

ORDINANCE 2024-004 OF THE TOWN OF LAWRENCE, WISCONSIN TO REPEAL AND REPLACE CHAPTER 216 SEWER ORDINANCE

The Town Board of Supervisors of the Town of Lawrence do ordain as follows:

Section 1: Town of Lawrence Ordinance Chapter 216 is hereby repealed and replaced to read as follows:

§ 216-1 Authority.

The Town Board of the Town of Lawrence has the specific authority under § 60.77, Wis. Stats., and the general authority under its Village powers to adopt this article.

§ 216-2 Introduction and purpose.

The purpose of this article is to regulate the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of water and waste into the public sewer system and to provide penalties for violations thereof and for the levying and collection of wastewater treatment user charges and cost recovery charges in the Lawrence Utility District, County of Brown, State of Wisconsin.

§ 216-3 Definitions.

- A. All words in the present tense include the future tense, all words in the singular number include the plural, and all words in the plural number include the singular number; unless the natural construction of the wording indicates otherwise, the word "shall" is mandatory; "may" is permissible. The word "used" includes the words "designed or intended to be used."
- B. For the purpose of this article, certain terms used herein are defined as follows:

AMMONIA NITROGEN

One of the oxidation states of nitrogen, in which nitrogen is combined with hydrogen in molecular form as NH_3 or in ionized form as NH_4^+ . Quantitative determination of ammonia nitrogen shall be made in accordance with procedures set forth in Standard Methods.

APPROVING AUTHORITY

The Town Board of the Lawrence Utility District or its duly authorized deputy, agent, or representative.

BIOCHEMICAL OXYGEN DEMAND (BOD5)

The quantity of oxygen utilized in the biochemical oxidation of organic matter in five days at 20° C., expressed in milligrams per liter. Quantitative determination of BOD5 shall be made in accordance with procedures set forth in Standard Methods.

BUILDING DRAIN

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

BUILDING SEWER

The extension from the building drain to the public sewer or other place of disposal, also called "house connection." Once constructed, building sewer maintenance shall be the responsibility of the property owner.

CHLORINE REQUIREMENT

The amount of chlorine, in milligrams per liter, which must be added to wastewater to produce a specified residual chlorine content in accordance with procedures set forth in Standard Methods.

COMBINED SEWER

Any sewer intended to serve as a sanitary sewer and a storm sewer.

COMMERCIAL USER

Any user whose premises is used primarily for the conduct of a profit-oriented enterprise in the fields of construction, wholesale or retail trade, finance, insurance, real estate or services and who discharges primarily normal domestic wastewater. This definition shall also include multifamily residences having three or more units served by a single service.

COMPATIBLE POLLUTANT

Biochemical oxygen demand, suspended solids, pH, or fecal coliform bacteria, plus additional pollutants identified in the WPDES permit for the publicly owned treatment works receiving the pollutants, if such works was designed to treat such additional pollutants and in part does remove such pollutants to a substantial degree.

COMPOSITE SAMPLE (24 HOURS)

The combination of individual samples taken at intervals of not more than one hour.

EASEMENT

An acquired legal right for the specific use of land owned by others.

FIXED CHARGE

The charge for the cost of debt retirement associated with construction, erection, modification or rehabilitation of the wastewater collection system. The charge shall be above the treatment, operation and maintenance and replacement charges.

FLOATABLE OIL

Fat, oil, and grease (FOG) in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.

FLOW PROPORTIONAL SAMPLE

A sample that is proportional to the volume of the flow during the sampling period.

GARBAGE

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

GROUND GARBAGE

The residue from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch in any dimension.

INCOMPATIBLE POLLUTANT

Any pollutant which is not a compatible pollutant which will adversely affect or disrupt the quality of wastewater treatment if discharged to a wastewater treatment facility.

INDUSTRIAL USER

Any user whose premises is used primarily for the conduct of a profit-oriented enterprise in the fields of manufacturing, transportation, communications, or utilities, mining, agriculture, forestry, or fishing.

INDUSTRIAL WASTE

Any trade or process waste as distinct from segregated domestic wastes or wastes from sanitary conveniences.

INTERCEPTOR SEWER

A sewer whose primary purpose is to convey wastewater from a collection system or systems to a wastewater treatment facility. Size of the sewer is not a factor.

MAJOR CONTRIBUTING INDUSTRY

An industrial or commercial facility that is a user of publicly owned treatment works and:

- (1) Has a waste discharge flow of 50,000 gallons or more per average workday;
- (2) Has a waste discharge flow greater than 5% of the flow carried by the municipal system receiving the waste;
- (3) Has in its waste a toxic pollutant in toxic amounts as defined in Chapter NR 215 of the Wisconsin Administrative Code; or
- (4) Has a waste which the approving authority determines has or, in the case of a new source, will have a significant impact, either singly or in combination with other wastes, on the publicly owned treatment works or on the quality of effluent from such works.

NATURAL OUTLET

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

NORMAL DOMESTIC WASTEWATER

Sanitary wastewater resulting from the range of normal domestic activities, in which BOD₅, SS, P or NH₃ concentrations do not exceed normal concentrations of:

- (1) A five-day, 20° C., BOD₅ concentration of not more than 250 milligrams per liter.
- (2) A suspended solids concentration of not more than 250 milligrams per liter.
- (3) A phosphorus concentration of not more than 12 milligrams per liter.
- (4) An ammonia nitrogen concentration of not more than 25 milligrams per liter.

OPERATION AND MAINTENANCE (O&M) COSTS

Includes all costs associated with the operation and maintenance of the wastewater collection system, as well as the costs associated with periodic equipment replacement necessary for maintaining capacity and performance of the wastewater collection system.

PARTS PER MILLION

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

PERSON

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

pH

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

PHOSPHORUS (P)

Total phosphorus in wastewater, which may be present in any of three principle forms: orthophosphates, polyphosphates, and organic phosphates. Quantitative determination of total phosphorus should be made in accordance with procedures set forth in Standard Methods.

PRETREATMENT

An arrangement of devices and structures for the preliminary treatment or processing of wastewater required to render such wastes acceptable for admission to the public sewers.

PUBLIC AUTHORITY

Any user whose premises is used for the conduct of the legislative, judicial, administrative, or regulatory activities of federal, state, local, or international units of government; government-owned educational facilities; government-owned health facilities; or government-owned recreational facilities. This does not include government-owned or -operated business establishments.

REPLACEMENT COSTS

Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the service life of the collection system to maintain its design capacity and performance for which the system was designed and constructed. Operation and maintenance costs include replacement costs.

RESIDENTIAL USER

Any user whose premises is used primarily as a domicile for one or more persons and discharges only domestic wastes, but not including dwellings classified as "commercial users."

SANITARY SEWER

A sewer that carries sanitary and industrial water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of groundwater, stormwater, and surface water that are not admitted intentionally.

SEGREGATED DOMESTIC WASTES

Wastes from nonresidential sources resulting from normal domestic activities. These activities are distinguished from industrial, trade, and/or process discharge wastes.

SEWAGE

The spent water of a community. The preferred term is "wastewater."

SEWAGE SYSTEM

The composite network of underground conduits carrying wastewater and appurtenances incidental thereto (i.e., manholes, lift stations, and service lateral). This includes intercepting sewers and the sanitary sewers.

SEWER

A pipe or conduit that carries wastewater or drainage water.

SEWER USER CHARGE

The charge levied on users of the wastewater collection system for the user's proportional share of the capital-related expenses, as well as operation and maintenance (including replacement) costs of said facilities.

SLUG

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

STANDARD METHODS

The examination and analytical procedures set forth in the most recent edition of Standard Methods for the Examination of Water and Wastewater, published jointly by the American Public Health Association, the American Water Works Association, and the Water Environment Federation.

STORM DRAIN (sometimes termed "storm sewer")

A drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

STORMWATER RUNOFF

That portion of the rainfall that is drained into the sewers.

SUSPENDED SOLIDS (SS)

Solids that either float on the surface of or are in suspension in water, wastewater, or other liquids and that are removable by laboratory filtering as prescribed in Standard Methods and are referred to as "nonfilterable residue."

UNMETERED USER

A user who is not connected to the municipal water system and thereby does not have his private water supply metered.

UNPOLLUTED WATER

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

USER CHARGE SYSTEM

That system which generates operation and maintenance (O&M) and replacement revenues equitably for providing each user category with services.

USER CLASSES

Categories of users having similar flows and water characteristics: levels of biochemical oxygen demand, suspended solids, phosphorus, ammonia nitrogen, etc. For the purpose of this article, there shall be four user classes: residential, commercial, industrial, and public authority.

UTILITY DISTRICT (UTILITY)

The Lawrence Water and Sewer Utility District, Brown County, State of Wisconsin.

WASTEWATER

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

WASTEWATER FACILITIES

The treatment works defined in "wastewater treatment works" exclusive of interceptor sewers and wastewater collection systems. All wastewater treatment is provided by NEW Water and all references to treatment facilities refer to those facilities owned and operated by NEW Water.

WASTEWATER TREATMENT WORKS

An arrangement of devices and structures for the storage, treatment, recycling, and reclamation of wastewater, liquid industrial wastes, and sludge. These systems include interceptor sewers, outfall sewers, wastewater collection systems, individual systems, pumping, power, and other equipment and their appurtenances; any works that are an integral part of the treatment process or are used for ultimate disposal of residues from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal or industrial wastes.

WATERCOURSE

A natural or artificial channel for the passage of water either continuously or intermittently.

WPDES PERMIT

Wisconsin Pollutant Discharge Elimination System permit. General provisions are stated in Chapter NR 205 of the Wisconsin Administrative Code.

§ 216-4 Use of public sewers.

- A. Sanitary sewers. No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer, except that stormwater runoff from limited areas, which stormwater may be polluted at times, may be discharged to the sanitary sewer by permission of the approving authority.
- B. User connections.
 - (1) The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Utility District and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Utility District, is hereby required at the owner's expense to install suitable toilet facilities therein and connect such facilities directly to the proper sewer in accordance with the provisions of this article within six months after the date of official notice from the Utility District. The Utility District Administrator shall be responsible for properly notifying the owner(s).
 - (2) The sewer service charges contained in the user charge system shall take effect as of the day a connection to the sewer is made.
- C. Storm sewers. Stormwater other than that exempted under Subsection A and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the approving authority and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the approving authority, to a storm sewer or natural outlet.
- D. Prohibitions and limitations.
 - (1) Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following

described waters or wastes to any public sewer:

- (a) Any gasoline, benzene, naphtha, fuel 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 treatment process, constitute a hazard to humans or animals or create a public nuisance in the receiving water of the wastewater treatment works.
- (c) Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.
- (d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater facilities, such as, but not limited to, ashes, cinders, sand, 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.
- (e) The following described substances, materials, waters, or wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, or public property or constitute a nuisance. The approving authority may set limitations lower than the limitations established in the regulations below if in its opinion such more severe limitations are necessary to meet the above objectives. In forming an opinion as to the acceptability, the approving authority will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment facility, and other pertinent factors. The limitations or restrictions on materials or characteristics of wastes or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the approving authority are as follows:
 - [1] Wastewater having a temperature higher than 150° F. (65° C.).
 - [2] Wastewater containing more than 25 milligrams per liter of petroleum, oil, nonbiodegradable cutting oils, or product of mineral oil origin.
 - [3] Wastewater from industrial plants, hotels, restaurants, hospitals, institutions, catering establishments or similar places containing floatable excess oils, fat, or grease.
 - [4] Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
 - [5] Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the approving authority for such materials.
 - [6] Any waters or wastes containing odor-producing substances exceeding limits which may be established by the approving authority.
 - [7] Any radioactive wastes or isotopes of such half-life or concentrations as may exceed limits established by the approving authority in compliance with applicable state or federal regulations.

- [8] Quantities of flow, concentrations, or both which constitute a slug as defined herein.
- [9] Water or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment facility effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- [10] Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.
- [11] Materials which exert or cause:
- [a] Unusual BOD5, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment facility.
- [b] Unusual volume of flow or concentration of wastes constituting slugs as defined herein.
- [c] Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium sulfate.)
- [d] Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
- (2) No wastewater, regardless of character, shall be discharged to the wastewater system in such a manner as to interfere with the designed operation of the collection system or treatment facilities or to cause the treatment works to exceed the limits established by the WPDES permit.
- E. Special arrangements. No statement contained in this section shall be construed as prohibiting any special agreement between the Utility District and any person whereby an industrial waste of unusual strength or character may be admitted to the wastewater treatment works, either before or after pretreatment, provided that there is no impairment of the functioning of the wastewater treatment works by reason of the admission of such wastes and no extra costs are incurred by the Utility District without recompense by the person, provided that all rates and provisions set forth in this article are recognized and adhered to.
- F. New connections. New connections to the sewer system shall not be permitted if there is insufficient capacity in the treatment works to adequately transport and/or treat, as required by the WPDES permit, the additional wastewater anticipated to be received from such connections.

§ 216-5 Control of industrial wastes directed to public sewers.

A. Submission of basic data.

- (1) Within three months after passage of this article, firms discharging industrial wastes to a public sewer shall prepare and file with the approving authority a report that shall include pertinent data relating to the quantity and characteristics of the wastes discharged to the wastewater works. Such information shall be provided as per Chapter NR 101 of the Wisconsin Administrative Code.
- (2) Similarly, each person desiring to make a new connection to the public sewer for the purpose of discharging industrial waste shall prepare and file with the approving authority a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.

B. Extension of time. When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule imposed by Subsection A, a request for extension of time may be presented for consideration to the approving authority.

C. Industrial discharges.

- (1) If any waters or wastes are discharged or proposed to be discharged to the public sewers, which waters or wastes contain substances or possess the characteristics enumerated in § **216-4D** and which, in the judgment of the approving authority, may have a deleterious effect upon the wastewater works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or health or constitute a public nuisance, the approving authority may:
 - (a) Reject the wastes;
 - (b) Require pretreatment to an acceptable limit for discharge to the public sewers;
 - (c) Require control over the quantities and rate of discharge; and/or
 - (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of § **216-4E**.
- (2) The toxic pollutants subject to prohibition or regulation under this section shall include, but need not be limited to, the list of toxic pollutants or combination of pollutants established by Section 307(a) of the Clean Water Act of 1977 and subsequent amendments. Effluent standards or prohibitions for discharge to the sanitary sewer shall also conform to the requirements of Section 307(a) and associated regulations.
- (3) Pretreatment standards for those pollutants which are determined not to be susceptible to treatment by the treatment works or which would interfere with the operation of such works shall conform to the requirements and associated regulations of Section 307(b) of the Clean Water Act of 1977 and subsequent amendments. The primary source for such regulations shall be 40 CFR 403, General Pretreatment Regulations for Existing and New Sources of Pollution.

D. Control manholes.

- (1) Each user discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of the waste, including domestic wastewater.
- (2) Control manholes or access facilities shall be located and built in a manner acceptable to the approving authority. If measuring devices are to be permanently installed, they shall be of a type acceptable to the approving authority.
- (3) Control manholes, access facilities, and related equipment shall be installed by the user discharging the waste, at the user's expense, and shall be maintained by the user so as to be in safe condition, accessible, and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the approving authority prior to the beginning of construction.

E. Metering of industrial waste. Devices for measuring the volume of waste discharged may be required by the approving authority if this volume cannot otherwise be estimated. Metering devices for determining the volume of waste shall be installed, owned, and maintained by the discharger. A maintenance schedule must be accepted by the approving authority. Following approval and installation, such meters may not be removed without the consent of the approving authority.

F. Waste sampling.

- (1) Industrial wastes discharged into the public sewers shall be subject to periodic inspection and

determination of character and concentration of said wastes. The determination shall be made by the industry as often as may be deemed necessary by the approving authority.

- (2) Sampling shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the approving authority.
- (3) Installation, operation, and maintenance of the sampling facilities shall be the responsibility of the user discharging the waste and shall be subject to the approval of the approving authority. Access to sampling locations shall be granted to the approving authority or its duly authorized representatives at all times. Every care shall be exercised in the collection of samples to ensure their preservation in a state comparable to that at the time the sample was taken.

G. Analyses.

- (1) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with the latest edition of Standard Methods. Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by the approving authority.
- (2) Determination of the character and concentration of the industrial waters shall be made by the user discharging them, or his agent, as designated and required by the approving authority. The Utility District may also make its own analysis of the wastes and these determinations shall be binding as a basis for charges.

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

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

J. Grease and/or sand interceptors. Grease, oil, and sand interceptors shall be provided when, in the opinion of the approving authority, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in § 216-4D(1)(d) and (e)[3], or any flammable wastes, sand, or other harmful ingredients, except that such interceptors shall not be required for private living quarters of dwelling units. All interceptors shall be of a type and capacity approved by the approving authority and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the approving authority. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licensed waste disposal firms.

K. Grease trap and/or sand interceptor annual report. A completed grease trap and sand interceptor maintenance report shall be returned to the Town Utility District Clerk at 2400 Shady Court, DePere, WI 54115, by January 31 each year for the previous year.

L. Additional restrictions. Compliance with the NEW Water Sewer Use Ordinance is required for all sections.

§ 216-6 **Right of entry; safety and identification.**

- A. Right of entry. The collection system operator or other duly authorized representative of the Utility District bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, and testing, all in accordance with the provisions of this article and § 196.171, Wis. Stats. The operator or other duly authorized representative of the Utility District shall have no authority to inquire into any process beyond that point having a direct bearing on the kind and source of discharge to the sewers and waterways of facilities for wastewater treatment.
- B. Safety. While performing the necessary work on private premises referred to in Subsection A, the duly authorized Utility District representatives shall observe all safety rules applicable to the premises established by the owner or occupant, and the Utility District shall indemnify the owner against loss or damage to its property by Utility District representatives and against the liability claims and demands for personal injury or property damage asserted against the owner and growing out of gauging and sampling operations, except as such may be caused by negligence or failure of the owner to maintain safe conditions as required in § 216-5D.
- C. Identification; right to enter easements. The collection system operator and other duly authorized representatives of the Utility District bearing proper credentials and identification shall be permitted to enter all private properties through which the Utility District holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater treatment works lying within said easement, all subject to the terms, if any, of the agreement.

§ 216-7 **Sewer construction (building sewers).**

- A. Work authorized. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the approving authority.
- B. Cost of sewer connection. All expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Utility District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- C. 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 of this article.
- D. Materials and methods of construction. The size, slope, alignment, and materials of construction of the building sewer and methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the Utility District. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9 shall apply.
- E. Building sewer grade. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary wastewater carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- F. Stormwater and groundwater drains.
 - (1) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which is connected directly or indirectly to a public sanitary sewer.

- (2) Any person in violation of this subsection shall disconnect all downspouts, groundwater drains, etc., no later than 60 days from the date of an official written notice by the approving authority. If any person fails to comply after the expiration of the time provided, the approving authority may cause disconnection to be made.
- G. Conformance to Plumbing Code. The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Code or other applicable rules and regulations of the Utility District or the procedures set forth in appropriate specifications of the ASTM and the WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the approving authority before installation.
- H. Inspection of connection. The applicant for the building sewer permit shall notify the approving authority when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the approving authority.
- I. Barricades; restoration. All excavations for the building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Utility District.

§ 216-8 Connections to Utility District wastewater collection system.

- A. Application to connect to existing wastewater system. Any person located out of the Utility District desiring to connect any wastewater system with the wastewater treatment works of the approving authority shall make application to the approving authority for permission to make such connection or use. Said applications shall be made in writing by duly authorized officials or person and shall be accompanied by a complete set of plans showing location, size, kind of sewer pipe, grades, and elevations of the inverts at manholes, elevations of manhole tops, distance between manholes, and complete details of all appurtenances. A similar map of the storm sewer system, if such system exists, shall also be submitted.
- B. Application to connect proposed new wastewater system. Any person located out of the corporate limits of the Utility District desiring to connect a proposed new wastewater system to the wastewater treatment works shall make application to the approving authority for permission to make such connection or use. Said application shall be made in writing by duly authorized officials or person and shall be accompanied by two complete sets of plans and specifications, said plan to show the location, size, kind of sewer pipe, grades, elevations of the inverts at manholes, elevations of manhole tops, distance between manholes, and complete details of all appurtenances. The application shall include a statement of the location or locations at which it is desired to connect and a statement of the character of the wastewater to be transmitted. If the application is the first one made by a municipality, there shall be submitted a certified copy of the local plumbing and wastewater code. The first application of a utility district shall be accompanied by a description of the land embraced by it. If the plans and specifications are approved by the approving authority, they will be submitted by the applicant to the Wisconsin Department of Natural Resources and U.S. Environmental Protection Agency, or the statutory approving agency having jurisdiction. Copies of the plans for approval will be kept by the applicant and a copy of the approval letter shall be submitted to the approving authority before any connection or use of the treatment works commences.
- C. Alterations. Alterations to existing wastewater systems connected to the wastewater treatment works shall be treated as proposed new wastewater systems. The approving authority may modify this provision if the sewer connection is not directly connected to an approving authority sewer and provided the person has previously presented and has had approved a general overall sewer plan. If such a modification is made, it will be done in writing and must be kept on file by the person to whom it

applies.

- D. Permit to connect. Prior to permitting such connection or use, the approving authority may investigate, or cause to be investigated, the wastewater system for which such connection or use is requested. If the approving authority finds such system to be in a satisfactory condition, it will grant a permit for such connection or use. If the approving authority finds such system to be defective in operation, construction, design, or maintenance, the approving authority will so notify the applicant and will advise him that, upon completion of specified alterations, new construction, or changes in supervision or operation, a permit will be granted. Should the plans or specifications not be approved under Subsection A, B or C, one copy will be returned to the applicant, who will be informed as to the reason for nonapproval.
- E. Reserve capacity. Prior to permitting any connection or use of the treatment works, the approving authority shall ascertain that all downstream sewers, interceptors, lift stations, force mains, and treatment works have sufficient reserve capacity for volume, suspended solids, BOD5, and phosphorus removal to assure adequate collection and treatment of the additional wastewater contributed to the wastewater treatment works. The approving authority reserves the right to refuse a connection or use permit if the requirements of this subsection cannot be met with the granting of the permit.
- F. Inspections and supervision during construction. During the construction of any wastewater system which the approving authority has approved, the approving authority may, from time to time, inspect the same to see that said work is being done in accordance with the approval plans and specifications. Failure to make such inspections shall nullify the rights of the approving authority to require reconstruction should nonadherence to approved plans be subsequently discovered. Every person, in the construction of laterals or wastewater systems within his jurisdiction, shall require that such construction be under the direction of a Wisconsin registered professional engineer or licensed master plumber, if plan approval was obtained under his license. The engineer or master plumber shall keep accurate records of the location, depth, and length of the sewers as built and of the location of the Y-branches or slants.
- G. Permits not granted. Permits shall not be granted for the connection of combined sewers to the interceptors or municipal sewers. Permits shall not be granted for the connection of any proposed or existing storm sewers to the approving authority wastewater treatment works. Connection of catch basins or curb inlets to any sanitary sewer directly or indirectly connected to the wastewater treatment works is strictly prohibited.
- H. Physical connection. All proposed sewer connections shall be planned to be made at a manhole with the flow lines of the connecting sewer being at or below the manhole shelf or the connection shall be made through an approved drop. At least 24 hours before connection is to be made, notice of such intent must be given to the approving authority. When the actual connection is made, it must be done in the presence of an approving authority inspector.
- I. Records. Records of connections to the wastewater collection system shall be kept by the municipality in which such connections are made, and such records shall be available for inspection by the approving authority.

§ 216-9 Septic tank and holding tank waste disposal.

No septic tank or holding tank wastes shall be discharged to the collection system operated by the Utility District. The Utility District does not have facilities to provide wastewater treatment or facilities to accept such wastes. Such wastes typically have pollutant levels far in excess of domestic strength as defined in this article. Because of their high strength and lack of receiving or treatment facilities, such wastes shall not be accepted by the Lawrence Utility District. New Water has receiving facilities for septic tank and holding tank disposal.

§ 216-10 Damaging or tampering with wastewater facilities.

- A. Willful, negligent or malicious damage. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the wastewater facilities. Any persons violating this provision shall be subject to immediate arrest under a charge of disorderly conduct.
- B. Liability for losses. Any person who intentionally, negligently, or accidentally violates any provisions of this article shall become liable to the Lawrence Utility District or any downstream user for any expenses, loss or damage occasioned by reason of such violation which the Utility District or any downstream user may suffer as a result thereof. This subsection shall be applicable whether or not a written notice of the violation was given as provided in § 216-11A and without consideration for any penalties which may be imposed for a violation of this article.

§ 216-11 Violations and penalties.

- A. Written notice of violation. Any person found to be violating any provisions of this article shall be served by the Utility District with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B. 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 damage, both values to be established by the approving authority.
- C. Continued violations. Any person, partnership or corporation, or any officer, agent or employee thereof, who or which shall continue any violation beyond the aforesaid notice time limit provided shall, upon conviction thereof, be subject to a penalty as provided in § 1-3 of this Code.
- D. Liability to Utility District for losses. Any person violating any provision of this article shall become liable to the Utility District for any expense, loss, or damage occasioned by reason of such violation which the Utility District may suffer as a result thereof.
- E. Difference of opinion. The Lawrence Utility District Attorney shall arbitrate differences between the approving authority and sewer users on matters concerning interpretation and execution of the provisions of this article by the approving authority.

§ 216-12 Appeals; procedures.

- A. Any user, permit applicant, or permit holder affected by any decision, action, or determination, including cease and desist orders, made by the approving authority interpreting or implementing the provisions of this article or in any permit issued herein may file with the Utility District Administrator a written request for reconsideration within 10 days setting forth in detail the facts supporting the user's request for reconsideration. The Utility District Administrator shall render a decision on the request for reconsideration to the user, permit applicant, or permit holder in writing within 15 days of receipt of request. If the ruling on the request for reconsideration made by the Utility District Administrator is unsatisfactory, the person requesting reconsideration may, within 10 days after notification of the Utility District Administrator's action, file a written appeal with the Lawrence Utility District Secretary.
- B. An annually set fee shall accompany any appeal to the Town Board of the Lawrence Utility District for a ruling. This fee may be refunded if the appeal is sustained in favor of the appellant.
- C. The written appeal shall be heard by the Town Board of the Lawrence Utility District within 30 days from the date of filing. The Town Board shall make a final ruling on the appeal within 60 days from the date of filing.

§ 216-13 Amendments.

The Town Board of the Lawrence Utility District, through its duly qualified officers, reserves the right to amend this article in part or in whole wherever it may deem necessary, but such right will be exercised only after due notice to all persons concerned and proper hearing on the proposed amendment.

§ 216-14 Annual audit.

The Lawrence Utility District shall conduct an annual audit, the purpose of which shall be to reestablish the equity and adequacy of the user charges relative to changes in system operation and maintenance costs.

Article II
Sewer Extension Policy

[Adopted 10-19-1992]

§ 216-15 Definition; intent.

A sewer extension is defined as an addition to the sewer collection or interceptor system approved by the Wisconsin Department of Natural Resources as of spring 1991 and as amended. This policy is intended for an extension to vacant property or to areas not contemplated in the original sewer system layout as constructed in 1991 and 1992. Lands to be sewered must lie within the Utility District boundaries or be annexed to the District. (Note: 1991, constructed twenty-one-inch interceptor; 1992, constructed Hwy 41 W. Frontage Road Project.) The developer generally initiates the annexation process.

§ 216-16 Developer.

A developer is defined as a person owning and/or developing lands and requesting a sewer extension to the area being developed.

§ 216-17 Application; approved final plat or certified survey.

- A. The developer requesting a sewer extension must submit to the Utility District Commission an application in writing and an approved final plat or certified survey for lands to be sewered. This must be done prior to the design and construction of the sewer extensions. Plats and certified surveys must be accompanied by a certification from Town and county zoning officials stating that the land is zoned for the proposed use.
- B. The District will extend sewer mains in accordance with the following charges and the following conditions.

§ 216-18 Confirmation from County Planning Department and Sewerage District.

Prior to design, the developer must obtain written confirmation from the Brown County Planning Department that lands to be sewered are in the approved sewer service area. Also, written confirmation must be obtained from NEW Water that said lands are currently a part of or will be annexed to NEW Water. If lands are not in the approved sewer service area or lands are not annexed to New Water, it will be the developer's responsibility acting through the Utility District to complete these actions.

§ 216-19 Design of extension; escrow account.

The Utility District shall select an engineering consultant to design all proposed sewer extensions. All costs and expenses incident to the design and bidding, including engineer, permits and other fees associated with the connection or hookup to the Utility District collection or New Water interceptor systems, shall be borne by the developer requesting the extension. Prior to the design of a sewer extension, the developer shall secure and furnish proof of an escrow account for the estimated amount of the design costs, the amount to be determined by the Utility District. The account shall be so arranged and an escrow agreement executed between the developer, the bank, and the Utility District Commission to allow the latter to withdraw monthly amounts from the account. The account shall be sufficient to cover payments to all parties under contract with the Utility District for the design of the sewer extension. This money will not be refunded if the project

does not proceed to construction.

§ 216-20 Approval of construction plans and specifications.

The resulting construction plans and specifications shall be reviewed and approved by the Utility District and New Water prior to submittal to the Wisconsin Department of Natural Resources (WDNR). All plans shall conform to the standards of the WDNR and such additional requirements and standards that the Utility District and New Water may establish and shall be prepared by a professional engineer registered to practice in the State of Wisconsin. All construction contracts shall be subject to Wisconsin Statute public contract competitive bidding requirements. The Utility District's engineering consultant shall perform on-site inspection and contract administration during construction of the sewer extension.

§ 216-21 Responsibility for costs of extension.

The person who requests the extension shall pay the entire cost of said extension, including the manhole or manholes that are part of the extension. Prior to the District signing contracts for the project construction, the persons requesting the extension shall escrow in the District's banking institution a dollar amount equal to the construction, engineering, administration, staking and inspection costs for the project.

§ 216-22 Easements.

The developer requesting the sewer extension shall assist in securing all required utility easements, the location and width of which shall be determined by the District and New Water. The District will furnish blank easement forms to the person who will be responsible for the proper legal description of the easement parcel and for the proper execution of the easement by the grantor. All completed easements shall be submitted to the District, designated as the grantee, for its review and shall be recorded at the County Register of Deeds office by the District. The cost of easement preparation through recording shall be charged to the developer.

§ 216-23 Special agreements.

The developer requesting the sewer extension shall also execute any other special agreements deemed necessary by the Utility District.

§ 216-24 Laterals.

Laterals shall be installed to the property line of each proposed lot as shown on the approved final plat or certified survey map, the cost of which shall be paid by the developer as part of the escrow for construction of the sewer extension.

§ 216-25 Connection charge.

A connection charge as provided in the Town Fee Schedule will be levied against each lot. The per-lot connection charge shall be increased annually in an amount not to exceed the percentage increase in the U.S. Department of Labor Consumer Price Index. The increase applied per the price index will be from January 1, 1993, to the date of connection of the extension to the District sewer system.

§ 216-26 Additional rules and regulations.

All the rules and regulations in the State Plumbing and State Building Codes and building rules of the Department of Safety and Professional Services and the Department of Natural Resources of the State of Wisconsin and New Water policy and ordinances, insofar as the same are applicable to the Utility District, shall apply to sewer extension herein.

§ 216-27 Effect on Sewer Use Ordinance.

Section 610 is intended to supersede Section 602 of the original ordinance enacted on June 8, 1992.

Section 2: Severability

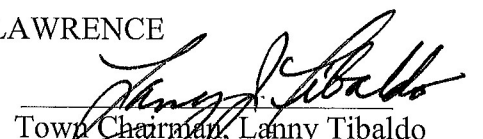
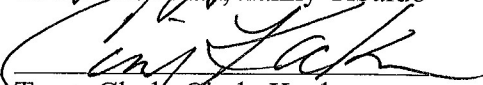
If any provision of this ordinance is found invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.

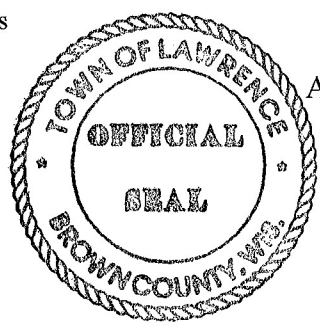
Section 3: This amendment to existing ordinances shall be effective upon passage and publication as provided by Law.

Passed by the Town Board of Supervisors of the Town of Lawrence, Wisconsin on this 13th day of May 2024.

Introduced by: Supervisor Frigo
Seconded by: Supervisor Vannieuwenhoven
Vote: 5-ayes, 0-nays

TOWN OF LAWRENCE


Town Chairman, Lanny Tibaldo

Town Clerk, Cindy Kocken



Attest:

