

ARTICLE B

Building Sewers and Connections

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

SEC. 5-3-10 REGULATION OF PLUMBERS.

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 obtaining permission from the Village. All service connections to the sewer main shall comply with the State Plumbing Code.

SEC. 5-3-11 MANDATORY HOOKUP.

- (a) The owner of each parcel of land adjacent to a sewer main on which there exists a building usable for human habitation or in a block through which such system is extended, shall connect to such system within three hundred sixty-five (365) days of notice in writing from the Village. Upon failure to do so, the Village 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 144.06, Wis. Stats., provided, however, that the owner may within thirty (30) days after the completion of the work file a written option with the Village Clerk-Treasurer stating that he cannot pay such amount in one sum and ask that there be levied in not to exceed five (5) equal installments and that the amount shall be so collected with interest at the rate of six (6%) percent per annum from the completion of the work, the unpaid balance being a special tax lien, all pursuant to Section 144.06, Wis. Stats.
- (b) In lieu of the above, the Village, 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 of an amount equal to one hundred fifty (150%) percent of the minimum quarterly charge for sewer service payable quarterly for the period in which the failure to connect continues, and upon failure to make such payment, said charge shall be assessed as a special tax lien against the property, all pursuant to Section 144.06, Wis. Stats.
- (c) This Section ordains that the failure to connect to the sewer system fails to assure preservation of public health, comfort, and safety, and is contrary to the minimum health standards of said Village.

SEC. 5-3-12 SEPTIC TANKS PROHIBITED.

The maintenance and use of septic tanks and other private sewage disposal systems within the area of the Village serviced by its sewer system are hereby declared to be a public nuisance and a health hazard. From and after July 1, 1973, the use of septic tanks or any private sewage disposal system within the area of the Village serviced by the sewerage system shall be prohibited.

SEC. 5-3-13 APPLICATION FOR SERVICE.

- (a) Every person connecting with the sewer system shall file an application in writing to the Village, in such form as is prescribed for that purpose. Blanks for such applications will be furnished at the office of the Village Clerk-Treasurer. The application must state fully and truly all the use which will be allowed except upon further application and permission regularly obtained from the Village. 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 Village of St. Cloud are referred to herein as "Users."
- (b) The application may be for service to more than one building, or more than one unit of service through one service connection; and, in such cases, charges shall be made accordingly.
- (c) If it appears that the service applied for will not provide adequate service for the contemplated use, the Village may reject the application. If the Village shall approve the application, it shall issue a permit for services as shown on the application.

SEC. 5-3-14 APPLICATION FOR SEPTAGE DISPOSAL.

- (a) Between August 1 and September 1 of each year every licensed disposer wishing to discharge septage to the Village wastewater treatment works shall file a nonrefundable filing fee and an application in writing to the Village in such a form as is prescribed for that purpose. During the months of July and August, forms for such application will be furnished at the office of the Clerk-Treasurer. The application must state fully and truly the type, frequency, quantity, quality and location of generated septage to be disposed at the Village wastewater treatment works.
- (b) During the month of September, the Village will evaluate the applications and make a determination as to the amount and conditions of septage disposal at the Village wastewater treatment facility. The Village shall approve or reject all applications by October 1 of each year. If the Village cannot accept all the proposed septage disposal, then consideration shall be given first to those generators of septage that are within the sewer service area.
- (c) All Village approvals for septage disposal shall have the conditions that any time the wastewater treatment works has operational problems, maintenance problems, or threat of WPDES permit violation that are indirectly or directly related to septage disposal, the Village may immediately restrict septage disposal until such time as corrective action or mitigative measures have been taken.

SEC. 5-3-15 CONNECTION CHARGE.

Persons attaching to a sewer main shall have the lateral from the sewer main installed at his or her own expense.

SEC. 5-3-16 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 Village.

SEC. 5-3-17 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.

SEC. 5-3-18 USER USE ONLY.

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

SEC. 5-3-19 BACKFLOW PREVENTOR.

All floor drains shall have a backflow prevention valve installed at the owner's expense.

SEC. 5-3-20 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 Village must be notified in writing. The owner of the premises shall be liable for any damages to the property of 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.

SEC. 5-3-21 USER TO PERMIT INSPECTION.

Every user shall permit the Village 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 provide full disclosure to all questions put to them relative to its use, all in accordance with this Chapter and Sec. 196.71, Wis. Stats.

SEC. 5-3-22 VILLAGE RESPONSIBILITY.

It is expressly stipulated that no claim shall be made against the Village or acting representative by reason of the breaking, clogging, stoppage, or freezing of any service 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 section of the sewerage system, the Village shall, if practicable, give notice to each and every consumer within the affected section, of the time when such service will be so shut off.

SEC. 5-3-23 EXCAVATIONS.

- (a) In making excavations in streets or highways 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 (9) 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 Village. No opening of the street for tapping the pipes will be permitted when the ground is frozen.

SEC. 5-3-24 TAPPING THE MAINS.

- (a) 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 mains or collection pipes. The kind and size of the connection, materials, and pipe size, shall be that specified in the permit or order from said Village Board to ensure that new sewers and connections to the sewer system are properly designed and constructed.
- (b) Pipes should always be tapped on the top, and not within six (6) inches (15 cm) of the joint, or within twenty-four (24) inches (60 cm) of another lateral connection. All service connections to mains must comply with the State Plumbing Code. Service connections to an existing sewer main shall be made by means of a saddled wye or specially adapted tee. Connections to existing tees or wyes shall be made with an approved bonded rubber.

SEC. 5-3-25 INSTALLATION OF HOUSE LATERALS.

- (a) All service pipes (laterals) on private property will be installed in accordance with State of Wisconsin Administration Chapter ILHR 82, "Design, Construction, Installation, Supervision and Inspection of Plumbing"; specifically Section ILHR 82.04, "Building Sewers."
- (b) Per Section ILHR 82.04(5), all laterals will be inspected. "The building sewer and/or private interceptor main sewer shall be inspected upon completion of placement of the pipe and before backfilling; and tested before or after backfilling."
- (c) The cost of installing building service laterals including, but not limited to, the costs for materials, labor, connections, and permit fees shall be paid by the person connecting with the sewer.

SEC. 5-3-26 EXTENSIONS.

- (a) The Village shall extend sewer mains to a new person(s) in accordance with the following charges and the following conditions:
- (b) When an extension main is required by the prospective user, said person shall make an application for such an extension in writing to the Village by filing a written application for the same with the Clerk-Treasurer. After the filing of such an application, the Village shall first determine the logical location of the next manhole or manholes. Next, the Village shall determine the length and location of the extension, taking into consideration the prospective demands for service, the capacity of downstream facilities, and the orderly development of the particular area. No extension shall be made for a distance less than to the next manhole. All sewer extensions shall be constructed in compliance with local and state laws, ordinances, and regulations.

Sewer Utility Regulations and Rates

- (c) The person who requests the extension shall pay the entire cost of said extension including the manhole or manholes that are part of the extension. If more than one user is involved, the entire cost shall be divided among these users.
- (d) After making the decision as to the length and location of the extension and prior to the time of making the charge to the person(s), the Village shall determine the benefits to be received by any parcel that can be served by said extension. Before making a determination as to benefits received, the Village Board shall first divide the area to be served into logical building lots. The Village Board may consider the recommendations of the landowner in determining said building lots if the landowner as a part of his application accompanies said application with a proposed division of said land into lots for sale or use. In determining the amount to be paid by the original users if more than one user is involved, the division of the charge shall be made by considering each building lot owned by one of the original applicants as a separate user.
- (e) When the Village receives a future contribution, it shall after receiving the money, pay said money to the previous contributors by paying to each of the previous contributors equal amounts by counting each previous contributing lot as a separate contributor. The Village shall not make payments to a previous contributor if ten (10) years have expired from the date of the original contribution. Said money paid shall be retained by the Village.
- (f) It is hereby provided that the right to contribution shall follow the land and not the contributor with the reimbursement to go to the person who is the owner of the receiving lot at the time of the reimbursement. If a contributor owns more than one (1) lot at the time of contribution, he shall be required to designate one of the lots as the lot entitled to contribution and the owner of such a lot at the time of any contribution shall receive the reimbursements for all of the lot(s) owned by the original contributor at the time of the original contribution. Such lot designation shall be filed with the Village Clerk-Treasurer and may be filed in the Office of the Register of Deeds for Fond du Lac County, Wisconsin. The owner of such designated lot may, by filing a corrective designation, change said designation to another lot owned by him as long as such new lot is one of the lots to be served by said extension. The total amount of reimbursement shall be the total payment made by him less the benefits conferred upon the lot or lots owned by him at the time of his contribution.
- (g) In addition to the charge made as above provided to each lot, each user shall pay the full cost of the lateral from the main to his or her building.

SEC. 5-3-27 ASSESSMENT OF COST OF EXTENSION.

- (a) **SPECIAL ASSESSMENT.** Where the Village Board elects to extend a sewer main and the cost of the extension is to be immediately assessed against the abutting property, the procedure set forth under Section 66.60 of the Wisconsin Statutes shall apply.
- (b) **CUSTOMER FINANCED EXTENSIONS.** Where the Village Board is unwilling to make a special assessment because of low density of prospective consumers or for any other reason, customer financed extensions will be made on the request of any customer who shall comply with the terms and conditions set forth in the following Subsections (1) through (6):
 - (1) **Customer Defined.** The word "customer" as used in this ordinance means the owner of the premises which the sewer main is to service unless specific written agreements filed with the Village Clerk-Treasurer specify otherwise. The customer at all times means the property owner at the time a contribution is to be made or a refund becomes available.

- (2) Basis for Determining Contributions From Original Customer. The applicant will advance the full cost of construction of the sewer main. The contribution must be paid in advance of construction, provided however, that if the assessed value of the real property of the applicant which is intended to be served by the sewer main exceeds the amount which he would be required to advance under this section, then the applicant shall be permitted to make payment on the following terms: twenty-five (25%) percent of the amount in advance of construction and the balance payable in three (3) equal annual installments, payable on the first, second and third anniversary dates of the initial payment. No interest shall be charged on said installment payments if made on or before the due dates, but interest shall be charged at the legal rate on all delinquent payments and said delinquent payments shall constitute a lien on the property of the applicant served by the sewer main, and shall be extended upon the tax roll as a delinquent tax against the property, and all proceedings in relation to the collection, return and sale of property for delinquent real estate taxes shall apply to such delinquent payments.
- (3) Additional Customers and Refunds.
 - a. When additional customers are connected to the sewer main that was originally financed in part by a customer, the utility will require a contribution from each new customer equal to the existing average contribution of customers connected to said sewer main, which said contribution shall be paid in equal shares to the current owners of property, which said owners or their predecessors in title, have previously made a contribution to the cost of the sewer main, including the new customer.
 - b. No further refunds will be made to any customer when the refunds received by him have reduced his contribution to a point where it is equal to an amount equal to the ratio that his front footage on the sewer main bears to the total cost of construction of said sewer main.
- (4) Limit of Extension. When an extension beyond an existing extension is required to serve a new customer, and the cost for a customer exceeds the average remaining contribution in the original extension, then the new extension will be considered as an entirely new project, without refunds, or other connection with the original extension.
- (5) Limit of Refunds. The development period during which refunds shall be made will be limited to twenty (20) years.
- (6) Size of Mains. The Village of St. Cloud shall determine what size main should be laid in connection with any extension.

SEC. 5-3-28 SEPTAGE ACCEPTANCE LOCATION.

- (a) Septage shall only be discharged to the Village's sewerage system by Village-approved and State of Wisconsin licensed disposers and at locations, times, and conditions as specified by the Village Board.
- (b) Septage discharges to Village specified manholes may, under special circumstances, be allowed provided discharge rates are restricted as necessary to facilitate mixing, prevent a backup in the receiving sewer and prevent a slug load to the wastewater treatment facility. Discharges may be limited to the normal working hours of the utility and require written documentation of the discharge to be submitted to the Village within one (1) working day of the discharge to the Village sewers or wastewater treatment facility.
- (c) Septage discharges to the Village septage holding facility at the wastewater treatment facility may be limited to the posted normal working hours of the facility. As

with discharges to a manhole, documentation of the discharge shall be submitted to the Village within one (1) working day of the discharge to the Village septage holding facility.

(d) Blanks for documentation of the discharge will be furnished at the office of Clerk-Treasurer and will include the following:

- (1) Name, address and telephone number of the hauler.
- (2) License number.
- (3) Type of septage.
- (4) Quantity of septage.
- (5) Estimated quality of septage.
- (6) Location, date, time and feed rate of discharge to the sewerage system.
- (7) Source of septage.
- (8) Name and address of septage generator.
- (9) Other information.

SEC. 5-3-29 ADDITIONAL AUTHORITY.

The Village Board may at any time establish specific connection and lateral charges for any main not covered by any other provisions in this Chapter or when the Village has made an extension and the Village has failed to provide lateral or connection charges. It is further provided that the Village Board may amend or alter any connection or lateral charge after its establishment under the terms of this Chapter or previous Ordinance or Resolutions.