shall be added to any bill not paid by the due date. Bills remaining unpaid for sixty (60) days after the due date may be certified to the county auditor for collection with the property taxes in accordance with Wisconsin Statutes § 66.0809.

7.4. Lien on Property. Delinquent sewer charges, together with penalty, shall constitute a lien upon the real property served, as authorized under Wisconsin Statutes § 66.0809.

7.5. Service Termination. The Village of Pepin may terminate water service to any premises where sewer charges are delinquent, following notice and an opportunity to be heard as required by law.

SECTION 52.08. SEWER SYSTEM FUND

8.1. Establishment. All revenues collected from sewer service charges, connection fees, and other sewer-related sources shall be deposited into a dedicated Sewer Utility Fund.

8.2. Use of Funds. Monies in the Sewer Utility Fund shall be used exclusively for operation, maintenance, repair, and capital improvement of the Village of Pepin sewer system, debt service on sewer-related obligations, and compliance with regulatory requirements.

8.3. Review Rate. The Village Board shall review the sewer utility rates as part of the budget process to ensure that revenues are sufficient to meet all system costs.

SECTION 52.09. ENFORCEMENT

9.1. Authority. Designated Village of Pepin official is authorized to enforce this ordinance.

9.2. Inspections. The Operator in Charge or authorized representative, upon presentation of credentials, may enter upon any premises at reasonable hours with a 24 hour notice for the purpose of inspection, observation, measurement, sampling, and testing.

9.3. Recovery of Costs. Any person who causes damage to the sewer system through prohibited discharges or illegal connections shall be liable for all costs of repair, restoration, and cleanup, plus administrative costs and any penalties assessed against the Village of Pepin by regulatory agencies.

SECTION 52.10 PENALTIES

10.1. Violations and Penalties. Any person who violates any provision of this ordinance shall be subject to a forfeiture of not less than $100.00 nor more than $5,000.00 per violation, plus costs of prosecution. Each day a violation continues shall constitute a separate offense. In addition to forfeitures, the Village of Pepin may seek injunctive relief or other remedies available under Wisconsin law.

10.2 Any person violating any provisions of this chapter for which no specific penalty is prescribed shall be subject to the penalty set forth in chapter10.99

SECTION 52.11. APPEALS

11.1. Right of Appeal. Any user aggrieved by a decision may appeal to the Village of Pepin Board within thirty (30) days of the decision.

11.2. Appeal Procedure. Appeals shall be filed in writing with the Village of Pepin Clerk, stating the basis for the appeal. The Village of Pepin Board shall hear the appeal at a regularly scheduled meeting and shall render a written decision within sixty (60) days of the hearing.

SECTION 52.12. LEGAL ACTION.

12.1. If any person discharges sewage, industrial wastes or other wastes into the Village of Pepin wastewater disposal system contrary to the provisions of this chapter, federal or state pretreatment requirements, or any order of the Village of Pepin, the Village of Pepin Attorney may commence an action for appropriate legal and/or equitable relief in the Circuit Court of this county.

SECTION 52.13. MISCELLANEOUS PROVISIONS

13.1. Separability. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

13.2. Repeal of Prior Ordinances. All prior ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

13.3. Effective Date. This ordinance shall become effective upon passage and publication as required by Wisconsin Statutes § 61.50.

ADOPTED by the Village Board of the Village of _____, _____ County, Wisconsin, on this _____ day of _____, 20___.

_____

Village of Pepin President

ATTEST:

_____

Village of Pepin Clerk

Publication Date: _____

Effective Date: _____