

## ARTICLE VI. - SEWER

## DIVISION 1. - GENERALLY

## Sec. 122-226. - Definitions.

The following words, terms and phrases, when used in this article and article VII of this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*BOD (denoting biochemical oxygen demand)* means the quantity of oxygen utilized in the biochemical oxidation of organic matter in five days at 20 degrees Celsius, expressed as milligrams per liter (mg/l). Quantitative determination of BOD shall be made in accordance with Chapters NR 218 and NR 219, Wisconsin Administrative Code.

*Building drain* means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

*Building sewer* means the extension from the building drain to the public sewer or other place of disposal, also called "house connection."

*Chlorine requirement* means the amount of chlorine, in mg/l, which must be added to sewage to produce a residual chlorine as specified in the Wisconsin Pollutant Discharge Elimination System (WPDES) permit.

*City approving authority* means designated officials of the city.

*City wastewater collection facilities or city wastewater collection system* means the city sewer systems, structures and equipment required to collect and carry away wastewater. These city wastewater collection facilities are owned, operated and maintained by the city.

*Combined sewer* means a sewer intended to receive both wastewater and stormwater or surface water.

*Compatible pollutants* means biochemical oxygen demand, suspended solids, phosphorus, pH, or fecal coliform bacteria, plus additional pollutants identified in the WPDES permit for the publicly owned wastewater treatment facility receiving the pollutants, if such works were designed to treat such additional pollutants, and, in fact, such works do remove such pollutants to a substantial degree.

*Easement* means an acquired legal right for the specified use of land owned by others.

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

*Garbage* means the residue from the preparation, cooking and dispensing of food and from the handling, storage and sale of food products and produce.

*General sewer committee* means the committee whose members are city aldermen and who are appointed by the mayor.

*Grantee* means the city.

*Ground garbage* means the residue from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one-half inch in any dimension.

*Incompatible pollutants* means wastewater with pollutants that will adversely affect or disrupt the operation and maintenance of the wastewater collection facilities or the quality of wastewater treatment if discharged to a wastewater treatment facility.

*Industrial waste* means the wastewater from industrial process, trade or business as distinct from sanitary sewage.

*Major contributing industry* means an industry that:

- (1) Has a process flow of 25,000 gallons (3,342 cubic feet) or more per average workday;
- (2) Has a process flow greater than five percent of the flow carried by the wastewater collection and treatment facilities receiving the waste;
- (3) Has a material in its discharge included on a list of toxic pollutants issued under W.S.A., § 147.07(1);  
or
- (4) Has a significant impact, either singularly or in combination with other contributing industries, on the wastewater treatment facility or the quality of its effluent.

*Municipal approving authority* means the duly authorized representatives of the municipality.

*Municipal wastewater collection facilities or municipal wastewater collection system* means the municipal sewer systems, structures, equipment and processes required to collect and carry away wastewater. These municipal wastewater collection facilities are owned, operated and maintained by the municipalities and extend to the effluent point of each of the municipal metering stations.

*Municipality* means the communities and sanitary districts that are served by the city interceptor sewers or city wastewater treatment plant.

*Natural outlet* means any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

*Operation and maintenance costs* include all costs associated with the operation and maintenance of the wastewater collection and treatment facilities, as well as the costs associated with periodic equipment replacement necessary for maintaining capacity and performance of wastewater collection and treatment facilities.

*Parts per million* a weight-to-weight ratio; the parts per million value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

*Person* means any and all persons, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

*pH* means the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of  $10^{-7}$ .

*Public sewer* means any publicly owned sewer, storm drain, sanitary sewer or combined sewer.

*Replacement costs* means expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the wastewater collection and treatment facilities to maintain the capacity and performance for which such facilities were designed and constructed. Operation and maintenance costs include replacement costs.

*Sanitary sewage* means a combination of liquid and water-carried wastes discharged from toilets and sanitary plumbing facilities.

*Sanitary sewer* means a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of groundwaters, stormwaters and surface waters that are not admitted intentionally.

*Sewage* means the spent water of a community; the preferred term is "wastewater" as defined in this section.

*Sewer* means a pipe or conduit that carries wastewater or drainage water.

*Sewer service charge* means a service charge levied on users of the wastewater collection and treatment facilities for payment of capital-related expenses, as well as operating and maintenance costs of the facilities. (The term "user charge," which covers operation and maintenance and replacement costs, is a part of the sewer service charge.)

*Shall* is mandatory; *may* is permissive.



*Slug* means any discharge of water or wastewater which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than 15 minutes more than five times the average 24-hour concentration of flows during normal operation and shall adversely affect the system and performance of the wastewater treatment works.

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

*Storm drain or storm sewer* means a drain or sewer for conveying water, groundwater, subsurface water or unpolluted water from any source.

*Stormwater runoff* means that portion of the rainfall that is drained into the sewers.

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

*Unpolluted water* means water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

*User charge* means a charge levied on users of the wastewater collection and treatment facilities for payment of operation and maintenance costs of such facilities.

*Wastewater* means the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater that may be present.

*Wastewater collection facilities or wastewater collection system* means the city and municipal wastewater collection facilities.

*Wastewater treatment facility* means an arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes synonymous with the term "waste treatment."

*Watercourse* means a natural or artificial channel for the passage of water, either continuously or intermittently.

*Wisconsin Pollutant Discharge Elimination System (WPDES) permit* is a document issued by the state department of natural resources which establishes effluent limitations and monitoring requirements for the city's wastewater treatment facility. WPDES permit no. WI-0025411 and modifications thereof pertain to the city's wastewater treatment facility.



(Code 1975, § 34.5-1; Ord. No. 104-97-98, § 1, 12-15-97; Ord. No. 11-12-13, §§ 1—3, 6-4-12)

**Cross reference—** Definitions generally, § 1-2.

Sec. 122-227. - Management and control of sewage disposal system.

The sanitary sewer system and the municipal sewage disposal plant shall be under the control and management of the department of engineering and public works, subject to the supervision of the common council. A superintendent of the sewage disposal plant shall be selected pursuant to civil service procedure, and the superintendent shall manage the plant, subject to the control of the department of engineering and public works.

(Code 1975, § 34.5-2)

Sec. 122-228. - Disposal into lake or stream.

Every owner of property within the city from which domestic or industrial sewage or waste is being discharged through a sewer or otherwise into any lake or stream shall make such sewer installations and connections with the city sewer system so as to cause the sewage or waste to flow into the city sewer system.

(Code 1975, § 34.5-23)

Sec. 122-229. - Disposal onto public ways and gutters.

No person shall permit any drain or sewer from a dwelling house, barn, stable, garage, shop or other building upon the premises owned or occupied by him to discharge into any open sewer or gutter or upon or over any public street, sidewalk or alley.

(Code 1975, § 34.5-24)

Secs. 122-230—122-255. - Reserved.

## DIVISION 2. - BUILDING SEWERS AND CONNECTIONS

Sec. 122-256. - New connections.

New connections to the city's sanitary sewer system will be allowed only if there is available capacity in all of the downstream wastewater collection and treatment facilities.

(Code 1975, § 34.5-30)

Sec. 122-257. - Unlawful connections to building sewer; disconnection upon notice.

- (a) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which is connected directly or indirectly to a sanitary sewer.
- (b) All existing downspouts or groundwater drains, etc., connected directly or indirectly to a sanitary sewer shall be disconnected.
- (c) Any violation of any of this section shall subject the violator to a forfeiture of not less than \$10.00 or more than \$100.00, together with the costs of prosecution, and, in default of payment thereof, to imprisonment in the county jail until such costs and forfeiture are paid, but not to exceed 60 days. Each day of violation or noncompliance shall constitute a separate offense.

(Code 1975, § 34.5-31)

Sec. 122-258. - Unauthorized work.

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb the sanitary sewer or appurtenances thereof without first obtaining a written permit from the city plumbing inspector.

(Code 1975, § 34.5-32)

Sec. 122-259. - Liability for cost of installation and connection.

All costs and expense incident to the installation and connection of the building sewer shall be borne by the person. Such person shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(Code 1975, § 34.5-33)

Sec. 122-260. - Use of old building sewers.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the city plumbing inspector, to meet all requirements of this article and article VII of this chapter.

(Code 1975, § 34.5-34)

Sec. 122-261. - Materials and methods for construction.

The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the building and plumbing codes or other applicable rules and regulations of the city. In the absence of

code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.

(Code 1975, § 34.5-35)

Sec. 122-262. - Grade.

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

(Code 1975, § 34.5-36)

Sec. 122-263. - Inspection prior to connection to public sewer.

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

(Code 1975, § 34.5-37)

Sec. 122-264. - Standards for connection.

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 city or the procedures set forth in appropriate specifications of the ASTM and WPCF 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 city approving authority before installation.

(Code 1975, § 34.5-38)

Sec. 122-265. - Protection of excavations; restoration of property.

- (a) All excavations for the building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard.
- (b) Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city approving authority.

(Code 1975, § 34.5-39)

Sec. 122-266. - Connections to sanitary sewers restricted.



- (a) In the public interest, the city has extended sanitary sewers under and through the following-described property which lies immediately adjacent to or traverses areas located outside the territorial limits of the city. Such public sanitary sewers are designated on an official map entitled, "Sanitary Sewers Abutting Township Lands," dated July 1, 1983, on file with the city clerk.
- (1) North Eighth Street, east side, N.L. North Shore Subdivision, east to Eisner Avenue;
  - (2) Eisner Avenue from W.L. Smies-Heinen Subdivision to E.L. Meadowlark Subdivision, north side;
  - (3) Eisner Avenue, from W.L. Meadowlark Subdivision to 377 feet west thereof, north side;
  - (4) Eisner Avenue, from E.L. Dublin Heights Subdivision to 211 feet east thereof, north side;
  - (5) Eisner Avenue from W.L. North 13th Street to W.L. North 14th Street, north side;
  - (6) North 13th Street, from N.L. Eisner Avenue to 50 feet north of N.L. Dublin Heights Subdivision, west side;
  - (7) Eisner Avenue, from W.L. Lakeshore Road to 126 feet east E.L. North 19th Street;
  - (8) Eisner Avenue, from 64.55 feet east of E.L. North 20th Street to E.L. of C&NW Railway Company, north side, and the west 70 feet thereof, south side;
  - (9) North 15th Street, from S.L. Grand Avenue to 120 feet north of N.L. MacArthur Avenue, west side, and east side opposite lots 20 and 21, block 9, and east side opposite block 7;
  - (10) North 29th Street, from 223 feet north of N.L. Main Avenue to 460 feet of S.L. Main Avenue South, west side;
  - (11) North 31st Street, from N.L. Main Avenue to S.L. block 7, Evergreen Park Estates Subdivision, both sides;
  - (12) Main Avenue, from E.L. North 31st Street to 723 feet east of E.L. North 36th Street, north side and south side bounded by the east and west lines of block 28, Graceland Subdivision No. 16;
  - (13) North Taylor Drive, from N.L. Main Avenue to S.L. North Avenue, west side and N.L. Main Avenue to S.L. of First Addition to West Park Subdivision, east side;
  - (14) Main Avenue, from W.L. North 36th Street to W.L. North 38th Street, north side;
  - (15) North 36th Street, from N.L. Main Avenue to S.L. Graceland Subdivision No. 20, west side;
  - (16) North 38th Street, from centerline of Main Avenue to 459.5 feet south thereof, as described following:
    - a. West side, north 189 feet of the above;
    - b. West side, south 70 feet of north 329 feet of the above;
    - c. West side, south 65.25 feet of the above;
  - (17) North 37th Street, bounded by the S.L. of lot 5 and the N.L. of lot 6, block 43, Graceland Subdivision No. 23, west side;
  - (18) North 35th Street, from N.L. Superior Avenue to 139 feet north thereof, east side;
  - (19) North Taylor Drive, from S.L. Superior Avenue to 636 feet south thereof, west side;
  - (20)

Erie Avenue, from 402 feet west of centerline of North 29th Street to a point 780 feet southwesterly thereof, south side;

- (21) Erie Avenue, from 86 feet east of centerline of North 29th Street to 169 feet east thereof, south side;
  - (22) North 28th Street and South 28th Street, from 215 feet south of S.L. Erie Avenue to S.L. Jefferson Avenue, west side;
  - (23) Indiana Avenue, from E.L. of University Drive to 590 feet east thereof, south side;
  - (24) University Drive, from S.L. Indiana Avenue to E.L. Lutheran High School campus, east and south side;
  - (25) Georgia Avenue, from E.L. Rammer Estates to 743.16 feet northeasterly, north side;
  - (26) Union Avenue, from north and south quarter line of section 28, T15N, R23E, to W.L. South Taylor Drive, both sides, and from such north and south quarter line to 1,589 feet east thereof, south side;
  - (27) South Taylor Drive, a.k.a. Georgia Avenue, a.k.a. Milwaukee Road, a.k.a. C.T. Hwy. "A:"
    - a. From north line of Union Avenue to 1,178 feet southwesterly of centerline of Union Avenue, both sides;
    - b. From 1,178 feet southwesterly of such centerline to 1,298 feet southerly thereof, east side;
    - c. From 1,298 feet southwesterly of such centerline to 1,748 feet southwesterly thereof, both sides; and
    - d. From 1,748 feet southwesterly of such centerline to N.L. Paine Avenue, east side;
  - (28) Paine Avenue, from E.L. South Taylor Drive to 1,000 feet east of E.L. South 31st Street, north side;
  - (29) Washington Avenue, from E.L. South Taylor Drive to the north and south quarter line of section 4, T14N, R23E, south side;
  - (30) Greenfield Avenue, from 127 feet east of E.L. South 12th Street to 806 feet east thereof, south side;
  - (31) South 12th Street from 1,126.95 feet south of N.L. section 2, T14N, R23E, to a point 1,143.48 feet south thereof;
  - (32) From 1,207.8 feet south thereof to 1272.15 feet south thereof, both on east side;
  - (33) From 80 feet south of N.L. of SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of section 2 to centerline of Camelot Boulevard, east side, and from S.L. of Castle Avenue to N.L. block 8, Camelot Estates, west side; and
  - (34) The intercepting sanitary sewers in CTH PP, which will be known as STH 28, lying west of the west line of South Taylor Drive and in South Taylor Drive from CTH PP to a point approximately 150 feet north thereof.
- (b) No property situated outside the corporate limits which has not received sanitary sewer service prior to the effective date of the ordinance from which this section derives (September 23, 1983) shall be served by or connected to any of the sanitary sewers enumerated in subsection (a) of this section.

(Code 1975, § 36-6)

Secs. 122-267—122-295. - Reserved.

### DIVISION 3. - REGULATION OF DISCHARGES

Sec. 122-296. - Sanitary sewers.

- (a) *Limitations on discharges.* No person shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage or cooling water to any sanitary sewer. Stormwater runoff from limited areas, which may be polluted at times, may be discharged to the sanitary sewers by permission of the city approving authority.
- (b) *Inspections for illegal connections.* The water utility personnel and the plumbing inspector and his designated representative will make inspections throughout the city of all stormwater and clear water drains to sanitary sewers and illegal downspout connections. Violations will be reported to the city's plumbing inspector.

(Code 1975, § 34.5-45)

Sec. 122-297. - Discharges to storm sewers restricted.

Stormwater, other than that exempted under section 122-296, and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the city approving authority and other regulatory agencies. Unpolluted industrial cooling waters or process waters may be discharged, on approval of the city approving authority, to a storm sewer, combined sewer or natural outlet.

(Code 1975, § 34.5-46)

Sec. 122-298. - Prohibitions and limitations on discharges.

- (a) Except as provided in subsection (b) of this section, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
  - (1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
  - (2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment or sludge disposal process, constitute a hazard to humans or animals, or create a public nuisance in the receiving waters of the wastewater treatment facility.
  - (3)



Any waters or wastes having a pH lower than 5.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater collection and treatment facilities.

- (4) Any waters or wastes having a pH in excess of 12.0.
  - (5) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in public sewers or other interference with the proper operation of the wastewater collection and treatment facilities, such as but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- (b) The following described substances, materials, waters or wastes shall be limited in discharges to municipal sanitary sewer systems to concentrations or quantities which will not harm either the sanitary sewers, wastewater treatment process or equipment; will not have an adverse effect on the receiving stream; or will not otherwise endanger lives, limb, public property or constitute a nuisance. The city approving authority may set limitations lower than the limitations established in this subsection if, in his opinion, such more severe limitations are necessary to meet the objectives. In forming his opinion as to the acceptability, the city approving authority will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sanitary sewers, the wastewater treatment process employed, capacity of the waste in the wastewater treatment facility, and other pertinent factors. The limitations or restrictions on materials or characteristics of wastes or wastewaters discharged to the sanitary sewers which shall not be violated without approval of the city approving authority are as follows:
- (1) Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).
  - (2) Wastewater containing more than 200 mg/l of total oil and grease, including, but not limited to, petroleum oil, nonbiodegradable cutting oils or products of mineral oil origin.
  - (3) Wastewater from industrial plants containing floatable oils, fat or grease.
  - (4) Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
  - (5) Any waters or wastes containing iron, chromium, copper, zinc, and other toxic and nonconventional pollutants to such degree that any such material received in the composite wastewater in concentrations that exceed levels specified by federal, state or local authorities.
  - (6) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the city approving authority.
  - (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the city approving authority in compliance with applicable state or federal regulations.

- (8) Any waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed or are amenable to treatment only to such degree that the wastewater treatment facility effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
  - (9) Any waters or wastes which, by interaction with other waters or wastes in the sanitary sewer system, release obnoxious gases, form suspended solids which interfere with the collection system or create a condition deleterious to structures and treatment processes.
  - (10) Materials which exert or cause:
    - a. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment facility.
    - b. Unusual volume of flow or concentration of wastes constituting slugs, as defined in this article.
    - c. Unusual concentrations of inert suspended solids, such as, but not limited to fuller's earth, lime slurries and lime residues, or of dissolved solids, such as but not limited to sodium sulfate.
    - d. Excessive discoloration, such as but not limited to dye wastes and vegetable tanning solutions.
  - (11) Incompatible pollutants in excess of the allowed limits as determined by city, state and federal rules and regulations in reference to pretreatment standards developed by the Environmental Protection Agency, 40 CFR 403.
  - (c) The city shall comply with all the appropriate requirements of the city's WPDES permit no. WI-0025411 and of all modifications thereof. No discharge shall be allowed into the sanitary sewers that is in violation of the requirements of the WPDES permit and the modifications thereof.
- (Code 1975, § 34.5-47; Ord. No. 104-97-98, §§ 2, 3, 12-15-97)

Sec. 122-299. - Submission of data relative to quantity and characteristics of industrial wastes; extension of time.

- (a) Each person who discharges industrial wastes to a public sewer shall prepare and file with the city approving authority a report that shall include pertinent data relating to the quantity and characteristics of the wastes discharged to the wastewater collection and treatment facilities. This data shall be provided at a time specified by the city approving authority.
- (b) Similarly, each person desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and file with the city approving authority a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.
- (c) When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule imposed by this section, a request for extension of time may be presented to the city approving authority for consideration.

(Code 1975, § 34.5-48; Ord. No. 104-97-98, § 5, 12-15-97)

Sec. 122-300. - Conditions for handling discharges of above normal strength.



If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters or wastes contain substances or possess the characteristics enumerated in section 122-298, and which, in the judgment of the city approving authority, have a deleterious effect upon the sewer works, processes, equipment or receiving waters or which otherwise create a hazard to life or health or constitute a public nuisance, the city approving authority may:

- (1) Reject the wastes;
- (2) Require pretreatment to an acceptable condition for discharge to the public sewers;
- (3) Require control over the quantities and rates of discharge; and
- (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under section 122-308.

(Code 1975, § 34.5-49)

Sec. 122-301. - Control manholes.

- (a) *Required.* Each person discharging industrial wastes into a sanitary sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of his wastes, including domestic sewage.
- (b) *Location and construction.* Control manholes or access facilities shall be located and built in a manner acceptable to the city approving authority. If measuring devices are to be permanently installed, they shall be of a type acceptable to the city approving authority.
- (c) *Responsibility for installation and maintenance.* Control manholes, access facilities and related equipment shall be installed by the person discharging the waste, at his expense, and shall be maintained by him so as to be in safe condition, accessible and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the city approving authority prior to the beginning of construction.

(Code 1975, § 34.5-50)

Sec. 122-302. - Waste sampling.

- (a) *Collection of samples.* Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration of the wastes. The determination shall be made by the industry every four years, beginning in 1986. Additional sampling and analyses shall be required for significant changes in the industry's operation. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the city approving authority. Every care shall be exercised in the collection of samples to ensure their preservation in a state comparable to that at the time the sample was taken.
- (b)



*Responsibility for sampling facilities.* Installation, operation and maintenance of the sampling facilities shall be the responsibility of the person discharging the waste and shall be subject to the approval of the superintendent of the wastewater treatment plant. Access to sampling locations shall be granted to the superintendent of the wastewater treatment plant or his duly authorized representative at all times.

- (c) *Analysis of samples.* Samples shall be analyzed for BOD, total suspended solids, total phosphorus, and all potential contaminants. Results from all analyses shall be submitted to the wastewater treatment plant superintendent.

(Code 1975, § 34.5-51; Ord. No. 11-12-13, § 4, 6-4-12)

#### Sec. 122-303. - Preliminary treatment.

Where required, in the opinion of the city approving authority, to modify or eliminate wastes that are harmful to the structures, processes or operation of the wastewater treatment works, the person shall provide at his expense such preliminary treatment or processing facilities as may be determined necessary to render his wastes acceptable for admission to the sanitary sewers.

(Code 1975, § 34.5-52)

#### Sec. 122-304. - Submission of information prior to commencement of construction of pretreatment facilities.

Plans, specifications and any other pertinent information relating to proposed flow equalization, pretreatment or processing facilities shall be submitted for review of the city approving authority prior to the start of construction if the effluent from such facilities is to be discharged into the public sewers.

(Code 1975, § 34.5-53)

#### Sec. 122-305. - Grease and sand interceptors.

Grease, oil and sand interceptors shall be provided when, in the opinion of the city approving authority, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in subsection 122-298(b)(3), or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the city approving authority and shall be located so as to be readily and easily accessible for cleaning and inspection. In maintaining these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the city approving authority. Disposal of the collected materials performed by the owner's personnel or licensed waste disposal firms must be in accordance with acceptable department of natural resources (DNR) practice.

(Code 1975, § 34.5-54)

## Sec. 122-306. - Analyses.

- (a) *Standards for determinations.* All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this article and article VII of this chapter shall be determined in accordance with Chapter NR 219, Wisconsin Administrative Code. Sampling methods, location, time, duration and frequencies are to be determined on an individual basis subject to approval by the city approving authority.
- (b) *Basis for charges.* Determination of the character and concentration of the industrial wastes shall be made by the person discharging them or his agent, as designated and required by the city approving authority. The city approving authority may also make its own analyses on the wastes, and these determinations shall be binding as a basis for sewer service charges and industrial cost recovery charges.

(Code 1975, § 34.5-55; Ord. No. 11-12-13, § 5, 6-4-12)

## Sec. 122-307. - Right of entry.

- (a) The city approving authority or other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation or testing, all in accordance with this article and article VII of this chapter and W.S.A., § 66.0119. The city approving authority or other duly authorized employee of the city shall have no authority to inquire into any process beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or wastewater treatment facilities.
- (b) While performing the necessary work on private premises referred to in subsection (a) of this section, the duly authorized city employees shall observe all safety rules applicable to the premises established by the person. The city shall indemnify such person against loss or damage for personal injury or property damage asserted against the person and growing out of gauging and sampling operations and shall indemnify the person against loss or damage to its property by city employees, except as such may be caused by negligence or failure of the person to maintain safe conditions as required in section 122-301.
- (c) The city approving authority or other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties through which the city holds a duly negotiated easement for the purposes of but not limited to inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewer works lying within such easement, all subject to the terms, if any, of such duly negotiated easement.

(Code 1975, § 34.5-56; Ord. No. 60-00-01, § 62, 10-2-00)

## Sec. 122-308. - Special arrangements.



No statement contained in this article shall be construed as prohibiting any special agreement between the city approving authority and any person whereby an industrial waste of unusual strength or character may be admitted to the wastewater collection and treatment facilities, either before or after pretreatment, provided that there is no impairment of the functioning of the wastewater collection and treatment facilities because of the admission of such wastes and no extra costs are incurred by the city without recompense by the person, provided that all rates and provisions set forth in this article and article VII of this chapter are recognized and adhered to.

(Code 1975, § 34.5-57)

Secs. 122-309—122-335. - Reserved.

#### DIVISION 4. - PRIVATE DISPOSAL SYSTEMS

Sec. 122-336. - Private disposal system.

- (a) *Permitted.* Septic, biological or other sewage disposal tanks may be constructed and used where a public sewer system is not available or not likely to become available within a reasonable time.
- (b) *Permit required.* Permission to construct a private disposal system and approval of the system to be installed shall be obtained from the city plumbing inspector prior to the issuance of a plumbing permit.
- (c) *Material, capacity and location.* For material, capacity and location, see the state plumbing regulations.
- (d) *Discontinuance of system.* Private sewer systems shall be abandoned and the premises served by the systems shall be connected to the public sewers whenever such facilities become available.

(Code 1975, § 34.5-63; Ord. No. 104-97-98, § 6, 12-15-97)

Sec. 122-337. - Cesspools.

- (a) *Location near sewers.* No cesspool or other system for sewage disposal shall be constructed where a sewer is available nor shall any connection from a cesspool be made with a house drain or sewer. When a public sewer is pending installation, the plumbing supervisor, with the approval of the city engineer, may grant a special permit conditioned upon the removal of such system of private sewage disposal and its connection to the public sewer when the sewer becomes available for the premises.
- (b) *Maintenance.* No person shall remove the contents of any cesspool or privy vault nor place or deposit the contents thereof within the city limits so as to create a nuisance or in any manner endanger the public health. Such substance shall be immediately buried so as to entirely prevent odors arising therefrom and so that it will not pollute any well or cistern, the water of Lake Michigan or any stream nor shall any such material be deposited or discharged into any public sewer or branch thereof.

(c)



*Discontinuance.* Cesspools existing on premises accessible to a sewer shall be discontinued and, when necessary, emptied of their contents and filled with earth or ashes, and the house sewer shall be disconnected from the old cesspool and shall be reconnected to the public sewer.

(Code 1975, § 34.5-64)

Sec. 122-338. - Privies and privy vaults.

- (a) No new privy or privy vault or like appliance shall be constructed or maintained to serve any premises when a public sewer and water system is available.
- (b) No privy vault shall in any manner be connected with any public sewer in the city.
- (c) All privy vaults shall be abandoned when public water and sewer systems are reasonably available. The health commissioner shall order such abandonment to guard the public welfare and in furtherance of public health.

(Code 1975, § 34.5-65)

Sec. 122-339. - Waterless toilets.

No privy or chemical, septic or dry closet system or any other type of waterless toilet shall be installed or maintained when a public water and sewer system is available, and no such privy or any other system shall be installed within the city boundaries when public water supply and sewerage are not available until the plans and appliances have been approved by the plumbing supervisor.

(Code 1975, § 34.5-66)

Sec. 122-340. - Disposal of hauled wastewater.

- (a) *Permit.* No person in the business of gathering and disposing of hauled wastewater shall transfer such material into any disposal area unless a permit for disposal has first been obtained from the city approving authority. Permits shall be nontransferable. A permit may be obtained upon payment of a fee of \$100.00 per calendar year. The time and place of disposal will be designated by the city approving authority. The city approving authority may impose such conditions as it deems necessary on any permit granted.
- (b) *Definition.* "Hauled wastewater," as used in this chapter includes, but is not limited to, septic tank sludge and holding tank sewage.
- (c) *Insurance; indemnification of city.* Any person or party disposing of hauled wastewater shall agree to carry public liability insurance in an amount not less than \$100,000.00 to protect any and all persons or property from injury and damage caused in any way or manner by an act or the failure to act by any of his employees. The person shall furnish a certificate certifying such insurance will be in full force and effect. Any person disposing of such waste shall agree to indemnify and hold harmless the city from any and all liability and claims for damages arising out of or resulting from work and labor performed.

- (d) *Restrictions on materials discharged to treatment system.* All materials disposed of into the treatment system shall be of domestic origin or compatible pollutants only, and such person shall agree that he will comply with the provisions of any and all applicable ordinances of the city and shall not deposit or drain any gasoline, oil, acid, alkali, grease, rags, waste, volatile or inflammable liquids or other deleterious substances into any manhole or allow any earth, sand or other solid material to pass into any part of the wastewater collection and treatment facilities.
- (e) *Disposal of materials at sewage treatment plant.* Prior to the disposal of nondomestic wastes to the wastewater collection and treatment facilities by any person holding a permit for disposal of hauled wastewater, such industrial waste shall be tested as determined by the wastewater treatment plant superintendent.
- (f) *Acceptance of hauled wastewater.* Acceptance of hauled wastewater under this article shall be subject to existing treatment capacity. If sludge storage is unavailable or operational treatment problems prevent handling of hauled wastewater, the superintendent of the wastewater treatment plant may refuse acceptance of such waste.

(Code 1975, § 34.5-67; Ord. No. 104-97-98, § 8, 12-15-97; Ord. No. 11-12-13, § 6, 6-4-12)

Secs. 122-341—122-370. - Reserved.

## DIVISION 5. - CHARGES, RATES AND BILLING

### Subdivision I. - In General

#### Sec. 122-371. - Water utility service charges.

Payment for services performed by the water utility in connection with this article and article VII of this chapter shall be in accordance with an administrative agreement between the city and the water utility.

(Code 1975, § 34.5-93)

#### Sec. 122-372. - Measurement of flow for purposes of rate determination.

- (a) *Based on water consumption.* The volume of flow used for computing industrial waste collection and treatment charges shall be the metered water consumption of the person as shown in the records of meter readings maintained by the water utility, except as noted in subsections (b) and (c) of this section.
- (b) *Adjustment.* If a person discharging industrial waste into the sanitary sewers produces evidence satisfactory to the city approving authority that more than 20 percent of the total annual volume of water used for all purposes does not reach the sanitary sewer, the determination of the water consumption to be used in computing the waste volume discharged into the sanitary sewer may be made a matter of agreement between the city approving authority and the person.

- (c) *Metering waste.* Devices for measuring the volume of waste discharged may be required by the city approving authority if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of waste shall be installed, owned and maintained by the person. Following approval and installation, such meters may not be removed without the consent of the city approving authority.

(Code 1975, § 34.5-78)

Sec. 122-373. - Annual audits.

The city shall conduct an annual audit, the purpose of which shall be to maintain the proper proportion among municipalities of the sewer service charge system and to ensure that adequate revenues are available relative to increasing operation, maintenance and replacement costs. The municipalities and city shall also conduct annual audits, the purpose of which shall be to maintain the proper portion between users and sewer user classes of the sewer service charge system and to ensure that adequate revenues are available to meet the charges assessed to the municipalities by the city. Copies of the municipal annual audit reports must be submitted to the city approving authority after the municipal annual audits have been completed.

(Code 1975, § 34.5-79)

Sec. 122-374. - Annual rate adjustment.

The format as provided in the 1979 Donohue & Associates, Inc., report entitled "Sewer Service Charge and Industrial Cost Recovery System for Wastewater Collection and Treatment Facilities, Sheboygan, Wisconsin," can be utilized to adjust the sewer service charges as a result of changing annual costs. It should be noted that the methods used are applicable only to costs incurred for operation of the municipal wastewater treatment facility under construction. Changes in the wastewater facility system by virtue of additions, renovation or new construction in the future would require revisions to the method of cost allocation.

(Code 1975, § 34.5-80)

Secs. 122-375—122-400. - Reserved.

Subdivision II. - Service Charges

Sec. 122-401. - Penalties and remedies.



- (a) *Delinquent payments, penalty charge.* Such sewer service charges levied in accordance with this subdivision shall be a debt due to the city and shall be a lien upon the property. A late payment charge of three percent but not less than \$0.50 will be added to bills not paid within 20 days of issuance. This one-time three-percent late payment charge will be applied only to any unpaid balance for the current billing period's usage. This late payment charge is applicable to all customers. The utility customer may be given a written notice that the bill is overdue no sooner than 20 days after the bill is issued. Thereafter, if payment is not received prior to November 15, the delinquent bill will be placed on the succeeding tax roll.
- (b) *Discontinuance and restoration of service.* For failure to pay sewer service charges after they become delinquent, the city shall have the right to remove or close sewer connections and enter upon the property for accomplishing such purpose. The expense of such removal or closing, as well as the expense of restoring service, shall likewise be a debt to the city and a lien upon the property which may be recovered by civil action in the name of the city against the property owner, the person or both. Sewer service shall not be restored until all charges, including the expense of removal, closing and restoration, shall have been paid.
- (c) *Effect of change of ownership or occupancy.* Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

(Code 1975, § 34.5-94; Ord. No. 74-99-00, § 1, 12-20-99)

Sec. 122-402. - Basis.

- (a) *Service charge for wastewater treatment.* There is levied and assessed upon each lot, parcel of land, building or premises having a connection with the wastewater collection system and being served with water solely by the water utility a wastewater treatment service charge based, in part, on the quantity of water used, as measured. Section 122-14 requires connection to and utilization of the public water supply system by city residents. However, if that connection is not made to such water supply system, any premises served by the city's wastewater collection system shall not be relieved of any wastewater treatment service charges. In addition to any other penalties prescribed by this Code for failure to connect to the city's water supply system, there is levied and assessed upon each lot, parcel of land, building or premises having a connection with the wastewater collection system not served by the city's water utility a service charge based on the residential average of all homes served by such utility plus an administrative charge of \$25.00 per quarter for processing sewer service charges for this class of customers.
- (b) *Deduct meters.* If a user feels that a significant amount of metered water does not reach the sanitary sewer due to lawn or garden watering, etc., he may, at his own expense through the city approving authority, install a second meter or an additional metered service that would monitor this flow. Charges for sewer use would be made based on the difference between the two meter readings, if only a second

meter is installed, and on actual water metered for sewer use if an additional metered service is installed. Requests for a second meter or metered service must be made in writing to the city approving authority.

- (c) *Adjustment of meter readings for irrigation water usage.* Third quarter water meter readings for residential customers whose residences are not equipped with deduct meters and not equipped with a well will be reduced an amount to be determined by the approving authority based on water use records, to take into account water use for irrigation purposes and not returned to the sanitary sewer.

(Code 1975, § 34.5-86)

Sec. 122-403. - Categories of users; amounts; reassignment—City of Sheboygan.

- (a) *Category A.* Category A users of the city wastewater treatment system shall be subject to the following:

- (1) *Definition:* The term "category A" is defined as normal domestic strength wastewater, that is, wastewater having concentrations of biochemical oxygen demand (BOD) no greater than 167 mg/l, suspended solids no greater than 231 mg/l, and total phosphorus no greater than 4.3 mg/l.
- (2) *Amount:* The sewer service charge for category A wastewater is as follows:
  - a. Fixed charge, \$25.87 per quarter.
  - b. Volume charge, \$1.78 total charge per 100 cubic feet.

- (b) *Category B.* Category B users of the city wastewater treatment system shall be subject to the following:

- (1) *Definition:* The term "category B" is defined as wastewater having concentrations of biochemical oxygen demand greater than 167 mg/l, suspended solids greater than 231 mg/l, and phosphorous greater than 4.3 mg/l. Users whose wastewater exceeds the concentrations for any one of these parameters shall be in category B. The minimum category B charge will be based on a concentration of not less than 167 mg/l for BOD, 231 mg/l for suspended solids, and 4.3 mg/l for phosphorous.
- (2) *Amount:* The sewer service charge for category B wastewater is as follows:
  - a. Fixed charge, \$25.87 per quarter.
  - b. If billing is on a monthly basis, \$8.63 per month.
  - c. Volume charge, \$1.78 per 100 cubic feet.
  - d. Surcharge, total (per pound):
    1. BOD greater than 167 mg/l, \$0.2195.
    2. Suspended solids greater than 231/mg/l, \$0.1691.
    3. Phosphorus greater than 4.3 mg/l, \$4.9072.

- (3) *Computation.* The category B sewer service charges for volume, BOD, suspended solids and phosphorus shall be computed in accordance with the following formula:

$$C = F + (V \times C^V) + .00624V[(B - B^R \times C^B) + (S - S^R \times C^S) + (P - P^R \times C^P)]$$

Where:

Table 1

C	=	Charge to sewer user for collection and treatment of wastewater
F	=	Fixed charge per billing period
B	=	Concentration of BOD in mg/l in the wastewater
B <sup>R</sup>	=	Concentration of BOD in mg/l as defined for category A users
S	=	Concentration of suspended solids in mg/l in the wastewater
S <sup>R</sup>	=	Concentration of suspended solids in mg/l as defined for category A users
P	=	Concentration of phosphorus in mg/l in the wastewater
P <sup>R</sup>	=	Concentration of phosphorus in mg/l as defined for category A users
V	=	Wastewater volume (per 100 cubic feet for category B users; per 1,000 gallons for category C users)
C <sup>V</sup>	=	Cost per volume of wastewater (per 100 cubic feet for category B users; per 1,000 gallons for category C users)
C <sup>B</sup>	=	Cost per pound of BOD
C <sup>S</sup>	=	Cost per pound of suspended solids
C <sup>P</sup>	=	Cost per pound of phosphorus
.00624	=	Conversion factor

- (c) *Reassignment of users.* The city approving authority will reassign sewer users into appropriate sewer service charge categories if wastewater sampling programs and other related information indicate a change of categories is necessary.



- (d) *Sampling requirement.* Sampling frequency for category B users to determine concentrations of BOD, suspended solids, total phosphorus and pH shall be determined by the wastewater discharge loading by the industry. Results of all analyses shall be submitted to the wastewater treatment plant superintendent. Sampling shall be conducted as follows:
- (1) Samples collected shall be flow-proportional 24-hour composite samples.
  - (2) Sampling periods shall be two consecutive days during normal operation.
  - (3) Flow-weighted average may be used if data is presented.
  - (4) Samples shall be analyzed for BOD, suspended solids, and total phosphorus.
  - (5) Sampling frequency shall be quarterly or more frequently as determined by the superintendent of the wastewater treatment plant. The quarterly sampling periods shall be during the months of January through March, April through June, July through September, and October through December.
  - (6) All data shall be submitted to the superintendent of the wastewater treatment plant.

(Code 1975, § 34.5-87; Ord. No. 93-96-97, § 1, 12-16-96; Ord. No. 96-97-98, § 1, 12-15-97; Ord. No. 119-98-99, § 1, 12-21-98; Ord. No. 75-99-00, § 1, 12-20-99; Ord. No. 66-00-01, § 1, 11-6-00; Ord. No. 54-01-02, § 1, 11-19-01; Ord. No. 60-02-03, § 1, 12-02-02; Ord. No. 48-03-04, § 1, 12-15-03; Ord. No. 50-04-05, § 1, 12-20-04; Ord. No. 56-05-06, § 1, 11-21-05; Ord. No. 49-06-07, § 1, 11-20-06; Ord. No. 59-07-08, § 1, 11-5-07; Ord. No. 70-08-09, 12-1-08; Ord. No. 47-09-10, § 1, 12-21-09; Ord. No. 44-10-11, § 1, 11-15-10; Ord. No. 38-11-12, § 1, 10-17-11; Ord. No. 11-12-13, § 7, 6-4-12; Ord. No. 41-12-13, § 1, 12-17-12; Ord. No. 40-13-14, § 1, 11-18-13; Ord. No. 29-14-15, § 1, 10-6-14; Ord. No. 36-15-16, § 1, 11-16-15)

Sec. 122-404. - Categories of users; amounts; reassignment for other municipalities.

Other municipal users shall be charged pursuant to the guidelines established under this section.

Table 2

	Village of Kohler	City of Sheboygan Falls	Town of Sheboygan Sanitary District No. 2	Town of Wilson Sanitary District	
				No. 1	No. 2
Fixed Charge	None	None	None	None	None
Volume Charge:					

Volume	\$0.2822	\$0.2822	\$0.2822	\$0.2822	\$0.2822
Debt retirement	<u>0.1900</u>	<u>0.1900</u>	<u>0.1900</u>	<u>0.1900</u>	<u>0.1900</u>
Total volume charge, per 1,000 gallons:	0.4722	0.4722	0.4722	0.4722	0.4722
Surcharges:					
BOD	0.2195	0.2195	0.2195	0.2195	0.2195
Suspended Solids	0.1691	0.1691	0.1691	0.1691	0.1691
Phosphorus	4.9072	4.9072	4.9072	4.9072	4.9072

(Code 1975, § 34.5-87.1; Ord. No. 93-96-97, § 2, 12-16-96; Ord. No. 96-97-98, § 2, 12-15-97; Ord. No. 119-98-99, § 2, 12-21-98; Ord. No. 75-99-00, § 2, 12-20-99; Ord. No. 66-00-01, § 2, 11-6-00; Ord. No. 54-01-02, § 2, 11-19-01; Ord. No. 60-02-03, § 2, 12-02-02; Ord. No. 48-03-04, § 2, 12-15-03; Ord. No. 50-04-05, § 2, 12-20-04; Ord. No. 56-05-06, § 2, 11-21-05; Ord. No. 49-06-07, § 2, 11-20-06; Ord. No. 59-07-08, § 2, 11-5-07; Ord. No. 70-08-09, § 2, 12-1-08; Ord. No. 47-09-10, § 2, 12-21-09; Ord. No. 44-10-11, § 2, 11-15-10; Ord. No. 38-11-12, § 2, 10-17-11; Ord. No. 11-12-13, § 8, 6-4-12; Ord. No. 41-12-13, § 8, 12-17-12; Ord. No. 40-13-14, § 8, 11-18-13; Ord. No. 29-14-15, § 8, 10-6-14; Ord. No. 36-15-16, § 8, 11-16-15)

Sec. 122-405. - Charges for disposal of septic tank sludge, holding tank sewerage, or hauled wastewater.

*Category C.* Category C users are persons with a permit for disposing of hauled wastewater into the wastewater collection and treatment facilities and shall be subject to the following charges and requirements:

- (1) Septic tank sludge, \$48.00 per 1,000 gallons.
- (2) Holding tank sewage, \$8.00 per 1,000 gallons.
- (3) "Other" hauled wastewater:
  - a.

Hauled wastewater shall be sampled and characterized on the basis of suspended solids, BOD, total phosphorous, and pH. Frequency of sampling shall be based on experience and under the direction of the superintendent of the wastewater treatment plant.

- b. Amount: The sewer service charge for "other" hauled wastewater is as follows:
  - 1. Volume charge, \$0.4722 per 1,000 gallons.
  - 2. Surcharge, total (per pound):
    - (i) \$0.2195 per pound of BOD;
    - (ii) \$0.1691 per pound of suspended solids;
    - (iii) \$4.9072 per pound of phosphorus.
- c. Computation. The "other" hauled wastewater service charges for volume, BOD, suspended solids, and phosphorus shall be computed in accordance with the following formula and paragraphs 1 and 2 of this subsection or in accordance with paragraph 3 of this subsection.

$$C = (V \times C^V) + (B \times C^B) + (S \times C^S) + (P \times C^P)$$

See Table 1 Section 122-403(b)(3) for definitions.

- 1. "Other" hauled wastewater analysis data shall be applied to the formula set forth above.
- 2. The discharge fee per 1,000 gallons shall be determined on the result of paragraph (3)c.1 of this section, multiplied by 1.25.
- 3. Charges for high strength waste will be determined by the superintendent of the wastewater treatment plant based on the frequency of the hauled wastewater and the needs of the wastewater treatment plant.

(Code 1975, § 34.5-88; Ord. No. 93-96-97, §§ 3, 4, 12-16-96; Ord. No. 96-97-98, § 3, 12-15-97; Ord. No. 119-98-99, § 3, 12-21-98; Ord. No. 60-02-03, § 3, 12-2-02; Ord. No. 48-03-04, § 3, 12-15-03; Ord. No. 50-04-05, § 3, 12-20-04; Ord. No. 56-05-06, § 3, 11-21-05; Ord. No. 49-06-07, § 3, 11-20-06; Ord. No. 59-07-08, § 3, 11-5-07; Ord. No. 70-08-09, § 3, 12-1-08; Ord. No. 47-09-10, § 3, 12-21-09; Ord. No. 44-10-11, § 3, 11-15-10; Ord. No. 38-11-12, § 3, 10-17-11; Ord. No. 11-12-13, § 9, 6-4-12; Ord. No. 41-12-13, § 9, 12-17-12; Ord. No. 40-13-14, § 9, 11-18-13; Ord. No. 29-14-15, § 9, 10-6-14; Ord. No. 36-15-16, § 9, 11-16-15)

Sec. 122-406. - Operation, maintenance and replacement fund accounts.

- (a) Under this article, the annual replacement revenues shall be maintained in a separate account by the city to be used solely for the purpose of purchasing replacement parts and equipment. Funds may be withdrawn from this account for authorized use only with the approval of the city approving authority.
- (b) All revenues collected for the replacement fund and for operation and maintenance of the wastewater collection and treatment facilities must be used solely for the replacement fund and operation and maintenance of the wastewater collection and treatment facilities.

(Code 1975, § 34.5-89)



Sec. 122-407. - Billing; payments.

- (a) Sewer service charges provided in this division shall be included as separate items on the regular water bill.
- (b) The bill will be payable in accordance with the schedule established by the city water utility. Such bills are normally payable in four quarterly payments each year, except for selected customers who are billed in 12 monthly payments annually. Sewer service charges shall be payable at the office of the water utility at the time that the water bill of the person becomes due.

(Code 1975, § 34.5-92)

Secs. 122-408—122-435. - Reserved.

DIVISION 6. - CHARGES TO MUNICIPALITIES AND CITY

Sec. 122-436. - Basis for calculation of sewer service charges.

- (a) Sewer service charges that shall be assessed, as provided in this division, to the municipalities and the city shall be computed by the finance director/treasurer according to the rates and formula presented in division 5.
- (b) The general sewer committee will assess the municipalities and the city for wastewater treatment based upon the monitoring of wastewater volume, BOD, suspended solids and phosphorus at the metering stations serving each of the municipalities and the wastewater treatment plant.

(Code 1975, § 34.5-100)

Sec. 122-437. - Responsibility for monitoring and sampling wastes to determine charges.

- (a) Under this division a municipality shall monitor the wastewater volume, BOD, suspended solids and phosphorus upon the direction of the city approving authority at the municipality's own expense and report its findings to the city approving authority. The city approving authority shall have the right to install flow monitoring and sampling equipment to check the results obtained by the municipality whenever it is deemed necessary by the city approving authority at the city's expense.
- (b) The city's sampling results shall govern for determination of sewer service charges if there is a conflict of sampling results between the municipality and the city.

(Code 1975, § 34.5-101)

Sec. 122-438. - Billing and payment.

- (a) Under this division, sewer service charges shall be billed to the municipalities and the city on a monthly basis.
- (b) Sewer service charges shall be payable by the municipalities and the city to the city wastewater system 20 days after the billing date at the city finance director/treasurer's office.

(Code 1975, § 34.5-103)

Sec. 122-439. - Allocation of sewer maintenance and pump station costs.

- (a) Sewer maintenance and pump station costs shall be allocated between the city and the Town of Sheboygan Sanitary District No. 2, based on the percentage of each community's volume, including I/I, to the total volume, including I/I, of the two communities.
- (b) The Town of Sheboygan Sanitary District No. 2 allocated cost for sewer maintenance and pump station shall be billed monthly.

(Code 1975, § 34.5-104)

Sec. 122-440. - Delinquent bills.

Such sewer service charges levied in accordance with this article and article VII of this chapter shall be a debt due to the city wastewater system. If such debt is not paid within 30 days after it shall be due and payable, it shall be deemed delinquent and may be recovered by civil action in the name of the city against the municipality.

(Code 1975, § 34.5-105)

Secs. 122-441—122-465. - Reserved.