

CHAPTER 8

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8.01 DEFINITIONS.

1. Approving Authority shall mean the Village President, Village Board, Sewer Committee and Wastewater Treatment Plant Operator, or his duly authorized agent or representative.
2. BOD (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees Centigrade, expressed as milligrams per liter. Quantitative determination of BOD shall be made in accordance with procedures set forth in "Standard Methods".
3. Billable Biochemical Oxygen Demand (BOD) shall mean a user's loading in pounds of BOD calculated using the billable flow and concentration of BOD in the waste as determined by the Sewer committee. Minimum waste strength of BOD shall be the domestic waste concentration of three hundred (300) milligrams per liter for the purpose of billing for user charges.
4. Billable Flow shall mean a monitored flow or a user's recorded bi-yearly water usage as metered by the appropriate water utility plus metered water from wells and other sources, and less any sewer-exempt metered data, times the Village approved percentage factor for wastewater entering the sewer system out of the metered water. Residential users on unmetered wells and users with no history of billable flow of other residential users of the same class.
5. Billable Suspended Solids (S.S.) shall mean a user's loading in pounds of S.S.

calculated using the billable flow and concentration of S.S. in the waste as determined by the Sewer Committee. Minimum waste strength of S.S. shall be the domestic waste concentration of three hundred milligrams per liter for the purpose of billing for user charges.

6. Building Drain (sanitary) shall mean that part of the lowest horizontal piping of a drainage system which receives stormwater or other clearwater discharge, but receives no wastewater from sewage or other drainage pipes, and is located inside the walls of a building and conveys the sewage to the building sewer, which begins three (3) feet outside the building wall.

7. Building Drain (storm) shall mean that part of the lowest horizontal piping of a drainage system which receives stormwater or other clearwater discharge, but receives no wastewater from sewage or other drainage pipes, and is located inside the walls of a building and conveys the sewage to the building sewer, which begins three (3) feet outside the building wall.

8. Building Sewer (sanitary) shall mean the extension from the building drain to the public sewer or other place of disposal and conveys only sanitary or industrial sewage. This is also known as a house connection.

9. Building Sewer (storm) shall mean the extension from the building drain to the public sewer or other place of disposal and conveys stormwater or other clearwater drainage, but no sanitary or industrial sewage. This is also known as a house connection.

10. Class of Users means the division of wastewater treatment customers by waste characteristics and process discharge similarities or function, such as residential, commercial, institutional and industrial.

11. Village shall mean the Village of Bagley.

12. Collection Sewer shall mean a sewer whose primary purpose is to collect wastewaters from individual point source discharges.

13. Combined Sewage shall mean a combination of both wastewater and storm or surface water.

14. Combined Sewer shall mean a sewer intended to receive both wastewater and storm or surface water.

15. Compatible Pollutant means BOD, suspended solids (S.S.), pH and fecal coliform bacteria, plus additional pollutants identified in the WPDES permit, if the publicly-owned treatment works was designed to treat such pollutants and, in fact, does remove them to a substantial degree.

16. Deposited shall mean placing funds in control of the Village and, if said deposit is

in the form of a bank check, deposit shall not be deemed collected within this definition until the applicable rules of the bank's collection procedures are fulfilled.

17. Depreciation shall mean an annual operating cost reflecting capital consumption and obsolescence (reduction of future service potential) of real and personal properties.

18. Dissolved Solids shall mean that concentration of matter in the sewage consisting of colloidal particulate matter one micron in diameter or less, and both organic and inorganic molecules and ions present in solution.

19. Easement shall mean an acquired legal right, less than fee simple, for the specific use of land owned by others.

20. Fecal Coliform shall mean any number of organisms common to the intestinal tract of man and animals whose presence in sanitary sewage is an indicator of pollution.

21. Floatable Oil shall mean oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in a pretreatment facility approved by the Village.

22. Force Main shall mean a pipe in which wastewater is carried under pressure.

23. Functional Betterment shall mean a process improvement in the increased size facilities or a process improvement in existing facilities that is directly anticipated to preclude physical betterments or is an indirect improvement to the process as a result of renewal on a cost effective basis.

24. Functional Obsolescence shall mean the process deficiency of a functional element of a plant beyond the capacity of a preventive maintenance program of such extent that a new process device or piece of equipment would be more cost effective.

25. Garbage shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food and from the commercial handling, storage, and sale of produce.

26. Ground Garbage shall mean the residue from the preparation, cooking and dispensing of food that has been shredded to such 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 (1/2) inch in any dimension.

27. Incompatible Pollutant shall mean any nontreatable waste product including nonbiodegradable dissolved solids.

28. Infiltration shall mean the water unintentionally entering the public sewer system, including sanitary building drains and sewers, from the ground through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. Infiltration does not include, and is distinguished from, inflow.

29. Infiltration/Inflow shall mean the total quantity of water from both infiltration and inflow without distinguishing the source.

30. Inflow shall mean the water discharge into a sanitary sewer system, including building drains and sewers, from such sources as, but not limited to: roof leaders; cellar, yard and area drains; foundation drains; unpolluted cooling water discharges; drains from springs and swampy areas; manhole covers; cross connections from storm sewers and/or combined sewers; catch basins; storm waters; surface runoff; street wash waters, or drainage. Inflow does not include, and is distinguishable from, infiltration.

31. Interceptor Sewer shall mean a sewer whose primary purpose is to transport wastewater from collection sewers to a treatment facility.

32. Natural Outlet shall mean any outlet, including storm sewers and combined sewer overflows, into a water-course, pond, ditch, lake or other body of surface or ground water.

33. Normal Domestic Strength Sewage, as defined for the purpose of the Ordinance, shall mean wastewater or sewage having an average daily suspended solids (S.S.) concentration of not more than three hundred (300) milligrams per liter and an average daily BOD of not more than three hundred (300) milligrams per liter.

34. Operation and Maintenance Costs shall include all costs, direct and indirect, not including debt service but inclusive of expenditures attributable to administration, replacement of equipment, and treatment and collection of wastewaters, necessary to insure adequate wastewater collection and treatment on a continuing basis which conforms to applicable regulations and assume optimal long term facility management.

35. Person shall mean any individual, firm, company, association, society, corporation, or group discharging any wastewater to the wastewater treatment facility.

36. Personal Property shall mean, for the purpose of the user charge system, all equipment owned by the Village, and used in the transport and treatment of sewage. Such equipment must be mechanical, electronic, or electrical or have movable parts.

37. pH shall mean the term used to express the intensity of the acid or base condition of a solution, calculated by taking the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions in grams per liter of solution.

38. Physical Betterment shall mean the expansion of a physical facility to increase capacity of the treatment works.

39. Physical Obsolescence shall mean the material deficiency of a functional element of a treatment plant to a point that repair as normal or preventive maintenance is not cost-benefit effective.

40. Pretreatment shall mean the treatment of industrial sewage from privately-owned industrial sources by the generator of that source prior to the introduction of the waste effluent into a publicly-owned treatment works.

41. Private Sewer shall mean a sewer which is not owned by the Village.

42. Public Sewer shall mean a sewer which is owned and controlled by the Village and is separate from and does not include sewers owned by other governmental units.

43. Pumping Station shall mean a station positioned in the public sewer system at which wastewater is pumped to a higher level.

44. Real Property shall mean, for the purpose of the user charge, all fixed physical facilities owned by the Village and used in the transport and treatment of sewage which do not have movable parts, such as buildings, tanks, sewers, structures and the like.

45. Renewal Costs shall mean the expenditures from reserve funds or other funds to overcome physical and/or functional consumption of plant capacity or function or obsolescence of same, in order that the equivalent in function of plant is present at the end of the anticipated useful life.

46. Replacement Costs shall mean the expenditures for obtaining and installing equipment, accessories, or appurtenances necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.

47. Replacement Reserve shall mean an account for the segregation of resources to meet capital consumption of personal or real property.

48. Retained Amount shall be the amount of money held in trust and deposited for the expansion of the facilities, together with the interest earned thereon, for the proration of the industrial cost recovery system fund.

49. Sanitary Sewer shall mean a sewer which carries only sanitary or sanitary and industrial waste waters from residences, commercial buildings, industrial plants, and institutions and to which storm, surface, and ground water are not intentionally admitted.

50. Sewage shall mean the combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, including polluted cooling water and unintentionally admitted infiltration/inflow.

a. Sanitary Sewage shall mean the combination of liquid and water-carried wastes discharged from the toilet and other sanitary plumbing facilities.

b. Industrial Sewage shall mean a combination of liquid and water-carried wastes discharged from any establishment and resulting from any trade or process carried on in that establishment and shall include the wastes from pretreatment facilities and polluted cooling water.

c. Combined Sewage shall mean wastes, including sanitary sewage, industrial sewage, storm water, infiltration, and inflow carried to the wastewater treatment facilities by a combined sewer.

51. "Shall" is mandatory; "May" is permissible.

52. Slug shall mean any discharge of water or wastewater in concentration of any given constituent or in any quantity of flow which exceeds for any period of duration longer than five (5) times the allowable concentration or flows during a normal working day (i.e., 1, 2, or 3 shift operation) and shall adversely affect the collection system and/or performance of the wastewater treatment works.

53. Standard Methods shall mean 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.

54. Storm Sewer shall mean a sewer that carries only storm waters, surface run-off, street wash, and drainage and to which sanitary and/or industrial wastes are not intentionally admitted.

55. Suspended Solids (S.S.) shall mean suspended matter that either floats on the surface of, or is in suspension in water, wastewater, or other liquids and is removable by laboratory filtration as prescribed in the "Standard Methods".

56. Total Solids shall mean the sum of suspended and dissolved solids.

57. Toxic Amount shall mean concentration of any pollutant or combination of pollutants which upon exposure to or assimilation into any organism will cause adverse effects such as cancer, genetic mutations, and physiological manifestations, as defined in standard issued pursuant to Section 307 (a) of Public Law 92-500 as amended.

58. Unpolluted Water is water of a quality equal to or better than the effluent criteria in effect, or water that is of sufficient quality that it would not be in violation of federal or state water quality standards if such water were discharged into navigable waters of the State. Unpolluted water would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

59. Useful Life shall mean the anticipated term in years of physical and/or functional productivity of elements and/or the whole of the wastewater treatment system which can be reevaluated as a result of preventive maintenance, renewal which offsets physical and/or functional obsolescence, renewal of capital elements due to consumption, and physical and/or functional betterments, direct and indirect.

60. User Charge System shall mean the system of charges levied on users for the cost of operation and maintenance, including replacement reserve requirements on new and old wastewater collection and treatment facilities.

61. Volatile Organic Matter shall mean the material in the sewage solids transformed to gases or vapors when heated at five hundred (500) degrees Centigrade for fifteen (15) minutes.

62. Wastewater Treatment Works shall mean the structures, equipment, and processes required to collect, transport, and treat domestic and industrial wastes and to dispose of the effluent and accumulated residual solids.

63. Watercourse shall mean a natural or artificial channel for the passage of water, either continuously or intermittently.

64. Water Works shall mean all facilities for water supply, treatment, storage reservoirs, water lines, and services and booster stations for obtaining, treating, and distributing potable water.

8.02. USE OF PUBLIC SEWERS.

1. Sanitary Sewers - No person shall cause to be discharged any storm water, surface drainage, subsurface drainage, ground water, roof runoff, cooling water or unpolluted water into any sanitary sewer.

2. Storm Sewers - Storm water and all other unpolluted drainage shall be discharged to such sewer as are specifically designated as storm sewers, or to a natural outlet approved by the Approving Authority. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Approving Authority, to a storm sewer or natural outlet. Such approval is subject to review by the Department of Natural Resources, Division of Environmental Protection of the State of Wisconsin.

3. Prohibitions Against Discharge - No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer.

a. Any gasoline, benzine, naphtha, oil, or other flammable or explosive liquid, solid, or gas.

b. 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 sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters of the Wastewater Treatment Plant.

c. Any waters or wastes having a pH lower than 6.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the Wastewater Treatment Plant.

d. Any waters having a pH in excess of 9.0.

e. Solid or viscous substances in quantities or of such size capable or causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works 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.

4. Limitations as to Discharge - No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Approving Authority that such wastes can harm either the sewers, sewage treatment plant or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, property or constitute a nuisance. In forming their opinion as to the acceptability of these wastes, the Approving Authority will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in sewers, materials of construction of the sewers, nature of the wastewater treatment process, capacity of the Wastewater Treatment Plant, and other pertinent factors.

The substances prohibited are:

a. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit.

b. Any water or waste containing fats, wax, grease, or oils, whether emulsified or not in excess of 100 mg/l or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees.

c. Any commercial garbage that has not been properly shredded. The installation and operation of any commercial grinder equipped with a motor of one horsepower or greater shall be subject to the review and approval of the Approving Authority.

d. Any waters or wastes containing iron, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such a degree that any such material discharged in the composite sewage to the sewer exceeds limits established by the Approving Authority for such materials.

e. Any waters or wastes discharged to the sewer containing 0.1 mg/l hexavalent chromium per 24 hour composite.

f. Any waters or wastes containing phenols or other taste or odor producing substances in such concentration exceeding limits which may be established by the Approving Authority as necessary after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies or jurisdiction for such discharge to the receiving waters.

g. Any radioactive wastes or isotopes of such half life or concentration as may exceed limits established by the Approving Authority in compliance with State or Federal Regulations.

h. Materials which exert or cause:

1. Unusual BOD, chemical oxygen demand or chlorine requirements (such as but not limited to blood, milk, whey, sugar, or starch solutions) in such quantities as to constitute a significant load in the Wastewater Treatment Plant.

2. Unusual volume of flow or concentration of wastes constituting "slugs" 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).

5. 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 plant effluent cannot meet the requirements of the Department of Natural Resources,

Division of Environmental Protection of the State of Wisconsin.

6. Any amount of the following constituents exceeding that listed below:

Aluminum	800.0
Arsenic	0.25
Barium	2.0
Boron	1.0
Cadmium	2.0
Chlorides	700.0
Chromium total	21.8
Chromium (hexavalent)	3.6
Copper	17.6
Cyanide	1.2
Fluorides	2.5
Iron total	56.0
Lead	1.5
Manganese	1.0
Mercury	0.0005
Nickel	6.7
Phenols	0.3
Selenium	1.0
Silver	0.1
(Total Dissolved Solids)	1500.00
Zinc	16.5

7. Ammonia nitrogen in such an amount as would cause the Village to be in noncompliance with regulations of the State of Wisconsin Department of Natural Resources.

8.03 PRETREATMENT.

1. Grease, oil, and sand interceptors or retainers shall be installed by the user at its own expense when, in the opinion of the Approving Authority, such are necessary for the proper handling of liquid wastes containing grease, oils, or sand in excessive amounts, of any inflammable wastes, and of such other harmful ingredients. Such interceptors shall be of type and capacity approved by the Approving Authority and shall be located as to be readily and easily accessible for cleaning by the user and for inspection by the Approving Authority.

2. Where installed, all grease, oil, and sand interceptors shall be maintained by the user, at his own expenses, and shall be kept in continuous and efficient operation at all times.

3. In the event the Village approves the admission of any materials into its sewers as set forth in Section 8.02 of the Ordinance, the Village shall direct the user causing admission of any such materials, to, at his own expense construct, install, and operate such preliminary treatment plants and facilities as may be required in order to:

- a. Reduce the BOD to three hundred (300) parts per million and the suspended solids to three hundred (300) parts per million by weight.
- b. Reduce objectionable characteristics or constituent to within the maximum limits provided for in Section 8.02.
- c. Control the quantities and rates of discharge of such waters or wastes.

4. No preliminary treatment plant and facility shall be constructed or operated unless all plans, specifications, technical operating data, and other information pertinent to its proposed operation and maintenance shall conform to all Village, State of Wisconsin Department of Natural Resources, and any other local, state, or federal agency regulations and unless written approval of the plans, specifications, technical operating data, and sludge disposal has been obtained from the State of Wisconsin Department of Natural Resources, and any other local, State or Federal agency having regulatory authority with respect thereto.

5. All such preliminary treatment facilities as required by the Ordinance shall be constructed to prevent or prohibit a separate or special contract or agreement between the Village and industrial user whereby industrial waste and material of unusual strength, character, or composition may be accepted by the Village for treatment, subject to additional payment, therefore by the industrial user; provided, however, that such contract or agreement shall have the prior approval of the Village and also provided the User Charges are proportional to costs of providing the service.

6. No provision contained in the Ordinance shall be construed or prohibited a separate or special contract or agreement between the Village and industrial user whereby industrial waste and material of unusual strength, character, or composition may be accepted by the Village for treatment, subject to additional payment therefore by the industrial user; provided, however, that such contract or agreement shall have the prior approval of the Village and also provided User Charges are proportional to costs of providing the service.

7. The Village reserves the right to reject admission to the system of any waste harmful to the treatment or collection facilities or to the receiving stream.

8.04 PRIVATE SEWAGE TREATMENT AND DISPOSAL.

1. Where a public sewer is not available, the building or structure shall be connected

Posted 11-3-99

ORDINANCE NO. _____

AN ORDINANCE TO CREATE SECTION 8.055 OF THE MUNICIPAL CODE OF THE VILLAGE OF BAGLEY, GRANT COUNTY, WISCONSIN RELATING TO SEWER LINE MAINTENANCE.

THE VILLAGE BOARD OF THE VILLAGE OF BAGLEY, GRANT COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

Section I: Section 8.055 of the Municipal Code is hereby created to read as follows:

8.055 Maintenance of Services

All sewer services within the limits of the Village of Bagley from the street main to the property line and including all controls between the same will be maintained by the sewer utility except when they are damaged as a result of negligence or carelessness on the part of the property owner, tenant, or an agent of the owner, in which case they will be repaired at the expense of the property owner. All sewer services from the point of maintenance by the utility to and throughout the premises must be maintained free of defective conditions, by and at the expense of the owner or occupant of the property."

Section II: This ordinance shall take effect upon its passage and publication or posting as required by law.

Adopted and approved this 2nd day of November, 1999.

Charles Stagman
Charles Stagman, Village President

COUNTERSIGNED:

RaeAnn Cooley
RaeAnn Cooley, Village Clerk

Date Adopted:	<u>NOV 2, 1999</u>
Date Recorded:	<u>NOV 2, 1999</u>
Date Published:	<u>NOV 3, 1999</u>
Effective Date:	<u>NOV 3, 1999</u>

to a private sewer, and a disposal or treatment system shall be constructed in compliance with the terms and provisions of all applicable Village, County, State, or Federal laws and regulations.

2. The Village shall not be responsible in any way for the operation and maintenance of a private sewer or disposal system or facility.

3. No provisions of the Ordinance shall be construed to provide lesser requirements for private sewers and disposal systems than are presently or may hereafter be imposed and required by any other local governmental body or the State or Federal Government.

8.05 CONNECTIONS.

Any person who owns property within the corporate limits of the Village of Bagley, which property is improved with one or more residences, houses, buildings, or structures for or intended for human use, occupancy, employment, or any other similar purpose whatever, and which property abuts on any street, alley, or right-of-way in which there is located a public sewer within one hundred (100) feet from the nearest property line shall, within ninety (90) days after such sewer is in service, at his expenses install suitable toilet and waste disposal facilities in the residences, houses, buildings, or structures and connect the facilities with the public sewer in accordance with the terms and provisions of the Ordinance; provided, however, that in the event compliance with this section of the Ordinance causes economic hardship to the person, he may apply to the village for exemption. Any application for exemption shall state in detail the circumstances which are claimed to cause the economic hardship. Exemptions shall only be granted to the residential users and shall not apply to commercial and industrial users. Any connection to the sewer under this Ordinance shall be made only if the Village determines that there is capacity, including BOD and S.S. capacity, available in all downstream sewer lift stations and sewer lines and in the treatment plant.

8.06 SERVICE OF OUTLYING TERRITORY.

1. In the event a contract is made pursuant to Section 8.03 a user of any sewer serving property wholly or partly outside the Village's corporate limits shall be subject to all the terms and provisions of this Ordinance, and in addition to all payments and charges, be required to pay all equivalent costs, taxes, charges, and expenses as would be imposed upon and paid by the user situated within the corporate limits of the Village.

2. If any property of a person desirous of becoming a user is situated outside the Village and not contiguous thereto so that it may not properly be annexed to and become part of the Village, the Village at its discretion may permit such a connection, provided that a contract providing essentially the following be entered into between the Village and the user:

a. The property owner may connect building situated only on the full-described tract set forth in the agreement and in accordance with all applicable laws,

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 8.05 OF THE MUNICIPAL CODE OF THE VILLAGE OF BAGLEY, GRANT COUNTY, WISCONSIN, RELATING TO SEWER SYSTEM CONNECTIONS

THE VILLAGE BOARD OF THE VILLAGE OF BAGLEY, GRANT COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 8.05 of the Municipal Code of the Village of Bagley shall be and hereby is amended to read as follows:

8.05 CONNECTIONS.

Any person who owns property within the corporate limits of the Village of Bagley, which property is improved with one or more residences, houses, buildings, or structures for or intended for human use, occupancy, employment, or any other similar purpose whatever, and which property abuts on any street, alley, or right-of-way in which there is located a public sewer within one hundred (100) feet from the nearest property line shall, within ninety (90) days after such sewer is in service, at his expenses install suitable toilet and waste disposal facilities in the residences, houses, buildings, or structures and connect the facilities with the public sewer in accordance with the terms and provisions of the Ordinance; provided, however, that in the event compliance with this section of the Ordinance causes economic hardship to the person, he may apply to the village for exemption. Any application for exemption shall state in detail the circumstances which are claimed to cause the economic hardship. Except as provided below, Exemptions shall only be granted to the residential users and shall not apply to commercial and industrial users. Any connection to the sewer under this Ordinance shall be made only if the Village determines that there is capacity, including BOD and S.S. capacity, available in all downstream sewer lift stations and sewer lines and in the treatment plant. As an exception to the requirements of this section prohibiting exemptions for commercial property, a person who is the owner of a commercial campground with no fewer than (insert number) camp sites in existence as of June 12, 2012, shall be exempt from the connection requirements of this section. Said exemption shall terminate on the earlier of (a) the date on which sewer service is actually connected to the campground; or (b) the date on which the campground is sold, leased, conveyed or otherwise transferred in whole or in part to a person or entity other than the current owner; or (c) the date on which the campground is enlarged through the addition of either additional real estate or additional camp sites.

Section II: This ordinance shall take effect upon its passage and posting as required by law.

Adopted and approved this 12 day of June 2012.

David Schott Pres
David Schott, Village President

COUNTERSIGNED:

Frances Mezera
Frances Mezera, Village Clerk

Dated Adopted: 6/12/12
Date Recorded: 6/12/12
Date Posted: _____
Date affidavit filed: _____
Effective Date: _____

ordinances, and regulations of the Village and local, State, and Federal Governments.

b. The wastes and material discharged shall meet all present and future standards for content and volume, and the property owner shall further agree to pay all present and future connections, user, and treatment or service charges which are applicable to all property and users uniformly.

c. The property owner, his successors, and assigns, shall, in addition to costs noted previously, pay the following amount:

1. \$160 for 1983, and, \$25 for 1984 and each year thereafter unless changed by the Village Board.

2. The \$160 per year amount shall be charged to the property owner, its successors, and assigns, and the statement sent to the property owner shall be paid within 30 days after the date of sending. Any amount remaining unpaid after due date shall draw interest at the current rate of interest for the Village.

3. If the user, or any successor or assigns thereof, shall fail to pay the amount when due, each and every sewer upon the property, or any sub-divided tract thereof, for which payment is not made shall be disconnected by the owner from any other sewer which was connected under the contract and ultimately attaches to the Village treatment plant. The user shall have caused or required its sewer system to be constructed within the property in order that separate tracts may be so disconnected, and hereby gave and granted the Village irrevocable easement for the purpose of going upon the same and disconnecting and such sewer if the producer, its successors or assigns, fail to disconnect promptly when such is required.

4. In addition to the right of disconnection, the Village shall have a lien upon the property or subdivided portion of it in the amount of any unpaid charges due therefrom. Upon the filing of notice, the lien shall be deemed perfected, and the lien may be charged and redeemed or foreclosed and the property sold to satisfy the unpaid charges in accordance with the Wisconsin Statutes.

5. The Village shall have the additional right to file a civil suit to recover the amount of the lien, the full cost incurred in disconnection, and all its reasonable legal expenses and attorney's fees incurred as a result of the suit.

3. The Village shall not, without its prior written consent and acceptance, have dedicated to it, or own any sewer system installed within the property, and the producer, its successors and assigns, shall maintain the same at its own cost; provided, however, that this

provision shall not be construed to prohibit the dedication of part or all of said sewer system to another unit of government.

4. Upon conveyance by the owner of all or any subdivided portion or tract of said property, the successor in title shall succeed to all rights and liabilities hereunder, and said owner shall have no future liability to the Village thereunder in respect to such tract except as shall have accrued as of the date the instrument of conveyance is recorded in the office of the Register of Deeds of Grant County, State of Wisconsin.

5. In the event that such property therein described or any subdivided or separate tract thereof, shall be annexed to the Village by proper ordinance, the agreement executed pursuant to Section 8.06(3) of this Ordinance as to such property or the subdivided or separate tract thereof which is so annexed, shall then terminate and be of no further force and effect.

6. The agreement executed under Section 8.06(3) of this Ordinance shall be recorded in the office of the Register of Deeds of Grant County, State of Wisconsin, which recording shall constitute notice to any successor or assign of the owner in its terms of provisions, and to which any subsequent conveyance or assignment of the owner shall be subject.

7. If any part or provision of the agreement shall be found or held by a court of competent jurisdiction to be invalid or unenforceable, then the entire agreement shall terminate and all sewers of the owner or its successors or assigns shall be promptly disconnected from any such system which ultimately connects to the Village treatment plan.

8. The applicant for treatment service under an agreement of this Ordinance shall agree to assume user charges, and capital surcharge, if applicable, and to obtain from the Village the proper building permit by which the connection is allowed and the discharge permit, if applicable, which indicates what discharge will be made to the treatment system.

8.07 CONSTRUCTION OF SEWERS AND CONNECTIONS FOR BUILDINGS.

1. The construction of sewers and connections for buildings shall be made as required by the applicable ordinances of the Village of Bagley and by regulations of the Wisconsin Department of Natural Resources. Building drains - sanitary and building sewers - sanitary together with all connections thereto, shall be constructed water-tight to exclude all infiltration and inflow.

2. A construction permit shall first be applied for and obtained from the Village before a person, after the effective date of this Ordinance, can connect to any sewer located on properties within the corporate limits of the Village or on properties outside the Village where services have been contracted for with the Village.

3. Construction permits shall not be issued unless it has been determined by the

Village that there is capacity available in all downstream sewerage facilities.

8.08 SEPTIC HAULERS.

Septic tank haulers will not be allowed to haul waste to the treatment plant.

8.09 SEWER USER CLASSIFICATIONS.

The sewer users are classified under this Ordinance into the following classifications. Classifications of each user are established by the Approving Authority.

1. Residential. Residential users shall mean for the purpose of the user charge system a user whose premises or building is used primarily as a domicile for single or multi-family and whose wastewaters are generated from normal domestic living activities.

2. Typical Users. Single family residence, duplex, multi-family housing with out central cooking,

Pollutant Concentrations

BOD	-	300 mg/l
S.S.	-	300 mg/l
Minimum usage	-	0

3. Commercial. Commercial users shall mean for the purpose of the user charge system, a user engaged in the purchase or sale of goods, services or any business transaction whose wastewaters generate more than typical domestic sewage,

Typical Users	-	Service stations, laundry, restaurant, motel, hotel, grocery store, feed mills
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Pollutant Concentrations

BOD	-	300 mg/l
S.S.	-	300 mg/l
Minimum usage	-	0

4. Institutional. Institutional users shall mean for the purpose of the user charge system, a user whose wastewaters are generated from institutional activities.

Typical users	-	Hospitals, nursing homes, schools
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Pollutant Concentrations

BOD	-	300 mg/l
S.S.	-	300 mg/l
Minimum usage	-	0

5. Industrial. Industrial user shall mean for the purpose of the user charge system, any user whose wastewaters are generated from industrial activities.

Typical users	-	Factory, slaughter house, milk transfer, cheese factory
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Pollutant Concentrations

To be established by Approving Authority

6. Significant Industrial Users. Significant Industrial Users are those users whose wastewater generations exceed 10% of the design flow, design BOD or design suspended solids loading for the plant more than 10 times a year, or have a wastewater that has a detrimental effect on the plant operation and performance. The Significant Industrial User will be required to acquire a discharge permit, monitor their discharges for flow, BOD, S.S., and any other parameter established by the Approving Authority.

7. Public Authority, Religious and Veterans Organizations. Public Authority Users shall mean all users under the control or direction of a public governmental entity. Religious Users shall mean all bonafide churches, temples, and synagogues. Veterans Users shall mean public forces of the United States of America. It is the express intent of this section to cover buildings used by various organizations on an intermittent monthly basis.

8.10 CONDITIONS FOR DISCHARGE INTO TREATMENT SYSTEM.

1. Public wastewater collection facilities are required to be used for the deposit of human wastes, garbage or other liquid wastes that cannot be discharged into a receiving stream or disposal of in any other manner in accordance with federal and state statutes and state administrative regulations and approved by the Wisconsin Department of Natural Resources.

2. No building or facility shall be connected to any sewer unless the entire property on which the building or facility is situated is located within the corporate limits of the Village of Bagley except as provided in this Ordinance.

3. No person shall place, deposit, or discharge, or caused to be placed, deposited or discharged, upon public or privately-owned property any wastewater within the corporate limits of the Village unless done so within adequately sized holding facilities approved by all applicable federal, state, and local agencies.

4. No person shall deposit or discharge, or cause to be deposited or discharged, to any wastewater collection facilities, any solid, or gaseous waste unless through a connection approved under the terms of this Ordinance.

5. No person shall discharge any sewage, waste or material, industrial waste, or any polluted water into a stream or in the air or onto the land, except where the person has made and provided for treatment of such wastes which will render the content of such wastes' discharge in accordance with applicable Village, State, and Federal laws, ordinances, and regulations.

6. In case of natural outlet discharges, at the time construction of the waste treatment works is commenced each owner or operator shall furnish the Village an approved Wisconsin Pollutant Discharge Elimination System (WPDES) permit setting forth the effluent limits to be achieved by such pretreatment facilities and a schedule for achieving compliance with such limits by the required date. The WPDES permit shall be kept on file with the Approving Authority and updated by such information as periodically required by the Village, local, State and/or Federal agencies.

7. Persons described in this Ordinance shall not avoid connection to the sewer by reason of the actual distance between the building or structure and the connecting point of the sewer line.

8.11 DISCHARGE PERMITS.

1. The Village reserves the right to require a discharge permit from commercial or industrial users of the sewer, and, if the Village does exercise the option, commercial or industrial users shall not discharge to a sewer without having first applied for and obtained a permit from the Village. Upon official notification from the Village, each commercial or industrial user presently discharging material to the sewer shall apply for and obtain such a discharge permit within ninety (90) days from the date of such notification.

2. Commercial and industrial classification codes set forth in the Standard Industrial Classification Manual, 1972 Edition, as amended and supplemented, are adopted by the Village Board as the basis for the issuance of discharge permits for building connections to the sewer.

3. The application for a discharge permit shall be made on a form provided for that purpose by the Village, and shall be fully completed under oath by the Property owner, user, or a duly authorized and knowledgeable officer, agent, or representative thereof, and acknowledged. If requested, the person making application shall also submit such scientific or testing data, or other information as may be required by the Sewer Committee of the Village Board. The Approving Authority shall also have, at his discretion, the right to personally inspect the premises, equipment and material, and laboratory testing facilities of the applicant.

4. No fee shall be charged for a discharge application or permit.

5. No discharge permit shall be issued by the Village to any person whose discharge of material to sewers, whether shown upon the application or determined after inspection and testing conducted by the Approving Authority, is not in conformance with Federal, State, or Village statutes, ordinances, rules and regulations, unless a waiver or variance of such standards and requirements is granted by the Sewer Committee of the Village Board in the manner hereinafter set forth. The Sewer Committee of the Village Board shall state in writing the reason or reasons for denial or requirement for waiver-variance and said written communication shall be mailed or personally delivered to the applicant within five (5) days after denial.

6. In the event the type or volume of material from property for which a discharge permit was previously granted shall materially and substantially change, the person granted such permit previously shall make a new application to the Village in the same manner and form as originally made.

7. If the application for a new permit or for one because of change in the type or volume of material discharge is denied by the Sewer Committee of the Village Board, or if the discharge indicated from the permit application or inspection is not in accordance with the requirements of this Ordinance, and a waiver or variance is required, the user may have the entire Village Board review the denial or may request waiver-variance, provided the user shall give written notice of his request within thirty (30) days after receiving the denial. The entire Village Board shall review the permit application, the written denial, and such other evidence and matters as the applicant and Approving Authority shall present at its next regular meeting following receipt of request for its review, and the decision of the entire Village Board publicly at said meeting shall be final.

8. Should any discharge of material to a sewer materially and substantially differ in type and volume, than shown in the application and permit, the person and user shall immediately, upon order of the Approving Authority cease and desist from such discharge and shall also be subjected to disconnection, fine, and other penalties provided by this Ordinance.

8.12 SEWER SERVICE CHARGES.

1. Establishment of User Charge System - a user charge shall be assessed to all users by the Village in accordance with the provisions by this Ordinance.

2. Budget and Appropriation - the Sewer Committee of the Village shall annually prepare an estimate of the anticipated costs for each category of user charge, as outlined hereafter, for the forthcoming year. These estimates shall be in the form of a rate ordinance and shall be proposed to the Village Board of the Village for enactment prior to the enactment of the budget of the ensuing year. All excess revenues collected from a user class in one year shall be applied to the following years budget to reduce costs to that user class.

3. Operation and Maintenance Charges - operation and maintenance costs shall be

separated in accordance with their applicability to flow, BOD, S.S. and monitoring sampling/analysis. The percentage breakdown shall be reviewed each year by the Village Board and approved by the Village Board.

Operation and maintenance costs for flow, BOD, and S.S. are totaled for each. The unit charges for each are obtained by dividing the total costs by the previous year's total billable flow in 1000 gallons, billable pounds of BOD, and billable pounds of S.S.. The monitoring unit charge is obtained by dividing the total monitoring sampling/analysis costs for each of the industrial users by the total number of sampling/analysis per year for that user class.

4. Replacement Charges - the replacement charge shall be sufficient to replace any equipment in the sewers or sewage works owned by the Village as required, in order to assure the continued peak performance of the equipment and to maintain the capacity for which the sewers and sewage works were designed and constructed. The service life for real and personal property shall be established by the Approving Authority in cooperation with the Village auditors, in accordance with experience of the Village and accepted accounting procedures. Each piece of equipment shall be evaluated annually to determine if its useful life has been extended as a result of preventative maintenance programs or repairs.

Yearly replacement costs for each piece of equipment shall be separated in accordance with their applicability to flow, BOD, and S.S.. This breakdown shall be reviewed annually by the Approving Authority and approved by the Village Board.

The yearly replacement costs attributable to flow, BOD, and S.S. shall be divided by the previous year's total billable flow in 1000 gallons, billable pounds of BOD, and billable pounds of S.S., respectively and totaled to obtain unit replacement charges.

5. Administrative and Sampling Charges - the total administrative and overhead costs associated with billing, collection, and record keeping shall be determined by the Sewer Committee of the Village Board and assessed against users.

Industrial users shall be charged an additional amount to cover the cost of wastewater monitoring, proportionate to the number of samples and the unit costs for their user class.

6. Additional Charges - additional charges shall be billed, as required, for the following:

- a. Actual costs incurred for user-requested samplings and analysis.
- b. Actual costs incurred for water meter inspection requested by the user or as required because of improper maintenance.
- c. Actual costs incurred for special handling not provided for

elsewhere in this Ordinance.

d. Actual costs incurred for handling a user's check returned because of insufficient funds.

e. Costs for administering the industrial cost recovery system. (If required).

f. Costs for bond amortization or debt retirement. (If required).

g. Each user which discharges toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the treatment works shall pay for such increased costs and toxic monitoring.

7. Wastewater Treatment Charges -

All users - The basic wastewater treatment bill to be paid by all users shall consist of user charges for operation, maintenance, and replacement, using the unit charges for billing and collection. The unit charges shall be applied to user's billable flow, BOD, and S.S., respectively.

Industrial and Commercial Users -

In addition to the basic wastewater treatment bill described in the Ordinance for the user charge system, wastewater treatment bills for industrial and commercial users shall consist of industrial waste monitoring charges as described in the Ordinance.

The Village shall periodically sample and analyze wastes from selected users in each industrial and commercial user classification to determine the BOD and S.S. strengths of the wastes and these results shall be used as representative of wastes from all users in that classification for billing purposes unless the user's waste is classified by the Approving Authority as having special problems. At the request of the user, samples shall be made and analyzed on the same frequency as samples for the user's classification, and that analysis shall be used as typical of that particular user's waste for billing purposes. Significant industries with wastes classified by the Approving Authority as having special problems shall install at the industry's own cost a structure located on the building service line with flow measurement and sampling devices as required by the Approving Authority to obtain exact information about the waste.

8. Additional Charges - additional charges as described in this Ordinance shall, if required, be listed on the wastewater treatment bill.

9. Sewer Service Charge - sewer service charges shall consist of a minimum usage charge and a volume charge computed as follows:

a. Minimum usage - the minimum usage charges shall be as follows; provided however, that a building which is being used for more than one usage or a lot that contains the owner's residence and owner's business shall pay one minimum usage charge.

1. Residential - minimum usage charge \$39.00/qtr.
2. Commercial - minimum usage charge \$39.00/qtr.
3. Institutional - minimum usage charge \$39.00/qtr.
4. Public Authority, Religious, and Veterans - minimum usage charge \$13.00/qtr.
5. All others - minimum usage charge \$39.00/qtr.

b. Volume Charge - In addition to the minimum usage charge all residential, commercial, industrial, and municipal users shall also pay a volume charge of \$3 per thousand (1000) gallons of water usage. Users in outlying territory shall pay a volume charge of \$3 per thousand (1000) gallons.

c. Sewer charges for a significant industrial user - any user with a wastewater strength greater than 300 mg/l BOD and S.S. or as detailed in the Ordinance shall monitor their wastewaters and shall be billed on the following rate:

<u>Flow</u>	<u>\$3.00 per 1000 gals. of water usage</u>
BOD ₅	\$0.40/#BOD
S.S.	0.30/#S.S.

d. Holding tank sewer charge - the charge for dumping a holding tank load is \$10.00 plus \$9.00/1000 gal.

e. Recreational holding tank charge - the charge for dumping a holding tank from a recreational vehicle with the tank not exceeding three hundred (300) gallons is \$5.

f. Credit for water not discharged to sewer - if a user feels that a significant amount of water metered does not reach the sanitary sewer due to lawn or garden watering or some similar use, the user can, at this own expense, through the proper Approving Authority, install a second water meter or an additional metered service that

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND RECREATE SECTION 8.12(9)(g) OF THE MUNICIPAL CODE OF THE VILLAGE OF BAGLEY, GRANT COUNTY, WISCONSIN, RELATING TO SEWER CONNECTION CHARGES.

THE VILLAGE BOARD OF THE VILLAGE OF BAGLEY, GRANT COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 8.12(9)(g) of the Municipal Code shall be and hereby is repealed and recreated to read as follows:

“g. Connection charge – persons attaching to a main of the Bagley Municipal Sewer Utility shall pay a connection charge of \$3,500.00 plus the full costs of the lateral from the sewer main to the building being connected. Where the lateral to the lot line has heretofore been laid by the Village, the attaching consumer shall pay \$5.00 per foot for the previously installed lateral used by him together with the full costs of the additional extension together with the \$3,500.00 connection charge.”

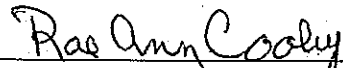
Section II: This ordinance shall take effect upon its passage and publication or posting as required by law.

Adopted and approved this 4th day of November, 2003.

VILLAGE OF BAGLEY BY:


Chuck Stagman, Village President

COUNTERSIGNED:


RaeAnn Cooley, Village Clerk

Date Adopted:	<u>Nov. 4, 2003</u>
Date Recorded:	<u>Nov. 4, 2003</u>
Date Published:	<u>Nov. 11, 2003</u>
Effective Date:	<u>Nov. 12, 2003</u>

would monitor this flow, charges for sewer use would be based on the difference between the two meter readings if only a second meter is installed, or on actual water metered for sewer use if an additional metered service is installed. Request for a second meter or metered service must be made in writing to the proper Approving Authority.

g. Connection charge - persons attaching to a main of the Bagley Municipal Sewer Utility shall pay a connection charge of \$300 plus the full costs of the lateral from the sewer main to the building being connected. Where the lateral to the lot line has heretofore been layed by the Village, the attaching consumer shall pay \$5 per foot for the previously installed lateral used by him together with the full costs of the additional extension together with the \$300 connection charge.

h. Billing - a bill shall be prepared and submitted to each user every three months and shall become due and payable on the first of the month following the period for which service is rendered. A late payment charge of 10% but not less than \$0.30 will be added to bills not paid within 20 days of issuance. This late payment charge is applicable to all users. The utility user may be given a written notice that the bill is overdue no sooner than 20 days after the bill is issued. All sewer charges shall be a lien upon the property served pursuant to Section 66.076(7), Wisconsin Statutes, including all additions or amendments to that Section, and shall be collected in the manner therein provided. Nonreceipt of any bill described in the ordinance shall not release the user or the property owner of liability for any of those charges.

8.13 SEWER MAIN EXTENSION.

The Bagley municipal sewer utility shall extend sewer mains to new person(s) in accordance with the following charges and the following conditions, to-wit:

1. Where an extension main is requested by the prospective user, said person shall make an application for such an extension in writing to the Village Board of the Village of Bagley by filing a written application for the same with the Village Clerk. After the filing of such an application, the Village Board shall first determine the logical location of the next manhole or manholes. The Village Board shall then determine the length and location of the extension, taking into consideration the future prospective demands for service and the orderly development of the particular area. No extension shall be made for distance less than to the next manhole.

2. The person who requests the extension shall pay the entire costs of the said extension, including the manhole or manholes that are a part of the extension. If more than one user is involved, the entire cost shall be divided among the users.

3. After making the decision as to the length and location of the extension and prior to the time of making the charge to the person(s), the Village Board shall determine the benefits

to be received by any parcel that can be served by said extension. Before making a determination as to benefits received, said Village Board shall first divide the area to be served into logical building lots. Such Village Board may consider the recommendations of the landowner in determining said building lots if the landowner as a part of his application accompanied said application with a proposed division of said land into lots for sale or use. In determining the amount to be paid by the original users if more than one user is involved, the division of the charge shall be made by considering each building lot owned by one of the original applicants as a separate user.

4. Payments are to be considered contributions to construction and after the original contribution and any future connection by a user other than to a lot owned by a party making a previous contribution, such user shall be required to pay to the Village his prorata share of the lot or lots owned by the new attaching user in the entire extension costs as if said user had been one of the original contributors.

5. When the Village receives a future contribution, it shall after receiving the money, pay said money to the previous contributors by paying to each of the previous contributors equal amounts by counting each previous contributing lot as a separate contributor. The Village shall not make payments to a previous contributor if ten (10) years have expired from the date of the original contribution. Said money paid shall be retained by the Village.

6. It is hereby provided that the right to contribution shall follow the land and not the contributor with the reimbursement to go to the person who is the owner of the receiving lot at the time of the reimbursement. If a contributor owns more than one lot at the time of the contribution, he shall be required to designate one of the lots as the lot entitled to contribution and the owner of such a lot at the time of any contribution shall receive the reimbursements for all of the lots owned by the original contributor at the time of the original contribution. Such lot designation shall be filed with the Village Clerk of the Village of Bagley, Grant County, Wisconsin, and may be filed in the office of the Register of Deeds for Grant County, Wisconsin. The owner of such designated lot may by filing a corrective designation change said designation to another lot owned by him so long as such new lot is one of the lots to be served by said extension. The total amount of reimbursement that any contributor may receive shall be the total payment made by him less the benefits conferred upon the lot or lots owned by him at the time of his contribution.

7. If the Village Board upon its own motion or as the result of an application, determines that an extension should be made and should be financed through full or partial assessments, it may elect to finance partially or wholly through special assessments. In such case, the procedure set forth under Section 66.60 of the Wisconsin Statutes will apply.

8. In the event a subdivision is developed or under development, or proposed, the installation of sewer mains, manholes and lift stations, if necessary, shall be handled in the manner set forth in this subsection. The developer or developers or owner shall file an

application with the Village Clerk setting forth the following information:

- a. Name of subdivision
- b. Legal description
- c. Map showing streets, lots and sizes of proposed collector mains, manholes, street laterals and lift station, if necessary
- d. Date of approval of proposed installation by State Department of Development
- e. Date of approval of subdivision plan by State Department of Natural Resources
- f. Number of houses presently under construction

Upon receipt of the application, the sewer utility will prepare detailed estimates of the cost of extending sewer mains, manholes, street laterals and lift station, if necessary, of the sizes deemed necessary in the subdivision and submit the same to the Village Board for approval of the extension and improvements. The applicant for sewer services to be supplied to a subdivision shall be required to advance to the utility prior to the beginning of the construction, the total estimated cost of the extension and improvements. If the final costs exceed estimated costs, an additional billing will be made for the balance of the cost due. This balance is to be paid within 30 days. If the final costs are less than estimated, a refund of overpayment will be made by the sewer utility.

9. A free limit credit for future extensions and additions is hereby created. A free limit credit is defined as the cost of extending a normal collector main for the distance of the width of a lot but not to exceed 75 feet. The free limit credit shall be extended to the lot or lots immediately taking service. In order to qualify for this free limit credit as a result of taking immediate service requires the party receiving the credit to pay the connection charge and the cost of the lateral prior to the commencement of construction. In addition, the Village Board may grant additional free limit credit to lots which the Village Board determines to be logical building lots and which are likely to be so used within a reasonable time thereafter. Free limit credit shall apply to any of the types of extensions as provided for above in Section 8.13. Free limit credit is limited to 450 feet in the aggregate in any one project. The questions of the application of the cost of the manhole or a lift station or lift stations to the property owners on a full or partial assessment basis or completely done at the expense of the utility shall be determined by the Village Board on a case to case basis. The determinations by the Village Board as to free limit credits and other determinations set forth above shall be conclusive.

10. When a new customer is connected to an existing main not financed by customer

contributions, no assessment shall be charged. Before the connection is made, however, the customer shall be required to pay the connection charge plus the lateral from the main to the property line.

8.135 USER CHARGE SYSTEM.

The user charge system detailed in the attached Appendix A is hereby incorporated into this ordinance by reference.

8.14 PENALTIES AND ENFORCEMENT.

1. Written notice of violation - any person found to be violating any provision of this Ordinance shall be served by the Approving Authority 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.

2. 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 fine, pay the amount to cover damages, both values to be established by the Approving Authority.

3. Intentional discharge - any person found to be responsible for intentionally 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 fine, pay the actual amount to cover all damages done to the sewer system and punitive damages to be established by the Approving Authority.

4. Continued violations - any person, partnership or corporation, or any officer, agent, or employee thereof who shall continue any violations beyond the aforesaid notice time limit provided shall, upon conviction thereof, forfeit not less than \$50 nor more than \$200 together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the Grant County Jail for a period not to exceed 30 days. Each day in which a violation is continued beyond the aforesaid noticed time limits shall be deemed a separate offense.

5. Liability for losses - any person violating any provision of this Ordinance shall become liable to the Village of Bagley for any expense, loss, or damage occasioned by reason of such violation which the Village of Bagley may suffer, including damages resulting from lawsuits against the Village of Bagley, as a result thereof.

6. Right of entry - the Director of Public Works, Superintendent of the Wastewater Treatment Plant, or other duly authorized employee of the Approving Authority bearing proper credentials and identification shall be permitted to enter all properties for the purpose of

inspection, observation, testing, all in accordance with the provisions of this chapter and Section 196.171, Wisconsin Statutes.

APPENDIX A

VILLAGE OF BAGLEY SEWER UTILITY

BAGLEY, WISCONSIN

A.

REVENUE REQUIREMENT

VILLAGE OF BAGLEY SEWER UTILITY

BAGLEY, WISCONSIN

1997 REVENUE REQUIREMENT

Operation & Maintenance	\$ 41,000
Replacement Costs	650
Old Debt Retirement	<u>5,000</u>
Total Revenue Requirement	\$ 46,650

1998 REVENUE REQUIREMENT

Operation & Maintenance	\$ 57,100
Replacement Costs	4,900
Old Debt Retirement	5,000
New Debt Retirement	<u>12,000</u>
Total Revenue Requirement	\$ 79,000

VILLAGE OF BAGLEY SEWER UTILITY

BAGLEY, WISCONSIN

1996 - 1998 OPERATION & MAINTENANCE EXPENSE

<u>Item</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>
Labor	\$14,500	\$16,500	\$17,000
Power	6,000	6,000	7,000
Chemicals	1,000	1,000	1,000
Supplies	500	500	800
Collection Systems	2,000	5,000	5,000
Office Supplies	1,000	1,000	1,500
Engineer	1,000	1,000	1,000
Insurance	3,000	3,000	3,000
Miscellaneous Equipment	1,000	1,000	1,000
Lab Testing	4,000	4,000	4,500
Equipment Repair	500	500	500
Small Tools	500	500	200
Regulatory Fee	1,000	1,000	1,000
Sludge Hauling	-0-	-0-	5,000
Grinder Pump			
Sinking Fund	-0-	-0-	8,600
Debt	<u>5,000</u>	<u>5,000</u>	<u>17,000</u>
Total	\$ 41,000	\$ 46,000	\$ 74,100

VILLAGE OF BAGLEY SEWER UTILITY
 BAGLEY, WISCONSIN

REPLACEMENT FUND CALCULATIONS

	Capital <u>Costs</u>	Replacement <u>Costs</u>	Replacement <u>Life</u>	<u>Costs</u>
Sludge Tanks	\$ 75,000	\$ 40,000	40 yrs.	\$ 1,000
Comminutor	\$ 35,000	\$ 15,000	20 yrs.	\$ 750
Sludge Pump	\$ 30,000	\$ 10,000	20 yrs.	\$ 500
Flow Meter	\$ 10,000	\$ 10,000	10 yrs.	\$ 1,000
Lift Station	<u>\$ 50,000</u>	<u>\$ 20,000</u>	20 yrs.	<u>\$ 1,000</u>
	\$200,000	\$ 95,000		\$ 4,250

VILLAGE OF BAGLEY SEWER UTILITY

BAGLEY, WISCONSIN

ANNUAL DEBT RETIREMENT

<u>Year</u>	<u>1995</u>	<u>1996</u>	<u>1998</u>
1984	\$ 5,000	\$ 5,000	\$ 5,000
1997	<u>-0-</u>	<u>-0-</u>	<u>\$ 12,000</u>
	\$ 5,000	\$ 5,000	\$ 17,000

VILLAGE OF BAGLEY SEWER UTILITY

BAGLEY, WISCONSIN

B.

METERED WASTEWATER VOLUME

AND

ORGANIC LOADINGS

VILLAGE OF BAGLEY SEWER UTILITY

BAGLEY, WISCONSIN

SEWER UTILITY CUSTOMERS

<u>Customer Classifications</u>	<u>1996</u>
Residential	124
Anticipated Residential from River of Lakes Resort	220
Commercial	18
Industrial	0
Public Authority	0
Total Sewer Utility Customers	362

VILLAGE OF BAGLEY SEWER UTILITY
 BAGLEY, WISCONSIN

VOLUME USED TO ASSESS SEWER SERVICE CHARGE

Customer Class

	<u>1996</u>
Residential	4,900,000 gallons
Commercial	800,000 gallons
Industrial	-0- gallons
Public Authority	-0- gallons
Anticipated Residential Increase	1,500,000 gallons
Total Volume Used to Assess Sewer Service Charge	7,200,000 gallons/year

VILLAGE OF BAGLEY SEWER UTILITY
 BAGLEY, WISCONSIN

ESTIMATED 1997 LOADING

<u>Customer Class</u>	<u>Flow M.G.</u>	<u># BOD</u>	<u># S.S.</u>
Residential	6.4	16,000	16,000
Commercial	0.8	2,000	2,000
Industrial	0	0	0
Public Authority	0	0	0
Total Estimated Loadings	7.2 MG	18,000 #/yr	18,000 #/yr

*based on 300 mg/l for BOD and S.S.

VILLAGE OF BAGLEY SEWER UTILITY

BAGLEY, WISCONSIN

C.

COST OF SERVICE STUDY

VILLAGE OF BAGLEY SEWER UTILITY

BAGLEY, WISCONSIN

ALLOCATION OF OPERATION & MAINTENANCE EXPENSES

<u>Item</u>	<u>Amount</u>	<u>---Flow---</u>		<u>---BOD---</u>		<u>---S.S.---</u>	
		<u>%</u>	<u>Cost</u>	<u>%</u>	<u>Cost</u>	<u>%</u>	<u>Cost</u>
Labor	\$17,000	30	\$5,000	40	\$6,800	30	\$5,100
Power	7,000	20	1,400	60	4,200	20	1,400
Chemicals	1,000	30	300	40	400	30	300
Supplies	800	30	240	40	320	30	240
Collection Sys.	5,000	60	3,000	20	1,000	20	1,000
Office Supplies	1,500	100	1,500				
Engineer	1,000	30	300	40	400	30	300
Insurance	3,000	30	900	40	1,200	30	900
Misc. Equip.	1,000	30	300	40	400	30	300
Lab Test	4,500	30	1,350	40	1,800	30	1,350
Equip. Repair	500	30	150	40	200	30	150
Small Tools	200	30	60	40	80	30	60
Regulatory Fee	1,000	100	1,000				
Sludge Hauling	5,000	30	1,500	40	2,000	30	1,500
Grinder Pump							
Sinking Fund	8,600	100	8,600				
Replacement	<u>4,900</u>	<u>20</u>	<u>980</u>	<u>40</u>	<u>1,960</u>	<u>40</u>	<u>1,960</u>
Totals	\$62,000		\$26,680		20,760		\$14,560

VILLAGE OF BAGLEY SEWER UTILITY

BAGLEY, WISCONSIN

ALLOCATION OF CONSTRUCTION COSTS

<u>Item</u>	<u>Cost</u>	<u>%</u>	<u>Flow Cost</u>	<u>%</u>	<u>BOD Cost</u>	<u>%</u>	<u>S.S Cost</u>
Sludge Storage	\$ 75,000	20	\$ 15,000	40	\$30,000	40	\$30,000
Comminutor	\$ 35,000	100	\$ 35,000				
Sludge Pump	\$ 30,000	20	\$ 6,000	40	\$12,000	40	\$12,000
Flow Meter	\$ 10,000	100	\$ 10,000				
Lift Station	<u>\$ 50,000</u>	100	<u>\$ 50,000</u>		_____		_____
Total	\$200,000		\$116,000		\$ 42,000		\$42,000

VILLAGE OF BAGLEY SEWER UTILITY
 BAGLEY, WISCONSIN

ALLOCATION OF DEBT SERVICE

	<u>Amount</u>	<u>%</u>	<u>Flow</u>	<u>%</u>	<u>BOD</u>	<u>%</u>	<u>SS</u>
Existing Debt	\$ 5,000	30	\$1,500	40	\$ 2,000	30	\$1,500
New Debt	<u>\$12,000</u>	<u>20</u>	<u>\$2,400</u>	<u>40</u>	<u>\$4,800</u>	<u>40</u>	<u>\$4,800</u>
	\$17,000		\$3,900		\$ 6,800		\$6,300

**VILLAGE OF BAGLEY SEWER UTILITY
BAGLEY, WISCONSIN**

D.

PROPOSED USER CHARGE SYSTEM

AND

SEWER SERVICE CHARGE

VILLAGE OF BAGLEY SEWER UTILITY

BAGLEY, WISCONSIN

PRESENT SEWER RATES

Minimum Charge	\$15.00/mo.
Standby	\$15.00/mo.
Volume Charge	\$3.00/1000 gallons after 8,000 gal.

SCHEDULE D-2

VILLAGE OF BAGLEY
Equivalent Calculations 1997

<u>Meter Size</u>	<u>Factor</u>	<u>Number Meters</u>	<u>Equivalent</u>
5/8" & 3/4"	1	143	143
1"	2	0	0
1 1/4"	3	0	0
1 1/2"	4	3	12
2"	7	0	0
3"	16	0	0
4"	28	0	0
			155

VILLAGE OF BAGLEY
Equivalent Calculations 1998

<u>Meter Size</u>	<u>Factor</u>	<u>Number Meters</u>	<u>Equivalent</u>
5/8" & 3/4"	1	363	363
1"	2	0	0
1 1/4"	3	0	0
1 1/2"	4	3	12
2"	7	0	0
3"	16	0	0
4"	28	0	0
			375

VILLAGE OF BAGLEY SEWER UTILITY

BAGLEY, WISCONSIN

COST OF SERVICE SUMMARY

	<u>Total</u>	<u>Flow</u>	<u>BOD</u>	<u>SS</u>
Operation & Maintenance & Replacement Costs	\$ 62,000	\$26,680	\$20,760	\$14,560
Debt	<u>17,000</u>	<u>3,900</u>	<u>6,800</u>	<u>6,300</u>
Total	\$ 79,000	\$30,580	\$27,560	\$20,860

* COMPUTATION OF EQUIVALENT FIXED COSTS

Amount allotted to fixed charge \$57,400.00

$$\frac{57,400}{375 \text{ equivalent} \times 12 \text{ month}} = \$12.75$$

Recommended fixed charge \$13.00/month

$$375 \times \$13.00/\text{month} \times 12 \text{ months} = \$58,500$$

Amount allocated to volume charge = \$20,500

VILLAGE OF BAGLEY SEWER UTILITY
 BAGLEY, WISCONSIN

UNIT COST CALCULATIONS

Replacement
 -Operation & Maintenance-

Item	Cost Units	Cost	Debt Cost Units	Cost	Total
Flow	<u>6,924</u> 7.2 MG	\$0.96/ 1,000 gal.	<u>\$1,012</u> 7.2 MG	\$0.14/ 1,000 gal.	\$1.10/ 1000 gal.
BOD	<u>5,387</u> 18,000 #BOD	\$0.30/ # BOD	<u>1,765</u> 18,000 #BOD	\$0.10/ # BOD	\$0.40/ # BOD
S.S.	<u>3,778</u> 18,000 #s.s.	\$0.21/ # s.s.	<u>1,635</u> 18,000 # s.s.	\$0.09/ # s.s.	\$0.30/ #s.s.

Flow Calculations

Flow	<u>Rate / 1,000 gal.</u> \$1.10/1,000 gal
BOD	\$0.40 x 8.34 x 0.001 x 300 = \$1.00/1,000 gal.
s.s.	\$0.30 x 8.34 x 0.001 x 300 = <u>\$0.75/1,000 gal.</u>
	\$2.85/1,000 gal

Recommended Rates

Flow	\$3.00/ 1,000 gal
BOD	\$0.40/ # BOD
s.s.	\$0.30/ # s.s.

SCHEDULE D-5

VILLAGE OF BAGLEY SEWER UTILITY

BAGLEY, WISCONSIN

REVENUE CALCULATION

<u>Size</u>	<u>Factor</u>	<u>Meter</u>	Monthly Computed Fixed Rate	Monthly Recommended Rate	Annual Revenue
5/8" & 3/4"	1	363	\$ 13.00	\$13.00	\$56,638.00
1"	2	0	26.00	26.00	0.00
1 1/4"	3	0	39.00	39.00	0.00
1 1/2"	4	3	52.00	52.00	1,872.00
2"	7	0	91.00	91.00	0.00
3"	16	0	208.00	208.00	0.00
4"	28	0	364.00	364.00	0.00
6"	64	0	832.00	832.00	<u>0.00</u>
					\$58,500.00

Volume charge - \$3.00/1,000 gal. X 7,200,000 = \$ 21,600

Anticipated Revenues \$ 80,100.00

Anticipated Expense \$ 79,000.00

Anticipated Profit \$ 1,100.00

VILLAGE OF BAGLEY SEWER UTILITY

BAGLEY, WISCONSIN

E.

PROPOSED USER CHARGE SYSTEM

AND

SEWER SERVICE CHARGE

VILLAGE OF BAGLEY
BAGLEY, WISCONSIN

SEWER SERVICE CHARGE

1. MINIMUM USAGE

The Village of Bagley has established the following rules:

Minimum Typical Residential - 5/8" or 3/4" \$13.00 mo.
Other Meters - See Schedule D-5

2. VOLUME CHARGE

A. Residential Users -

The typical residential user would pay \$13.00 plus \$3.00 for every 1,000 gallons.

Example: Typical residential customer with a usage of 5,000 gallons per mo.

Minimum Charge =		\$13.00
Usage = 5,000 gal. X \$3.00/1,000 gal. =		<u>\$15.00</u>
	BILL =	\$28.00/mo.

B. Commercial, Industrial, Municipal Users -

The commercial user would pay a pro-rated service charge plus \$3.00/1,000 gal. for usage.

C. Significant Industrial Users -

Any user with a wastewater strength greater than 300 mg/l BOD or 300 mg/l for s.s. as detailed in the ordinance shall monitor their wastewaters and shall be billed at the domestic rate plus this surcharge for poundage greater than domestic:

BOD5	\$0.40/ # BOD
s.s.	\$0.30/ # s.s..

Plus a prorated fixed.

D. Recreational Holding Tank - Septic Tank Haulers

The charge for dumping a holding tank from a recreational vehicle with a tank not exceeding 300 gallons is \$5.00.

Holding tank haulers shall pay \$10.00 plus \$9.00/1,000 gal.

Septic tank haulers will not be allowed to haul to the wastewater treatment plant.

E. Stand-by -

The stand-by charge will be the minimum residential charge monthly.

The sewer availability stand-by charge shall be monthly.

F. The assessment of sewer service charges must be based on wastewater contributed by users, therefore, the adjusted metered water volume is used as a basis for the rate design. The difference between metered water volume and wastewater treatment plant volume is identified as infiltration/inflow. This extraneous flow cannot be directly attributed to any user.

G. Credit For Water Not Discharged To Sewer -

If a user feels that a significant amount of water metered does not reach the sanitary sewer due to lawn or garden watering, etc., he can, at his own expense, through the proper approving authority, install a second water 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, or 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 proper approving authority.

H. Penalties -

Delinquent bills will be charged 10% per month 20 days after the billing date. An additional 10% may be charged on the total bill on the November 1st following the bill and will be placed on the tax roll if not paid by November 15th.

**CALCULATIONS
FOR
SEPTIC TANK HAULERS**

Administrative Cost

Operator Time 0.50 hours @ \$20.00/hour = \$10.00
Billing 0.25 hours @ \$20.00/hour = \$ 5.00

Total Administrative Cost \$15.00

Holding Tank Waste

Assume

BOD = 1,200 mg/l
SS = 1,500 mg/l

Flow

BOD - 1,200 mg/l x 8.34 x .001 MG = 10.01 x \$0.40 = \$4.00/1000 gal.
SS - 1,500 mg/l x 8.34 x .001 MG = 12.51 x \$0.30 = \$3.75/1000 gal.

Total = \$8.85/1000 gal.

Recommend \$9.00/1000 gal.

Septic Tank

Assume BOD = 2,000 mg/l
SS = 4,000 mg/l

Flow

BOD - 2,000 mg/l x 8.34 x .001 MG = 16.68# x \$0.40 = \$ 6.67/1000 gal.
SS - 4,000 mg/l x 8.34 x .001 MG = 33.36# x \$0.30 = \$10.01/1000 gal.

Total = \$17.78/1000 gal.

Recommended \$ 18.00/1000 gal.

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND RECREATE SECTION 8.12(9)(g) OF THE MUNICIPAL CODE OF THE VILLAGE OF BAGLEY, GRANT COUNTY, WISCONSIN, RELATING TO SEWER CONNECTION CHARGES.

THE VILLAGE BOARD OF THE VILLAGE OF BAGLEY, GRANT COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 8.12(9)(g) of the Municipal Code shall be and hereby is repealed and recreated to read as follows:

“g. Connection charge – persons attaching to a main of the Bagley Municipal Sewer Utility shall pay a connection charge of \$3,500.00 plus the full costs of the lateral from the sewer main to the building being connected. Where the lateral to the lot line has heretofore been laid by the Village, the attaching consumer shall pay \$5.00 per foot for the previously installed lateral used by him together with the full costs of the additional extension together with the \$3,500.00 connection charge.”

Section II: This ordinance shall take effect upon its passage and publication or posting as required by law.

Adopted and approved this 4th day of November, 2003.

VILLAGE OF BAGLEY BY:


Chuck Stagman, Village President

COUNTERSIGNED:


RaeAnn Cooley, Village Clerk

Date Adopted:	<u>Nov. 4, 2003</u>
Date Recorded:	<u>Nov. 4, 2003</u>
Date Published:	<u>Nov. 11, 2003</u>
Effective Date:	<u>Nov. 12, 2003</u>