

Sewer Use and Wastewater Treatment Service Rate

- (48) UTILITY shall mean the Village of Nichols Sewer Utility.
- (49) WASTEWATER shall mean the spent water of a community or person. From the stand point of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any ground water, surface water and storm water that may be present.
- (50) WASTEWATER COLLECTION FACILITIES (or wastewater collection system) shall mean the structures and equipment required to collect and carry wastewater.
- (51) WASTEWATER TREATMENT FACILITY shall mean an arrangement of devices and structures for treating wastewater and sludge. Also referred to as wastewater treatment plant.
- (52) WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT is a document issued by the State of Wisconsin that establishes effluent limitations and monitoring requirements for municipal wastewater treatment facility.

ARTICLE B – MANAGEMENT, OPERATIONS AND CONTROL.

SEC. 9-3-1 The management, operation and control of the sewer system for the Village is vested in the Approving Authority; all records, minutes, all written proceedings and all the financial records thereof shall be kept by the Village Clerk.

SEC. 9-3-2 CONSTRUCTION. The Sewer Utility of the Village 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, street and public grounds within the Village boundaries; and generally, to do all such work as may be found necessary or convenient in the management of the sewer system. The Approving Authority shall have the 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 Ordinance, without liability therefore; and the Approving Authority shall have power to purchase and acquire for the Utility all real and personal property that may be necessary for construction of the sewer system, or for any repair, remodeling or additions thereto.

SEC. 9-3-3 CONDEMNATION OF REAL ESTATE. Whenever any real estate or any easement therein, or use thereof, shall, in the judgment of the Approving Authority, be necessary to the sewer system and whenever, for any cause, an agreement for the purchase thereof, cannot be made with the Owner thereof,

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Approving Authority 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 Property Acquisition Policy Act of 1970, if Federal Funds are used.

SEC. 9-3-4 TITLE TO REAL ESTATE AND PERSONAL PROPERTY. All property, real, personal and mixed, acquired for the construction of the sewer system, and all plans, specifications, diagrams, papers, books and records collected therewith said sewer system, and all buildings, machinery and fixtures pertaining thereto, shall be the property of the Village.

SEC. 9-3-5 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 Utility must be notified in writing. The owner of the premises shall be liable for any damages to the property or such that which may be discovered having occurred to the property of the system other than through the fault of the system or its employees, representatives or agents.

SEC. 9-3-6 EXTENSIONS OF THE SEWER SYSTEM. The cost of the installation of sanitary sewers to be connected to the Utility sewer system shall be borne by the property owner of the land to be served. All installations shall be in accordance with Wisconsin Administrative Code 110 and the requirements of the Village and Utility. Plans and specifications shall be designed and stamped by an engineer and paid for by the property owner. A written approval obtained from the Utility is required before construction is initiated.

Sec. 9-3-7 USERS RULES AND REGULATIONS. The user rules, regulations and sewer rates of the Utility are a part of the contract between the Utility and every user. Every person who connects to the Utility sewer system is deemed to have consented to be bound by such rules, regulations and rates. In the event of violation of the rules or regulations, the water and/or sewer service to the violating user shall be shut off (even though two or more parties are receiving service through the same connection). Water and sewer service shall not be re-established until all outstanding sewer utility bills, and shut off and reconnection charges, are paid in full, and until such other terms and conditions, as may be established by the Village Board, are met. In addition to all other requirements, the Village Board shall be satisfied that the offender will not continue in violation of the rules and regulations before authorizing reconnection of the offender's services. The Village Board may change the rules, regulations, and sewer rates from time to time as it deems advisable, and may make special rates and contracts in all proper cases.

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Sec. 9-3-8 MAINTENANCE OF SERVICES. The Utility shall maintain sewer service within the limits of the Village from the street main to the property line, edge of right-of-way or edge of easement line, as applicable, and including all controls between the same, without expenses to the property owner, except when they are damaged as a result of negligence or carelessness on the part of the property owner, a tenant or an agent of the property 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 system 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.

When any sewer service is to be re-laid and there are two or more buildings on such service, each building shall be disconnected from such service and a new sewer shall be installed for each building unless prior approval has been provided by the Approving Authority. A single sewer lateral is permissible for single buildings with multiple units, such as duplexes or apartment buildings.

ARTICLE C - CONSTRUCTION & USE OF PUBLIC SEWERS & LATERALS

Sect. 9-4-1 PLUMBERS. No plumber, pipe fitter or another person shall be permitted to do plumbing or pipe fitting work in connection with the sewer system without first receiving a license from the State of Wisconsin, except in cases where State law permits building owners to do their own work without being licensed.

SEC. 9-4-2 NEW CONNECTIONS. A new connection to the municipality's sanitary sewer system will be allowed only if there is available capacity in all of the downstream wastewater treatment facilities. No new connections to the municipality's sanitary sewer will be allowed for areas outside of the municipality's corporate limits without approval of the Approving Authority.

SEC. 9-4-3 USERS.

(a) Application For Service. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb the sanitary sewer or appurtenances thereof without first obtaining a written permit from the Approving Authority. Every person connecting with the sewer system shall file an application in writing to the Utility in such form as is prescribed for that purpose. Blanks for such applications will be furnished by the Village Clerk. The application must state fully and truly all the use which will be allowed. If the applicant is not the owner of the premises,

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the written consent of the owner must accompany the application. The application may be for service to more than one building, or more than one unit of service through one service connection, only if previously approved by the State of Wisconsin Department of Commerce, and, in such case, charges shall be made accordingly

If it appears that the service applied for will not provide adequate service for the contemplated use, the Utility may reject the application. If the Utility shall approve the application, it shall issue a permit for services as shown on the application.

- (b) Permits. After sewer connections have been completed in a building or upon any premises, no plumber shall made any alterations, extensions or attachments, unless the party ordering such work shall exhibit the proper permit.
- (c) User to keep in repair. All users shall keep their own service pipes in good repair and protected from frost, at their own risk and expense, and shall prevent any unnecessary overburdening of the sewer system.
- (d) User Use Only. No user shall allow others or other services to connect to the sewer system through this lateral.
- (e) 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 their premises or building to examine the pipes and fixtures, and the manner in which the drains and sewer connections operate; and they must at all times, frankly and without concealment, answer all questions put to them relative to its use.
- (f) Utility Responsibility.. The Village and its agents and employees shall not be liable for damages occasioned 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 water and sewer service at any time for the purpose of repairs or any other necessary purpose, any permit granted or regulation to the contrary not withstanding. Whenever it shall become necessary to shut off the sewer service within any district of the said Village, the Village shall, if practicable, give notice to each and every consumer within said District, of the time when such service will be so shut off
- (g) Permit Fees. A connection permit shall be obtained from the Utility prior to connecting any piping to the laterals or mains. The fee for this permit shall be as stated in the current sewer service charge system.

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SECT. 9-4-4 USE OF OLD BUILDING SEWERS. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Approving Authority, to meet all requirements for this Ordinance.

SECT. 9-4-5 MATERIALS AND METHODS OF CONSTRUCTION.

The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall conform to the requirements of the municipality's building and plumbing code or other applicable rules and regulations of the municipality. In the absence of Code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WEF Manual of Practice No. 9 shall apply.

Common use of single trench is permitted for location and construction of sewer and/or water laterals constructed in the public right-of-way or easements provided there are separate and dedicated individual sewer and water laterals. The common use of a single trench is not permissible on private property unless a signed agreement between all affected property owners detailing the mutual understandings regarding the locating of laterals on adjacent lands is provided to the Village at the time of permit issuance and is recorded at the court house.

SECT 9-4-6 BUILDING SEWER GRADE. Whenever possible, the building sewer grade shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

SECT 9-4-7 EXCAVATIONS.

- (a) A permit from the Village or other appropriate governmental body shall be obtained prior to excavating in any street, alley or other public way. Such permit shall be obtained and exhibited to the plumbing inspector before a plumbing permit will be issued.
- (b) A 24-hour notice shall be given to the Approving Authority before any excavation can be initiated. An approximate time for sewer lateral inspection must also be provided.
- (c) In making excavations in street or highways for laying service pipe or making repairs, the paving and earth removed must be deposited in a manner that will occasion the least inconvenience to the public.
- (d) No person shall leave any such excavation made in any street or highway