

Chapter 14

SEWER UTILITY



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14.01 Introduction (1) AUTHORITY. This chapter is adopted under the authority granted by the Wisconsin Statutes.

(2) GENERAL PURPOSE. This chapter regulates the use of public drains and the discharge of waters and wastes into the public sewerage system within the village. It provides for the levying and collecting of wastewater treatment service charges, sets uniform requirements for discharges into the wastewater collection and treatment system, and is intended to enable the Madison Metropolitan Sewerage District (MMSD) to comply with administrative provisions, water quality requirements, toxic and pretreatment effluent standards and other discharge criteria which are required or authorized by

Wisconsin or federal law. Its intent is to derive the maximum public benefit by regulating the characteristics of wastewater discharged into the public sewerage system within the village.

14.02 Definitions. (1) TERMS. The terms defined in the MMSD ordinance shall have the same meaning when used in this section.

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

(a) *Approving Authority* is the village board or its duly authorized committee, agent, or representative.

(b) *Building drain* shall mean that part of

the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the wall of the building and conveys it to the building sewer.

(c) *Debt service charges* shall include all costs associated with repayment of debts incurred for the construction and/or rehabilitation of wastewater collection system equipment and treatment facility.

(d) *Ground garbage* shall mean the residue from the preparation, cooking and dispensing of food that has been shredded to such degree that all particulates are no greater than one-half inch in any dimension and will be carried freely in suspension under normal flow conditions in sewers.

(e) *Incompatible pollutants or wastewater* shall mean wastewater or septage with pollutants or of such a strength that will adversely affect or disrupt the wastewater treatment processes or effluent quality or sludge quality if discharged to the sewerage system facility.

(f) *MMSD ordinance* shall mean the current sewer use ordinance of the Madison Metropolitan Sewerage District, and any amendments thereto.

(g) *Municipal wastewater* shall mean the wastewater of the village. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions together with any groundwater, surface water, and stormwater that may have inadvertently entered the sewerage system.

(h) *Natural outlet* shall mean any outlet, including storm sewers, into a watercourse, pond, ditch, lake, or other body of surface water or ground water.

(i) *Normal domestic strength wastewater* shall mean wastewater with concentrations of CBOD, suspended solids, total kjeldahl nitrogen, and total phosphorus no greater than 200, 250, 40, and 10 milligrams per liter (mg/l), respectively.

(j) *Normal user* shall be a user whose contributions to the sewerage system consist only of normal domestic strength waste water originating from a house, apartment, flat, or other living quarters occupied by a person or persons constituting a distinct household, business, or commercial enterprise.

(k) *Person* shall mean any and all persons, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, government agency or other entity.

(l) *Sanitary sewage* shall mean a combination of liquid and water-carried wastes discharged from toilets and/or sanitary plumbing facilities, together with such ground, surface and storm waters as may have inadvertently entered the sewerage system.

(m) *Sanitary sewer* shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with small quantities of ground, storm, and surface waters that are not admitted intentionally.

(n) *Septage* shall mean the wastewater or contents of septic or holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, seepage trenches, privies or portable restrooms.

(o) *Sewer service charge* is a service charge levied on users of the wastewater collection and treatment facilities for payment of use-related capital expenses as well as the operation and maintenance costs, including replacement of said facilities.

(p) *Sewer system* means the public sanitary sewers within a sewerage system. The facilities which convey wastewater from individual structures, from private property to the public sanitary sewer, or its equivalent, are specifically excluded from the definition of "sewer system" except that pumping units and pressurized lines for individual structures or groups of structures may be included as part of a "sewer system" when such units are cost effective and are owned and maintained by the village.

(q) *Sewerage system* means all structures, conduits and pipes by which sewage is collected, treated and disposed of, except plumbing inside and in connection with buildings served and service pipes, from building to street main.

(r) *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 Water Pollution Control Federation and which are in compliance with federal regulations 40 FR 136, "Guidelines Establishing Test Procedures for Analysis of Pollutants," all as amended from time to time.

(s) *Storm drain (sometimes termed "storm sewer")* shall mean drain or sewer for conveying surface water, groundwater, subsurface water or unpolluted water from any source.

(t) *Stormwater runoff* shall mean that portion of the rainfall that is collected and drained into the storm sewers.

(u) *Wastewater facilities* shall mean the structures, equipment and processes required to collect, carry away, store, and treat

domestic and industrial waste and septage and dispose of the effluent and sludge.

14.03 Public Sanitary Sewers; Use of Public Sewers Required. (1) No person shall place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the village or in any area under its jurisdiction any human or animal excrement, garbage, or other objectionable waste.

(2) No person shall discharge to any natural outlet within the village any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this subchapter, Dane County Sanitary Ordinance, or under the provisions of the public health laws of the state.

(3) No person shall construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater. This shall not exclude the use of portable toilet facilities which will be regulated and temporarily permitted by the administrator.

(4) The owner of any building used for human occupancy, or employment, situated within the village shall, at the owner's own expense, install suitable toilet facilities therein and connect such facilities directly with the public sewer.

14.04 Connection to Sewer System. (1) COMBINED SEWERS. No combined sewers (i.e., sewers receiving both wastewater and storm or surface water) shall be connected with the wastewater facilities of the village.

(2) SANITARY SEWER CONNECTIONS TO MMSD INTERCEPTING SEWERS. Any person desiring to connect directly with any

intercepting sewer of the MMSD shall do so only after first receiving a permit therefore from the district.

(3) **SANITARY SEWER CONNECTIONS TO VILLAGE SEWER SYSTEM.** Applications for permission to connect to a sewer owned by the village shall be made to the village. No building sewer shall be connected to a village sewer unless the village sewer is adequately sized to transport the additional flow. At the time of connection, each building sewer shall be inspected by the village. The applicant shall pay the village a connection fee as determined from time to time by resolution of the village board. New connections will be allowed only if there is available capacity in all downstream wastewater collection and treatment facilities.

(4) **SUPERVISION OF CONSTRUCTION OF VILLAGE AND BUILDING SEWERS.** (a) Construction of village sewers shall be under the direction of a licensed professional engineer. Such engineer shall provide to the administrator accurate records of the location, depth and length of sewers as built and the location of the Y branches or slants.

(b) All building sewers in the village shall be constructed and inspected as required by Wisconsin Administrative Code.

14.05 Use of Public Sewers. (1) **PROHIBITED DISCHARGES.** Prohibited discharges shall be the same as those prohibited by MMSD ordinance. In addition, no person shall discharge wastes to a village sewer which cause or are capable of causing either alone or with other substances: (a) A condition unacceptable to any public agency having regulatory jurisdiction over the village.

(b) Use of a disproportionate share of the village's wastewater facilities.

14.06 Wastewater Measurement, Sampling, and Report. Monitoring facilities shall be constructed, operated, and inspected and reports filed in accordance MMSD ordinance. Wastewater flow measurements, sampling and reporting shall be done in accordance with article VII of the MMSD ordinance.

14.07 Sewer Use Charge System Policy. It shall be the policy of the village to obtain sufficient revenues to pay the costs of the operation and maintenance of the sewerage system, through a system of sewer service charges. The system shall assure that each user of the sewerage system pays a proportionate share of the cost of the sewerage system facilities.

14.08 Basis for Service Charge. The semi-annual service charge shall be sufficient to pay the billing and customer-related administration expense, and the operation and maintenance expenses. The rates in this section shall be reviewed not less than biennially. Rates shall be adjusted as required, to reflect actual number and size of users and actual costs.

14.09 Sewer Service Charges. A sewer service charge is hereby imposed upon each lot, parcel of land, building, or premise served by the public sewer and wastewater facilities or otherwise discharging sewage, including industrial wastes, into the public sewerage system. Such sewer service charge shall be payable as hereinafter provided and in amount determinable as follows: (1) **CATEGORY A SERVICE CHARGES** shall be imposed on users whose water use is metered and whose sewer discharges are normal domestic strength

wastewater. The category A sewer service charge consists of a customer charge and a volume charge.

The customer charge is a flat charge based on the size of the water meter.

The volume charge is a volume of metered water in 100 cubic foot units of measurement multiplied by a volume rate.

(2) CATEGORY B SERVICE CHARGES shall be imposed on users whose sewer discharges are high strength wastewater having concentrations of carbonaceous biochemical oxygen demand (CBOD) greater than 200 milligrams per liter (mg/l), and/or suspended solids greater the 250 mg/l, and or total Kjeldahl nitrogen (TKN) greater than 40 mg/l, or total phosphorus (TP) greater than 10mg/l.

(3) CATEGORY B SERVICE CHARGES are:
 Service Charge= Customer Charge+ Volume Charge + High Strength Surcharge.
 The customer charge and the volume charge are similar to those components of the Category A service charge. High Strength Service Charge equals the excessive CBOD, suspended solids, TKN, and TP multiplied by the respective CBOD, suspended solids, TKN, and TP rates. The excessive CDOB, suspended solids, TKN, and TP are the portions of each of these constituents that are in excess of normal domestic strength wastewater. The excessive amounts of CBOD, suspended solids, TKN, and TP are expressed in pounds, and their respective rates are in dollars per pound

14.10 Reassignment of Sewer Users. The village will reassign sewer users into appropriate sewer service charge categories if wastewater sampling programs and other related information indicate a change of categories is necessary.

14.11 Proportionate Costs. The village will maintain proportionate distribution of operation, maintenance, and replacement costs among all of its users, based on water use.

14.12 Billing and Collection. Service charges and industrial cost recovery charges shall be billed semi-annually. Payments shall be made within twenty days of the billing date. Interest of one and one-half percent per month shall accrue on bills from and after the date payment is due.

14.13 Delinquent Payments. Delinquent payments shall be collected in the manner provided by Wis. Stats. §66.076.

14.14 Disposition of Revenue. The amounts received from the collection of charges authorized by this chapter shall be credited to a sanitary sewerage account which shall show all receipts and expenditures of the sewerage system. When appropriated by the village, the credits to the sanitary sewerage account shall be available for the payment of the requirements for operation, maintenance, repairs and depreciation of the sewerage system consistent with 40 CFR 35.929. Any surplus outside the purview of 40 CFR 35.929, in said account, shall be available for the payment of principal and interest of bonds issued and outstanding, or which may be issued, to provide funds for said sewerage system, or part thereof, and all or a part of the expenses for additions and improvements and other necessary disbursements or indebtedness, and the Village Board may resolve to pledge each surplus or any part thereof for any such purpose. All present outstanding sewer system general obligation bonds, including the refunding bonds, shall be

paid from this fund as to both principal and interest.

14.15 Falsifying of Information. No person shall knowingly make or file any false statement, representation, record, report, plan, or other document with the village or the district or falsify, tamper with, or knowingly render inaccurate any monitoring device or method required under this chapter.

14.16 Enforcement. The provisions of this chapter shall be enforced by the administrator or his or her designee.

14.25 Penalty. Except as otherwise provided, any person who shall violate any provision of this chapter, or any regulation, rule or order made hereunder shall be subject to a penalty as provided in section 24.04(3) and the penalty provisions of section XIII of the MMSD ordinance.