

## CHAPTER 13

### MUNICIPAL UTILITIES

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## **SUBCHAPTER I: SEWER UTILITY**

**13.01 INTRODUCTION AND GENERAL PROVISIONS.** This subchapter regulates the use of public and private sewers and drains, disposal of septage wastes into the public sewers, and the discharge of waters and wastes into the public sewerage system within the Village. It provides for and explains the method used for levying and collecting wastewater treatment service charges, sets uniform requirements for discharges into the wastewater collection and treatment system and enables the Village to comply with administrative provisions, water quality requirements, toxic and pretreatment effluent standards, and other discharge criteria which are required or authorized by State or Federal law. Its intent is to derive the maximum public benefit by regulating the characteristics of wastewater discharged into the Village sewer system. This subchapter provides a means for determining wastewater and septage volumes, constituents and characteristics, the setting of charges and fees, and the issuing of permits to certain users. Revenues derived from the application of this subchapter shall be used to defray the costs of operating and maintaining adequate wastewater collection and treatment systems and to provide sufficient funds for capital outlay, debt service costs and capital improvements. The charges and fees herein have been established pursuant to requirements of the Wisconsin Statutes. This subchapter shall supersede any previous ordinance, rules or regulations; and shall repeal all parts thereof that may be inconsistent with this subchapter. If there is any conflict between this subchapter and any applicable State statute, the statute shall be controlling.

**13.02 DEFINITIONS.** Unless the context specifically indicates otherwise, the meaning of terms used in this subchapter shall be as follows:

(1) **APPROVING AUTHORITY.** The Village Board or its duly authorized committee, agent or representative.

(2) **BIOCHEMICAL OXYGEN DEMAND (BOD).** The quantity of oxygen utilized in the biochemical oxidation of organic matter in 5 days at 20 degrees C., expressed as milligrams per liter. Quantitative determination of BOD shall be made in accordance with procedures set forth in the most recent edition of "Standard Methods."

(3) **BUILDING DRAIN.** 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.

(4) **BUILDING SEWER.** The extension from the public sewer or other place of disposal beginning outside the inner face of the building wall.

(5) **COMPATIBLE POLLUTANTS.** Biochemical oxygen demand, suspended solids, phosphorus, or pH, plus additional pollutants identified in the WPDES permit for the publicly owned treatment works receiving the pollutants if such works were designed to treat such additional pollutants to a substantial degree.

(6) **FLOATABLE OIL.** Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater or septage shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

(7) **GARBAGE.** The residue from the preparation, cooking and dispensing of food, and from the handling, storage and sale of food products and produce.

(8) **GROUND GARBAGE.** The residue from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be no greater than 1/2 inch in any dimension and will be carried freely in suspension under normal flow conditions in public sewers.

(9) **INCOMPATIBLE POLLUTANTS.** Wastewater or septage with pollutants that will adversely affect or disrupt the wastewater treatment processes or effluent quality or sludge quality if discharged to a wastewater treatment facility.

(10) **INDUSTRIAL WASTE.** The wastewater from industrial process, trade or business, as distinct from sanitary sewage, including cooling water and the discharge from sewage pretreatment facilities.

(11) **LICENSED DISPOSER.** A person holding a license under s. 146.20(3)(a), Wis. Stats..

(12) **MUNICIPAL WASTEWATER.** The spent water of a community. From the standpoint of source, it may be combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any ground water, surface water and storm water that may be present.

(13) **NATURAL OUTLET.** Any outlet, including storm sewers, into a watercourse, pond, ditch, lake or other body of surface water or ground water.

(14) **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.

(15) **PERSON.** All persons, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, government agency or other entity.

(16) **pH.** 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  $10^{-7}$ .

(17) PUBLIC SEWER. Any sewer provided by or subject to the jurisdiction of the Village of Hazel Green. It shall also include sewers within or outside of the corporate boundaries that serve one or more persons and ultimately discharge into the Village sanitary sewer system, even though those sewers may not have been constructed with Village funds.

(18) SANITARY SEWAGE. A combination of liquid and water-carried wastes discharged from toilets and/or sanitary plumbing facilities, together with such ground, surface and storm waters as may be present.

(19) SANITARY SEWER. A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with small quantities of ground, storm and surface waters that are not admitting intentionally.

(20) SEPTAGE. Scum, liquid, sludge or other waste from a septic tank, soil absorption field, holding tank, vault toilet or privy. This does not include the waste from a grease trap.

(21) SEWAGE. The spent water of a community. The preferred term is “municipal wastewater.”

(22) SEWER SERVICE AREAS. The areas presently served and anticipated to be served by a sewage collection system. The regulations of Wis. Adm. Code NR 121.05 require that water quality management plans delineate sewer service areas for urban areas with a population of over 10,000. Approved facility plans contain less detailed sewer service areas for communities under 10,000 population.

(23) SEWER SERVICE CHARGE. A service charge levied on users of the wastewater collection and treatment facilities for payment of use-related capital expenses as well as the operation and maintenance costs, including replacement of said facilities.

(24) SEWER SYSTEM. The common sanitary sewers within a sewerage system which are primarily installed to receive wastewaters directly from facilities which convey wastewater from individual structures or from private property, and which include service connection “Y” fittings designed for connection with those facilities. The facilities which convey wastewater from individual structures, from private property to the public sanitary sewer, or its equivalent, are specifically excluded from the definition of “sewerage collection system;” except that pumping units and pressurized lines for individual structures or groups of structures may be included as part of a “sewer system” when such units are cost effective and are owned and maintained by the sewerage system owner.

(25) SEWERAGE SYSTEM. All structures, conduits and pipes, by which sewage is collected, treated and disposed of, except plumbing inside and in connection with buildings served, and service pipes, from building to street main.

- (26) SHALL; MAY. “Shall” is mandatory; “may” is permissible.
- (27) SLUG LOAD. Any substance released at a discharge rate and/or concentration which causes interference to wastewater treatment processes.
- (28) STANDARD METHODS. 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 Water Pollution Control Federation.
- (29) STORM DRAIN or STORM SEWER. A drain or sewer for conveying water, ground water, subsurface water or unpolluted water from any source.
- (30) STORM WATER RUNOFF. That portion of the rainfall that is drained into the sewers.
- (31) SUSPENDED SOLIDS. Solids that either float on the surface of, or are in suspension in, water, wastewater, septage or other liquids, and that is removable by laboratory filtering as prescribed in “Standard Methods” and is referred to as nonfilterable residue.
- (32) UNPOLLUTED WATER. Water of quality equal 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.
- (33) WASTEWATER FACILITIES. The structures, equipment and processes required to collect, carry away, store and treat domestic and industrial wastes and septage and dispose of the effluent.
- (34) WASTEWATER TREATMENT WORKS. An arrangement of devices and structures for treating wastewater, septage, industrial wastes and sludge. Sometimes used as synonymous with waste treatment.
- (35) WATERCOURSE. A natural or artificial channel for passage of water, either continuously or intermittently.
- (36) WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT. A document issued by the Wisconsin State Department of Natural Resources which establishes effluent limitations and monitoring requirements for the municipal wastewater treatment facility.

**13.03 MANAGEMENT, OPERATION AND CONTROL.** The management, operation and control of the sewer system for the Village is vested in the Village Board; all records, minutes and all written proceedings thereof and financial records shall be kept by the Clerk-Treasurer.

(1) **CONSTRUCTION.** The Village Board shall have the power to construct sewer lines for public use and shall have the power to lay sewer pipes in and through the alleys, streets and public grounds of the Village; and generally, to do all such work as may be found necessary or convenient in the management of the sewer system. The Village Board shall have power by themselves, their officers, agents and servants to enter upon any land for the purpose of making examination or supervise in the performance of their duties under this subchapter without liability therefor; and the Village Board shall have power to purchase and acquire for the Village all real and personal property which may be necessary for construction of the sewer system, or for any repair, remodeling or additions thereto.

(2) **MAINTENANCE OF SERVICES.** The owner shall maintain sewer service from the street main to the house and including all controls between the same, without expense to the Village, except when they are damaged as a result of negligence or carelessness on the part of the Village. All sewer service must be maintained free of defective conditions, by and at the expense of the owner or occupant of the property. When any sewer service is to be relaid and there are 2 or more buildings on such service, each building shall be disconnected from such service and a new sewer service shall be installed for each building.

(3) **CONDEMNATION OF REAL ESTATE.** Whenever any real estate or any easement therein, or use thereof, in the judgment of the Village Board, be necessary to the sewer system, and whenever, for any cause, an agreement for the purchase thereof, cannot be made with the owner thereof, the Village Board shall proceed with all necessary steps to take such real estate easement, or use by condemnation in accordance with the Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if Federal funds are used.

(4) **TITLE TO REAL ESTATE AND PERSONALTY.** All property, real, personal and mixed, acquired for the construction of the sewer system, and all plans, specifications, diagrams, papers, books and records connected therewith said sewer system, and all buildings, machinery and fixtures pertaining thereto, shall be the property of the Village.

**13.04 USER RULES AND REGULATIONS.** The rules, regulations and sewer rates of the Hazel Green Sewer Utility hereinafter set forth shall be considered a part of the contract with every person who is connected to or uses the Village sewer system or wastewater treatment facility and every such person, by connecting with the sewer system or wastewater treatment facility, shall be considered as expressing his assent to be bound thereby. Whenever any of said rules and regulations, or such others as the Village Board may hereafter adopt, are violated, the use or service shall be shut off from the building or place of such violation (even though 2 or more parties are receiving service through the same connection) and shall not be re-established except by order of the Village Board and on payment of all arrears, the expenses and established charges of shutting off and putting on, and such other terms as the Village Board may determine, and a satisfactory understanding with the party that no further cause of complaint shall arise. In case of such violation, the Village Board, furthermore, may declare any payment made for the service by the party or parties committing such violation, to be forfeited, and the same shall thereupon be forfeited. The right is reserved to the Village Board to change the said rules, regulations and sewer rates from time to time as they may deem advisable; and to make special

rates and contracts in all proper cases. The following rules and regulations for the government of licensed plumbers, sewer users and others are hereby adopted and established.

(1) **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 and obtaining a permit from the Director of Public Works. All service connections to the sewer main shall comply with the State Plumbing Code. (See also requirement for street opening permit, ch. 8 of this Code)

(2) **USER REGULATIONS** (a) Mandatory Hookup. (Amended 4-2009, Amended 1-2000) 1. The owner of each parcel of land adjacent to a sewer main on which exists a building usable for human habitation or in a block through which such system is extended shall connect to such system within 90 days of notice in writing from the Village Board or for parcels of land annexed to the Village after the effective date of this ordinance, within 30 days of the date on which the septic system serving such property fails, whichever is later. If any person fails to comply timely the Village may cause connection to be made, and the expense thereof shall be assessed as a special tax against the property. The owner may, within 30 days after the completion of the work, file a written option with the Village clerk stating that he or she cannot pay the amount in one sum and asking that it be levied in not to exceed 5 equal installments, and the amount shall be so collected with interest at a rate not to exceed 15% per year from the completion of the work, the unpaid balance to be a special tax lien, pursuant to s. 281.45, Wis. Stats.

2. In lieu of the above, the Village Board, at its option, may impose a penalty for the period that the violation continues, after 10 days' written notice to any owner failing to make a connection to the sewer system of an amount equal to 150% 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 s. 144.06, Wis. Stats.

3. Failure to connect to the sewer system is hereby deemed contrary to the minimum health standards of the Village and fails to assure preservation of public health, comfort and safety of the Village.

(b) 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 January 1, 1988, 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.

(c) Application For Sewer Service. Every person connecting with the sewer system shall file an application, in writing, with the Clerk-Treasurer on such form as is prescribed for that purpose. Blanks for such applications will be furnished at the office of the Clerk-Treasurer. The application must state fully and truly all the uses which will be allowed except upon further application and permission regularly obtained from the Village Board. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. Persons connected to the sewer system of the Village are referred to herein as

“users.” If it appears that the service applied for will not provide adequate service for the contemplated use, the Village Board may reject the application. If the Board approves the application, it shall issue a permit for services as shown on the application.

(d) Application For Septage Disposal. 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 Clerk-Treasurer 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. During the month of September, the Village Board 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 Board 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. 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 Board may immediately restrict septage disposal until such time as corrective action or mitigative measures have been taken.

(e) Connection Charge. (Am. Ord. #5-93, Am. Ord. #4-89). Persons attaching to a sewer main shall have the lateral from the sewer main installed at his expense. The charge for connecting to a sewer main shall be the sum of \$400. Said sum shall be paid to the Clerk-Treasurer at the time a tap permit is issued.

(f) 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 exhibits the proper permit for the same from the Director of Public Works.

(g) User to Keep in Repair. All users shall keep their owner 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.

(h) Backflow Preventor. All floor drains shall have a backflow prevention valve installed at the owner’s expense.

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

(j) 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 Clerk-Treasurer 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.

(k) User to Permit Inspection. Every user shall permit the Village Board or its duly authorized agent, at all reasonable hours of the day, to enter his premises or building to examine the pipes and fixtures, and the manner in which the drains and sewer connections operate; and he must, at all times, frankly and without concealment, answer all questions put to him relative to its use, all in accordance with this subchapter and s. 196.71, Wis. Stats.

(l) Utility 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 regulations to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer within any district of the Village, the Director of Public Works shall, if practicable, give notice to each and every consumer within such district of the time when such service will be shut off.

(m) Excavations. No excavation in any street may be made without a permit as required under ch. 8 of this Code.

(n) Tapping the Mains. 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 with the pipe shall be that specified in the permits or order from the Village Board to ensure that new sewers and connections to the sewer system are properly designed and constructed. Pipes should always be tapped on top and not within 6 inches of the joint, or within 24 inches 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 and specially adopted tee. Connections to existing tees or wyes shall be made with an approved bonded rubber.

(o) Installation of House Laterals. All service pipes (laterals) on private property will be installed in accordance with Wis. Adm. Code ILHR 82, "Design, construction, Installation, Supervision and Inspection of Plumbing," especially ILHR 82.04, "Building Sewers." Per 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.

(p) Extensions. The Village shall extend sewer mains to a new person in accordance with the charges and the conditions set forth in chs. 8 and 18 of this Code.

(q) Septage Acceptance Location. Septage shall only be discharged to the Village sewerage system by Village-approved and State licensed disposers and at locations, times and conditions as specified by the Village Board. 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 Director of Public Works and require written documentation of the discharge to be submitted to the Director of Public Works within one working day of the discharge to the Village sewers or wastewater treatment facility. Septage discharges to the 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 Director of Public works within one working day of the discharge to the septage holding facility. Blanks for documentation of the discharge will be furnished at the office of the 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 required by the Village Board.

(r) Additional Authority. The Village may at any time establish specific connection and lateral charges for any main not covered by any other provisions in this subchapter.

**13.05 USE OF THE PUBLIC SEWERAGE SYSTEM. (1) PROHIBITIONS AGAINST DISCHARGE.** No person shall discharge or cause to be discharged any of the following described liquids or solid wastes to any sanitary sewer or to the wastewater treatment facility;

(a) Any storm water, surface water, ground water, roof run-off or surface drainage or any other connections from inflow sources to the sanitary sewer. Such waters may be discharged to a storm sewer or other waterway with permission of the Village Board.

b) Any gasoline, benzene, naphtha, fuel oil, lubricating oil or other flammable or explosive liquid, solid or gas, or other substances which by themselves or by interaction with other substances may cause fire or explosion hazards, or in any other way be injurious to persons, property or the operation of the wastewater facilities.

(c) Any waters or waste containing toxic or poisonous substances in sufficient quantity, either singly or by interaction with other wastes, which will injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance in the receiving waters of the wastewater treatment plan or interfere with the disposal of sludge.

(d) Any waters or wastes having a pH lower than 5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel or the wastewater facility.

(e) Any waters or wastes having a pH in excess of 10.

(f) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, cinders, sand, rocks, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair or fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(g) Any discharge into the sanitary sewerage system that is in violation of the requirements of the WPDES permit and the modifications thereof.

(h) Wastewater having a temperature higher than 150 degrees F. or cause the wastewater at the treatment facility to exceed 104 degrees F.

(i) Any water or wastes which may contain more than 100 parts per million by weight of oils, fat or grease.

(j) 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.

(k) Any waters or waste containing iron, chromium, copper, zinc, mercury and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment facility exceeds the limits established by the Village Board for such materials.

(l) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Village Board.

(m) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Village Board in compliance with applicable State or Federal regulations.

(n) Quantities of flow or concentrations, or both, which constitute a slug load as defined herein.

(o) Incompatible pollutants 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.

(p) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

(q) Materials which exert or cause:

1. Unusually high BOD5, chemical oxygen demand or chlorine requirements, such as, but not limited to, when in such quantities as to constitute a significant load on the wastewater treatment facility.

2. Unusual flow or concentrated wastes constituting a slug load as defined herein.

3. 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.

4. Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions.

(2) SEPTAGE DISPOSAL. No person or licensed disposer shall dispose of septage into any storage area or sewer manhole located within the Village without written approval of the Village Board.

(3) SPECIAL AGREEMENTS. No statement contained in this section shall be construed as prohibiting any special agreement between the Village and any person whereby an industrial waste of unusual strength or character may be admitted to the wastewater treatment facility, either before or after pretreatment, provided that there is no impairment of the functioning of the wastewater treatment facility by reason of the admission of such wastes, and no extra costs are incurred by the Village without recompense by the person, provided that all rates and provisions set forth herein are complied with.

(4) PERMIT REQUIRED. It shall be unlawful to discharge to any natural waterway within the Village or in any area under the jurisdiction of the Village any sewage or other polluted waters without first obtaining a Wisconsin pollutant discharge elimination system permit (WPDES permit).

**13.06 SEWER USER CHARGE SYSTEM.** (1) DEFINITIONS. The following terms shall have the following meanings under this section.

(a) Debt Service Charges. All costs associated with repayment of debts incurred for the construction and/or rehabilitation of the wastewater collection system and treatment facility.

(b) Normal Domestic Strength Wastewater. Wastewater with concentrations of BOD5 and suspended solids no greater than 200 and 250 milligrams per liter (mg/l) respectively.

(c) Normal User. A user whose contributions to the wastewater treatment facility consist only of normal domestic-strength waste originating from a house, apartment, flat or other living quarters occupied by a person or persons constituting a distinct household, business or commercial enterprise.

(d) Operation and Maintenance Costs. All costs associated with the operation and maintenance of the wastewater collection and treatment facilities. These costs, including costs associated with extraneous (clear water) flows, shall be divided proportionately among the various sewer users according to their equivalent user factors.

(e) Replacement Costs. All costs associated with establishing a fund to accumulate the necessary resource to replace equipment as required to maintain capacity and performance during the design life of the facility.

(f) Sewer Service Charge. A service charge levied on users of the wastewater collection and treatment facilities for payment of capital expenses as well as the operation and maintenance costs, including replacement of said facilities.

(2) **POLICY.** It shall be the policy of the Village to obtain sufficient revenues to pay the costs of the operation and maintenance of the sewerage facilities, including a replacement fund, i.e., a cash account to be used for future expenditures for obtaining or installing equipment, accessories or appurtenances which are necessary to maintain the capacity and performance of the sewerage facilities during the service life for which such facilities were designed and constructed, through a system of sewer service charges as defined in this section. The system shall assure that each user of the sewerage facilities pays a proportionate share of the cost of such facilities.

(3) **BASIS FOR SERVICE CHARGE.** The minimum monthly billing shall be sufficient to pay the billing and customer related administration expenses. A portion of the debt service may be budgeted by levying an ad valorem tax in accordance with State statutes. The unit price per volume shall be sufficient to pay the remaining annual cost of operation and maintenance, including any replacement fund, of the sewerage facilities. The method for determining the user charges is given in the User Charge System. The rates in this subchapter shall be reviewed not less than biennially. Such review shall be made by the Village Board. Rates shall be adjusted, as required, to reflect actual number and size of users and actual costs. Users will be notified annually of the portion of service charges attributable to operation and maintenance.

(4) SEWER SERVICE CHARGES. A sewer service charge is hereby imposed upon each lot, parcel of land, building or premises served by the public sewer and wastewater facilities or otherwise discharging sewage, including industrial wastes, into the public sewer and wastewater facilities. Such sewer service charge shall be payable as hereinafter provided and in amount determinable as follows:

(a) Category A is defined as normal or domestic strength wastewater having organic concentrations of biochemical oxygen demand (BOD5) no greater than 200 milligrams per liter (mg/l) and suspended solids no greater than 250 milligrams per liter (mg/l). The sewer service charge for Category A wastewater is as follows:

Customer Sewer Service Charge Per Year With One Customer on Each Meter.

<u>Meter Size</u>	<u>Debt Portion</u>	<u>Operation &amp; Maintenance Portion</u>	<u>Total Monthly Service Charge</u>
5/8"	\$ 18.50	\$1.00	\$ 19.50
1"	33.50	1.00	34.50
1- 1/4"	40.50	1.00	41.50
1- 1/2"	48.50	1.00	49.50
2"	63.50	1.00	64.50
2- 1/2"	78.50	1.00	79.50
3"	93.50	1.00	94.50
4"	123.50	1.00	124.50

In addition, a volumetric charge is assessed. The volumetric charge is based on a waste strength of 200 mg/l BOD and 250 mg/l SS, respectively.

$$V.C. = CV \times V$$

V.C. = Total Volumetric charge

V = Total volume of water used during billing period in units of 100 cubic feet

CV = Volume unit price = \$5.00 per 100 cubic feet

\$4.66 is for operation and maintenance

\$0.34 is for debt retirement

(b) Category B is defined as wastewater having organic concentrations of Biochemical Oxygen Demand (BOD5) greater than 200 milligrams per liter (mg/l) and/or suspended solids (SS) greater than 250 milligrams per liter (mg/l). The minimum Category B charge will be based on a concentration of 200 mg/l BOD5 and 250 mg/l SS. The equation for the monthly Category B is as follows:

SSC = Total sewer service charge

SSC = Category A charge (fixed plus volumetric) plus High Strength Surcharge

High Strength Surcharge = (CB x BOD5) + (CS + SS)

CB = BOD5 Unit Price = \$710 per 1,000 pounds

CS = SS Unit Price = \$320 per 1,000 pounds

BOD5 = (1000) pounds of BOD5 discharged during billing period in excess of domestic strength wastewater

SS = (1000) pounds of SS discharged during billing period in excess of domestic strength wastewater

(c) Category C is defined as septage which has organic concentrations of biochemical oxygen demand (BOD) greater than 200 milligrams per liter (mg/l) and/or suspended solids (SS) greater than 250 milligrams per liter (mg/l). The equation for the charge is as follows (includes surcharge of 160% for debt service):

Holding Tank Wastes:

SC	=	Service Charge
SC	=	$(CB \times BOD5) + (CS \times SS) + CV = \$14.82/1,000 \text{ gal.}$
CB	=	BOD5 Unit Price - \$1,850 per 1,000 pounds
CS	=	SS Unit Price = \$830 per 1,000 pounds
BOD5	=	$500 \text{ mg/l} \times 8.34 \times 0.001 \text{ MGD}$
SS	=	$500 \text{ mg/l} \times 8.34 \times 0.001 \text{ MGD}$
CV	=	Volume unit cost per 1,000 gallons = \$1.41

Septic Tank Wastes:

SC	=	\$115.34/1,000 gal.
BOD5	=	$5000 \text{ mg/l} \times 8.34 \times 0.001 \text{ MGD}$
SS	=	$5000 \text{ mg/l} \times 8.34 \times 0.001 \text{ MGD}$

(5) REASSIGNMENT OF SEWER USERS. The Village Board 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.

**13.07 CONTROL OF INDUSTRIAL AND SEPTAGE WASTES. (1)**  
INDUSTRIAL DISCHARGES. If any waters, wastes or septage are discharged, or proposed to be discharged, to the public sewers or at the wastewater treatment facility, which waters, wastes or septage contain substances or possess the characteristics enumerated in sec. 13.05 of this chapter and which, in the judgment of the Village Board, may have deleterious effects upon the wastewater treatment facility, processes, equipment or receiving waters, or which otherwise create a hazard to life, health or constitute a public nuisance, the Village Board may:

- (a) Reject the wastes.
- (b) Require pretreatment to an acceptable condition for discharge to the public sewers.
- (c) Require a control over the quantities and rates of discharge.
- (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of sec. 13.04.

(2) CONTROL MANHOLES. (a) Each person discharging industrial wastes into a public 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) Control manholes or access facilities shall be located and built in a manner acceptable to the Village Board. If measuring devices are to be permanently installed, they shall be of a type acceptable to the Village Board.

- (c) Control manholes, access facilities and related equipment shall be installed



by the person discharging the industrial waste at his expense, and shall be maintained by the person discharging the waste 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 Village Board prior to the beginning of construction.

(3) MEASUREMENT OF FLOW. The volume of flow used for computing the sewer service and the cost recovery charges for nonseptage disposal shall be based upon the water consumption of the person as shown in the records of meter readings maintained by the Hazel Green Water Utility.

(4) PROVISION FOR DEDUCTIONS. In the event that a person discharging industrial waste into the public sewers produces evidence satisfactory to the Village Board that more than 10% of the total annual volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the Village and the industrial waste discharger.

(5) METERING OF WASTE. Devices for measuring the volume of waste discharged may be required by the Village Board if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of water shall be installed, owned and maintained by the person discharging the wastewater. Following approval and installation, such meters may not be removed without the consent of the Village Board.

(6) WASTE SAMPLING. (a) Industrial wastes and septage discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said wastes. The determinations shall be made by the industry or the licensed disposer as often as may be deemed necessary by the Village Board.

(b) Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the Village Board.

(c) Testing facilities shall be the responsibility of the person discharging the waste or septage and shall be subject to the approval of the Village Board. Access to sampling location shall be granted to the Village Board or its duly authorized representatives at all times. 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.

(7) PRETREATMENT. When required, in the opinion of the Village Board, to modify or eliminate wastes that are harmful to the structures processes or operation of the wastewater treatment facility, the discharger shall provide at his expense such preliminary treatment or processing facilities as may be required to render his wastes acceptable for admission to the public sewers.

(8) GREASE AND/OR SAND INTERCEPTORS. Grease, oil and sand interceptors

shall be provided by the industrial discharger and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the discharger 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 Village Board. Any removal and hauling of the collected materials not performed by the discharger personnel must be performed by currently licensed disposal firms.

(9) ANALYSES. (a) All measurements, tests, and analyses of the characteristics of waters, wastes and septage to which reference is made in this subchapter shall be determined in accordance with "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association and "Guidelines Establishing Test Procedures for Analysis of Pollutants," (178, 40 CFR 136). Sampling methods, locations, times, durations and frequencies are to be determined on an individual basis subject to approval by the Village Board.

(b) Determination of the character and concentration of the industrial waste shall be made by the person discharging them or his agent, as designated and required by the Village Board. The Village Board may also make its own analyses of the wastes and these determinations shall be used as a basis for charges. If the person discharging the waste contests the determination, the Village Board may elect to have an independent laboratory determine the character and concentration of the waste. Said independent laboratory shall be acceptable to both the Village Board and the person discharging the waste. All costs incurred by the independent laboratory in making determination shall be assumed by the discharger.

(10) SUBMISSION OF INFORMATION. Plans, specifications and any other pertinent information relating to proposed flow equalization, pretreatment or processing facilities shall be submitted for review of the Village Board prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

(11) SUBMISSION OF BASIC DATA. (a) Within 3 months after passage of this subchapter, each person who discharges industrial wastes to a public sewer shall prepare and file with the Village Board a report that shall include pertinent data relating to the quantity and characteristics of the waste discharged to the wastewater facility.

(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 Village Board a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.

(12) EXTENSION OF TIME. When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person proposing to discharge a waste, to comply with the time schedule imposed herein, a request for extension of the time may be presented for consideration by the Village Board.

**13.08 PAYMENT OF CHARGES.** (1) PAYMENT AND PENALTY. The sewerage service charge shall be for the corresponding period of the water bills, and shall be payable to the Clerk-Treasurer not later than 20 days after the end of each period. A penalty of 1-1/2% per

month shall be added to all bills not paid by the date fixed for final payment.

(2) **CHARGES A LIEN.** All sewage charges shall be a lien upon the property served pursuant to s. 66.076(7), Wis. Stats., and shall be collected in the manner therein provided.

(3) **DISPOSITION OF REVENUE.** The amounts received from the collection of charges authorized by this subchapter shall be credited to a sanitary sewerage account which shall show all receipts and expenditures of the sewerage system. Charges collected for replacement expenses shall be credited to a segregated, nonlapsing replacement account. These funds are to be used exclusively for replacement. When appropriated by the Village Board, the credits to the sanitary sewerage account shall be available for the payment of the requirements for operation, maintenance, repairs and depreciation of the sewerage system consistent with 40 CFR 35.929. Any surplus outside the purview of 40 CFR 35.929, in said account, shall be available for the payment of principal and interest of bonds issued and outstanding, or which may be issued, to provide funds for said sewerage system, or part thereof, and all or a part of the expenses for additions and improvements and other necessary disbursements or indebtedness, and the Village Board may resolve to pledge each surplus or any part thereof for any such purpose. All present outstanding sewer system general obligation bonds, including refunding bonds, shall be paid from this fund as to both principal and interest.

(4) **ADDITIONAL CHARGES.** Additional charges shall be imposed upon each lot, parcel of land, building or premises served by public sewer and wastewater facilities located outside the boundaries of the Village to equalize local capital costs. Such additional charges shall result in a minimum charge for each user according to the schedule for debt repayment from utility revenues. Such additional charges shall be added to the sewer bill for each billing period.

(5) **EXCESS REVENUES.** Excess revenues collected from a user class will be applied to operation and maintenance costs attributable to that class for the next year.

**13.09 ANNUAL AUDIT.** The Village Board shall conduct an annual audit, the purpose of which shall be to maintain the proportionality between users and user classes of the user charge system and to ensure that adequate revenues are available relative to increasing operation, maintenance and replacement costs.

**13.10 to 13.14** (Reserved)

**13.15 VIOLATIONS AND PENALTIES.** (1) **DAMAGES.** No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure or appurtenance or equipment which is a part of the sewerage system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

(2) **WRITTEN NOTICE OF VIOLATION.** (a) Any person connected to the sewerage system found to be violating a provision of this subchapter shall be served by the Director of Public Works with a written notice stating the nature of the violation and providing a

reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(b) Any licensed disposer discharging to the wastewater treatment facility or to a public sewer found to be violating a provision of this subchapter or of any conditions of the Village Board approval for septage disposal may have their approval immediately revoked. This revocation shall be done in writing and state the reason for revoking the septage disposal approval.

(3) **ACCIDENTAL DISCHARGE.** Any person found to be responsible for accidentally allowing a deleterious discharge into the sewer system which causes damage to the treatment facility and/or receiving body of water shall, in addition to a forfeiture, pay the amount to cover damages, both values to be established by the Village Board.

(4) **CONTINUED VIOLATIONS.** Any person who shall continue any violation beyond the aforesaid notice time limit provided shall, upon conviction thereof, forfeit not less than \$50 nor more than \$1,000, together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the County Jail for a period not to exceed 5 days. Each day in which any violation is continued beyond the aforesaid notice time limit shall be deemed a separate offense.

(5) **LIABILITY TO VILLAGE FOR LOSSES.** Any person violating any provision of this subchapter shall become liable to the Village for any expense, loss or damage occasioned by reason of such violation which the Village may suffer as a result thereof.

(6) **DAMAGE RECOVERY.** The system shall have the right of recovery from all persons, any expense incurred by said system for the repair or replacement of any sewer pipe damaged in any manner by any person by the performance of any work under their control, or by any negligent acts.

(7) **PENALTY.** Any person who shall violate any of the provisions of this subchapter or rules or regulations of the Village Board or who shall connect a service pipe or discharge without first having obtained a permit therefor, or who shall violate any provisions of the Wisconsin Statutes, the Wisconsin Administrative Code or any other materials which are incorporated by reference shall, upon conviction thereof, forfeit not less than \$50 not more than \$1,000 and the costs of prosecution. This, however, shall not bar the Village from enforcing the connection duties set forth in sec. 13.03 of this subchapter for mandatory hookup.

## **SUBCHAPTER II: HAZEL GREEN LIGHT AND WATER UTILITY**

**13.16 RULES AND REGULATIONS.** (1) **GENERAL.** The rules and regulations governing the operation of the Hazel Green Light and Water Utility shall be those on file with and approved by the Wisconsin Public Service Commission. A violation of any such rules and regulations shall be a violation of this subchapter.

(2) **OPERATING RULES.** (a) All persons now receiving water and/or electricity

from the Utility or who may hereafter make application therefor shall be considered as having agreed to be bound by all rules and regulations as filed with the Public Service Commission.

(b) The applicable provisions of Wis. Adm. Code PSC 185 relating to water service and all Wisconsin Public Service Commission rules relating to electrical service are hereby respectively adopted by reference and made a part of these rules as if set forth in full. A violation of such rules shall constitute a violation of this section and shall be punishable as provided in sec. 13.25 of this chapter.

**13.17 CROSS-CONNECTION CONTROL. (1) CROSS-CONNECTION DEFINED.** Any physical connection or arrangement between 2 otherwise separate systems, one of which contains potable water from the Village water system, and the other, water from a private source, water of unknown or questionable safety, or steam gasses or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the 2 systems.

(2) **CROSS-CONNECTION RESTRICTED.** No person shall establish or permit to be established or maintain or permit to be maintained any cross-connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the Village may enter the supply or distribution system of said Village unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Hazel Green Light and Water Utility and by the Wisconsin Department of Natural Resources in accordance with Wis. Adm. Code NR III.25(3).

(3) **DUTY TO INSPECT.** It shall be the duty of the Village to cause inspections to be made of all properties served by the public water system where cross-connections with the public water system is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the Village as approved by the Wisconsin Department of Natural Resources.

(4) **RIGHT OF WAY.** Upon representation of credentials, the representative of the Village shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the Village for cross-connections. If entry is refused, such representative shall obtain a special inspection warrant under s. 66.122, Wis. Stats. On request, the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.

(5) **ENFORCEMENT.** The Hazel Green Light and Water Utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this subsection exists and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing pursuant to Ch. 68, Wis. Stats., except as provided in sub. (6) below. Water service to such property shall not be restored until the cross-connection has been eliminated in compliance with the provisions of this section.

(6) **EMERGENCY DISCONTINUANCE.** If it is determined by the Hazel Green Light and Water Utility that a cross-connection or any emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is filed with the Clerk-Treasurer and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Ch. 68, Wis. Stats., within 10 days of such emergency discontinuance.

(7) **STATE CODE ADOPTED.** The State Plumbing Code, Wis. Adm. Code H 62, is hereby adopted by reference.

**13.18 WELL ABANDONMENT.** (Rep. & Recr. Ord. #2-2003, Rep. & Recr. Ord. #2-91). (1) **PURPOSE.** To protect public health, safety and welfare and to prevent contamination of groundwater by assuring that unused, unsafe or noncomplying wells or wells which may act as conduits for contamination of groundwater or wells which may be illegally cross-connected to the municipal water system, are properly maintained or abandoned.

(2) **APPLICABILITY.** This Ordinance applies to all wells located on premises served by the Hazel Green Village municipal water system. Utility customers outside the jurisdiction of the municipal system may be required under contract agreement or utility rule to adopt and enforce equivalent ordinances within their jurisdictions for purpose stated in Section 1 above.

(3) **DEFINITIONS.** (a). Municipal water system. A community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.

(b) Noncomplying. A well or pump installation which does not comply with s. NR 812.42, Wisconsin Administrative Code, Standards for Existing Installations, and which has not been granted a variance pursuant to s. NR 812.43, Wisconsin Administrative Code.

(c) Pump installation. The pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.

(d) Unsafe. A well or pump installation means one which produces water which is bacteriologically contaminated or contaminated with substances which exceed the drinking water standards of chs. NR 140 or 809, Wisconsin Administrative Code, or for which a Health Advisory has been issued by the Department of Natural Resources.

(e) Unused. A well or pump installation means one which is not used or does not have a functional pumping system.

(f) Well. A drill hole or other excavation or opening deeper than it is wide that extends more than 10 feet below the ground surface constructed for the purpose of obtaining groundwater.

(g) Well Abandonment. The proper filling and sealing of a well according to the provisions of s. NR 812.26, Wisconsin Administrative Code.

(4) ABANDONMENT REQUIRED. All wells on premises served by the municipal water system shall be properly abandoned in accordance with Section 6 of this ordinance by September 1, 1987, or not later than one year from the date of connection to the municipal water system, unless a valid well operation permit has been issued to the well owner by the Village Clerk-Treasurer under terms of Section 5 of this ordinance.

(5) WELL OPERATION PERMIT. Owners of wells on premises served by the municipal water system wishing to retain their wells for any use shall make application for a well operation permit for each well no later than one year after connection to the municipal water system. The Hazel Green Municipal Water Department shall grant a permit to a well owner to operate a well for a period not to exceed 5 years providing all conditions of this section are met. A well operation permit may be renewed by submitting an application verifying that the conditions of this section are met. The Hazel Green Municipal Water Department or its agent, may conduct inspections and water quality tests or require inspections and water quality tests to be conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the Clerk-Treasurer.

The following conditions must be met for issuance or renewal of a well operation permit:

(a) The well and pump installation shall meet the Standards for Existing Installations described in s. NR 812.42, Wisconsin Administrative Code.

(b) The well and pump shall have a history of producing safe water evidenced by at least 1 coliform bacteria sample. In areas where the Department of Natural Resources has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to document the safety of the water.

(c) There shall be no cross-connections between the well's pump installation or distribution piping and the municipal water system.

(d) The water from the private well shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the sewer utility.

(e) The private well shall have a functional pumping system.

(f) The proposed use of the private well shall be justified as reasonable in addition to water provided by the municipal water system.

(6) ABANDONMENT PROCEDURES. (a) All wells abandoned under the jurisdiction of this ordinance shall be done according to the procedures and methods of s. NR 812.26, Wisconsin Administrative Code. All debris, pumps, piping, unsealed liners and any other

obstructions which may interfere with sealing operations shall be removed prior to abandonment.

(b) The owner of the well, or the owner's agent, shall be required to obtain a well abandonment permit prior to any well abandonment and shall notify the Clerk-Treasurer at least 48 hours in advance of any well abandonment activities. The abandonment of the well may be observed or verified by personnel of the municipal system.

(c) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Clerk-Treasurer and the Department of Natural Resources within 30 days of the completion of the well abandonment.

(7) PENALTIES. (Am. Ord. #11-93) Any well owner violating any provision of this ordinance shall upon conviction be subject to a penalty as provided in sec. 20.04 of this Code. Each day of violation is a separate offense. If any person fails to comply with this ordinance for more than 30 days after receiving written notice of the violation, the municipality may impose a penalty and cause the well abandonment to be performed and the expense to be assessed as a special tax against the property.

**13.19 to 13.20** (Reserved)

### **SUBCHAPTER III: GENERAL PROVISIONS**

**13.21 JOINT LIABILITY FOR UTILITY BILLS.** The owner of the premises, the occupant thereof and the user of the service shall be jointly and severally liable to pay for the service to such premises and the service is furnished to the premises by the Village only upon the condition that the owner of the premises, occupant and user of the services are jointly and severally liable therefor to the Village.

**13.22 COLLECTION OF UTILITY BILLS IN ARREARS** (Recr. Ord. #12-97, Rep. Ord. #2-97 ). (1) AUTHORITY. All water, electric and sewer service charges unpaid and in arrears on October 1 of each year shall be collected in accordance with the procedure hereinafter provided pursuant to the authority granted in ss. 66.069, 66.069(b), 66.60(16) and 66.076, Wis. Stats., respectively.

(2) PROCEDURE. (a) On or about October 1 of each year, the Clerk of the Hazel Green Light and Water Utility and the Hazel Green Sewer Utility shall furnish the Clerk-Treasurer with a list of all unpaid utility bills, including penalties, which are in arrears.

(b) On October 15 of each year, the Clerk-Treasurer shall mail a notice of such arrearages by first class mail to the occupant and to the owner of the premises receiving such utility service.

(c) In the event any such utility bill is not paid by November 1 thereafter, the Clerk-Treasurer shall add a penalty of 10%.

(d) In the event any such utility bill is not paid on or before November 15



thereafter, the Clerk-Treasurer, on November 16, shall place the amount of such arrearages, together with penalty, on the tax roll as a tax against the lot or parcel of real estate for which water, electricity and sewer services were provided.

**13.23 OUTSIDE SEWER AND WATER SERVICE.** No sewer or water service shall be extended outside the Village limits.

**13.25 PENALTY.** In addition to the penalties otherwise specifically provided, any person who shall violate any provision of this chapter or any order, rule or regulation thereunder shall be subject to a penalty as provided in sec. 20.04 of this Code.