

# Chapter 219

## SEWERS

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[HISTORY: Adopted by the Village Board of the Village of Iola as indicated in article histories. Amendments noted where applicable.]

#### GENERAL REFERENCES

Building construction — See Ch. 97.  
Water Utility — See Ch. 251.

Subdivision of land — See Ch. 261.

### ARTICLE I Sewer Use

[Adopted 2-12-1996 as Title 5,  
Ch. 2, of the 1996 Code]

#### § 219-1. Definitions and word usage.

A. The following definitions are used in this article:

**APPROVING AUTHORITY** — The Village Board (or other designated official) of the Village of Iola.

**BOD** (denoting biochemical oxygen demand) — The quantity of oxygen utilized in the biochemical oxidation of organic matter in five days at 20° Centigrade, expressed as milligrams per liter. Quantitative determination of BOD 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.”

**CHLORINE REQUIREMENT** — The amount of chlorine in milligrams per liter which must be added to sewage to produce a specified residual chlorine content in accordance with procedures set forth in “Standard Methods.”

**COMPATIBLE POLLUTANTS** — Biochemical oxygen demand, suspended solids, phosphorus, 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 were designed to treat such additional pollutants and, in fact, does remove such pollutants to a substantial degree.

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

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

**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 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 POLLUTANTS** — Wastewater with pollutants that will adversely affect or disrupt the quality of wastewater treatment if discharged to a wastewater treatment facility.

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

**NATURAL OUTLET** — Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface water or groundwaters.

**PARTS PER MILLION** — A weight-to-weight ratio; the parts per million value multiplied by the factor 8.344 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 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  $10^{-7}$ .

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

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

**SANITARY SEWER** — A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

**SEWAGE** — The spent water of a community. The preferred term is “wastewater.”

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

**SHOCK** — 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 of 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, 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 Associations.

**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** — 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 for Examination of Water and Wastewater” and is referred to as nonfilterable residue.

**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.

**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 structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

**WASTEWATER TREATMENT WORKS** — An arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with waste treatment.

**WATERCOURSE** — A natural or artificial channel for the passage of water, either continuously or intermittently.

**WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT** — A document issued by the Wisconsin State Department of Natural Resources which establishes effluent limitations and monitoring requirements for the municipal wastewater treatment facility. WPDES Permit No. WI and modifications thereof pertain to the wastewater treatment facility in the Village of Iola.

- B. Word usage. "Shall" is mandatory; "may" is permissive.

**§ 219-2. 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 into any sewer, except stormwater runoff from limited areas may be discharged to the sanitary sewer by permission of the approving authority. Such permitted stormwater may at times be polluted.
- B. Storm sewers. Stormwater other than that exempted under Subsection A above and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as 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.
- C. Prohibitions and limitations. 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:
- (1) Any gasoline, benzine, naphtha, fuel oil or other inflammable or explosive liquid, solid or gas.
  - (2) Any waters or waste 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 waste treatment process, constitute a hazard to humans or animals, create a public nuisance in the receiving waters or the wastewater treatment plant, or interfere with the disposal of sludge.
  - (3) Any waters or wastes having a pH lower than six or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works.
  - (4) Any waters or wastes having a pH in excess of nine.
  - (5) 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.

- (6) The following-described substances, materials, waters or waste 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, 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 his or her 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 plant, degree of treatability of the waste in the wastewater treatment plant and other pertinent factors. The limitations of restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be violated without approval of the approving authority are as follows:
- (a) Wastewater having a temperature higher than 150°.
  - (b) Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils, or product of mineral oil origin.
  - (c) Wastewater from industrial plants containing floatable oils, fat or grease.
  - (d) 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.
  - (e) Any waters or waste containing iron, chromium, copper, zinc, mercury and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the approving authority for such materials.
  - (f) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the approving authority.
  - (g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the approving authority in compliance with applicable state and federal regulations.
  - (h) Quantities of flow, concentrations, or both, which constitute a "shock" as defined herein.
  - (i) Incompatible pollutants containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such degree that the wastewater treatment plant

effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

- (j) 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 process.
- (k) Materials which exert or cause:
  - [1] Unusual BOD, chemical oxygen demand or chlorine requirements such as, but not limited to, whey in such quantities as to constitute a significant load on the wastewater treatment plant.
  - [2] Unusual volume of flow or concentration of wastes constituting "shocks" 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).
  - [5] Any discharge into the sanitary sewerage system that is in violation of the requirements of the WPDES permit and the modifications thereof.
- D. Special arrangements. No statement contained in this article shall be construed as prohibiting any special agreement between the village and any person whereby an industrial waste of unusual strength or character may be admitted to the sewage disposal works, either before or after pretreatment, provided that there is no impairment of the functioning of the sewage disposal works by reason of the admission of such wastes, and no extra costs are incurred by the village without recompense by the person, provided that all rates and provisions set forth in the Sewer Service, Cost Recovery and Sewer Connection Charge Ordinance are recognized and adhered to.
- E. Septic tank and holding tank disposal. No person in the business of gathering and disposing of septic tank sludge or holding tank sewage shall transfer such material into any disposal area or sewer manhole located within the Village of Iola unless permission for disposal has been first obtained from the approving authority. The place of disposal will be designated by the approving authority. Charges for disposal shall be as established by the approving authority. The approving authority may impose such conditions as it deems necessary on permission granted.
- F. New connections. New connections to the village's sanitary sewer system will be allowed only if there is available capacity in all of the downstream wastewater collection and treatment facilities.
- G. Required connections. The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the village 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, may be hereby required by the village, at the

owner's expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article within 90 days after the date of official notice to do so, provided that said public sewer is within 100 feet of the property line.

**§ 219-3. Control of industrial wastes directed to public sewers.**

**A. Submission of basic data.**

- (1) Each person who discharges 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 waste discharged to the wastewater works.
- (2) Similarly, each person desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and file with the 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 of the approving authority.

**C. Industrial discharges.** 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 § 219-2 and which, in the judgment of the approving authority, may have deleterious effects upon the sewage works, process, equipment or receiving waters, or which otherwise create a hazard to life, health or constitute a public nuisance, the approving authority may:

- (1) Reject the wastes.
- (2) Require pretreatment to an acceptable condition for discharge to the public sewers.
- (3) Require control over the quantities and rates of discharge.
- (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

**D. Control manholes.**

- (1) Each person discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of his or her wastes, including domestic sewage.
- (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 person discharging the waste, at his or her expense, and shall be maintained by him or her 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. Measurement of flow. The volume of flow used for computing the sewer service and the cost recovery charges shall be the metered water consumption of the person as shown in the records of meter reading maintained by the Iola Electric and Water Utility, except as noted in Subsection G.
- F. Provision for deductions. In the event that a person discharging industrial waste into the public sewers produces evidence satisfactory to the approving authority that more than 10% of the total annual volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the approving authority and the person.
- G. Metering of waste. Devices for measuring the volume of waste discharged may be required by the approving authority if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of waste shall be installed, owned and maintained by the person. Following approval and installation, such meters may not be removed without the consent of the approving authority.
- H. Waste sampling.
  - (1) Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said wastes. The determinations shall be made by the industry as often as may be deemed necessary by the approving authority.
  - (2) Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the approving authority.
  - (3) Such sampling facilities shall be the responsibility of the person 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.
- I. 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 or her expense, such preliminary treatment or processing facilities as may be determined required to render his or her wastes acceptable for admission to 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 amount as specified in § 219-2C(6) or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwellings 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( or owners') personnel must be performed by currently licensed waste disposal firms.

- K. Analyses. 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 edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association and with the Federal Regulations 40 CFR 136, "Guidelines Establishing Test Procedures for Analysis of Pollutants." Sampling methods, locations, times, durations and frequencies are to be determined on an individual basis subject to approval by the approving authority. Determination of the character and concentration of the industrial waste shall be made by the person discharging them, or his or her agent, as designated and required by the approving authority. The village may also make its own analyses on the wastes, and these determinations shall be used as a basis for charges. If the person discharging the waste contests the village determination, the village may elect to have an independent laboratory determine the character and concentration of the waste. Said independent laboratory shall be acceptable to both the village and the person discharging the waste. All cost incurred by the independent laboratory in making the determination shall be assumed by the discharger.
- L. 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.

**§ 219-4. Right of entry; safety and identification.**

- A. Right of entry. A duly authorized employee of the village with 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 Section 196.171, Wis. Stats. The duly authorized employee of the village 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 or waterways or facilities for wastewater treatment.
- B. Safety. While performing the necessary work on private premises referred to in Subsection A, the duly authorized village employees shall observe all safety rules applicable to the premises established by the company, and the village shall indemnify the company against loss or damage to its property by village employees and against the liability claims and demands for personal injury or property damage asserted against the company and growing out of gauging and sampling operations, and indemnify the company against loss or damage to its property by village employees, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in § 219-3D.
- C. Identification; right to enter easements. The duly authorized employees of the village bearing proper credentials and identification shall be permitted to enter all private

properties through which the village 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 sewage works lying within said easement, all subject to the terms, if any, of the agreement.

**§ 219-5. Sewer construction.**

- 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 costs and expense incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the village 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 for this article.
- D. Materials and methods of construction. The size, slope, alignment, materials of construction of building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the plumbing code or other applicable rules and regulations of the village.
- 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 sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- F. Storm and ground water drains. 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 into a public sanitary sewer.
- 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 village. 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 village.

**§ 219-6. Damage or tampering with sewage works.**

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 sewage works. Any persons violating this provision shall be subject to the general penalty provisions of Chapter 1, General Provisions, § 1-17.

**§ 219-7. Violations and penalties.**

- A. Written notice of violation. Any person found to be violating any provision of this article shall be served by the village 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 damages, 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 shall continue any violation beyond the aforesaid notice time limit provided shall, upon conviction thereof be subject to the general penalty provisions of Chapter 1, General Provisions, § 1-17. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the Waupaca County Jail for a period not to exceed 30 days. Each day in which any violation is continued beyond the aforesaid notice time limit shall be deemed a separate offense.
- D. Liability to village for losses. Any person violating any provisions of this article shall become liable to the village for any expense, loss or damage occasioned by reason of such violation which the village may suffer as a result thereof.

**ARTICLE II**  
**Sewer Service Charges**  
**[Adopted 2-12-1996 as Title 5,**  
**Ch. 3, of the 1996 Code]**

**§ 219-8. Definitions.**

Terms used in this article have the following meanings:

**INDUSTRIAL COST RECOVERY CHARGE (IRC)** — A charge collected from users discharging industrial wastes for the recovery of the Federal EPA grant amount allocable to the treatment of such wastes and is proportionate to the volume and pollutional characteristics at design capacity of Federal EPA funded wastewater collection and treatment facilities.

**INDUSTRIAL USER:**

- A. For the purpose of cost recovery, is any nongovernmental user of publicly owned treatment works identified in the Standard Industrial Classification Manual, 1972;

Office of Management and Budget, as amended and supplemented under the following divisions:

- (1) Division A – Agriculture, Forestry and Fishing.
  - (2) Division B – Mining.
  - (3) Division D – Manufacturing.
  - (4) Division E – Transportation, Communications, Electric, Gas and Sanitary Services.
  - (5) Division I – Services.
- B. Any industry discharging less than the equivalent of 25,000 GPD or less of sanitary waste shall be excluded from IRC, provided such industry does not discharge any pollutants which may interfere with treatment processes, may be toxic or incompatible or may contaminate or otherwise reduce the utility of the sludge.

**MAJOR CONTRIBUTING INDUSTRY** — An industry that:

- A. Has a flow of 50,000 gallons or more per average workday;
- B. Has a flow greater than 5% of the flow carried by the municipal system receiving the waste;
- C.<sup>1</sup> Has a material in its discharge included on a list of toxic pollutants issued under Section 283.21(1), Wis. Stats.; or
- D. Has a significant impact, either singularly or in combination with other contributing industries, on the treatment works or the quality of its effluent.

**NON-VILLAGE CUSTOMER** — Any person receiving wastewater collection and treatment facility services whose property receiving such services was not within the corporate limits of the Village of Iola on January 1, 1977.

**NORMAL DOMESTIC STRENGTH WASTEWATER** — Wastewater with concentrations of BOD<sup>5</sup> and suspended solids no greater than 200 to 250 milligrams per liter (mg/l), respectively.

**OPERATION AND MAINTENANCE COSTS** — Includes all costs associated with the operation and maintenance of the wastewater collection and treatment facilities as well as the costs associated with periodic equipment replacement necessary for maintaining capacity and performance of wastewater collection and treatment facilities.

**REPLACEMENT COSTS** — Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. Operation and maintenance costs include replacement costs.

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

**RESIDENTIAL UNIT** — Equivalent to an average residential household contributing 50,000 gallons of wastewater per year with BOD and suspended solids concentrations of 200 mg/l and 250 mg/l, respectively.

**RESIDENTIAL USER** — A user whose contributions to the wastewater treatment works consist only of normal domestic-strength waste originating from a house, apartment, flat or other living quarters occupied by a person or persons constituting a distinct household.

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

**SEWER CONNECTION CHARGE** — A charge assessed non-village customers for connecting to public sanitary sewers that discharge to the Iola Wastewater Treatment Facility.

**USER CHARGE** — A charge levied on users of the wastewater collection and treatment facilities as part of the sewer service charge for payment of operation and maintenance costs of said facilities.

**§ 219-9. Basis for sewer service charges.**

- A. Sewer users served by water utility water meters. There is hereby levied and assessed upon each lot, parcel of land, building or premises having a connection with the wastewater system and being served with water solely by the water utility a wastewater treatment service charged based, in part, on the quantity of water used as measured by the water utility water meter used upon the premises.
- B. Sewer users served by private wells.
- (1) If any person discharging sewage into the public sanitary sewer system procures any part, or all, of his or her water from sources other than the water utility, all or part of which is discharged into the public sanitary sewer system, the person shall be required to have water meters installed for the purpose of determining the volume of water obtained from these other sources. Where sewage meters are already installed, the water meters will not be required. The water meters may be furnished by the water utility and installed under its supervision, all costs including the cost of the meter being at the expense of the person requiring the meter.
  - (2) As an alternative to the installation of a water or sewage meter, the Village Board may establish a flat rate for sewerage service which shall be based on the average water utility consumption for the classification of service which applies to the petitioner.

**§ 219-10. Sewer service charges.**

A sewer service charge is hereby imposed upon each lot, parcel of land, building or premises served by the sewerage system, or otherwise discharging sewage, including industrial wastes, into the sewerage system. Such sewer service charge shall be payable as hereinafter provided and in an amount determinable as follows:

- A. Equivalent residential user rate. The sewer service charge for any lot, parcel of land, building or premises within the corporate limits, and for any lot, parcel of land, building or premises outside the corporate limits which is connected to the sanitary sewer system may be based upon the number of equivalent residential users. A schedule of equivalent residential users based on water meter readings is included in Appendix A.<sup>2</sup>
- B. Volumetric rate. The sewer service charge for any lot, parcel of land, building or premises within the corporate limits and for any lot, parcel of land, building or premises outside the corporate limits which is connected to the sanitary sewer system may be based upon the quantity of water used therein or thereon and quality of wastewater generated as measured by the water meter or sewage meter in use.
- C. [Amended 12-9-1996] Sewer rates. Effective January 1, 1997, the following sewer use rates shall be applicable:
- (1) One unit, three-quarter-inch meter: \$42.50 per quarter.
  - (2) Duplex or equivalent: \$80 per quarter.
  - (3) Three-unit apartments and more: \$42.50 per unit per quarter.
  - (4) Krause Publications, Inc.: \$1,650 per year.
  - (5) Iola Nursing Home: \$3,850 per year.
  - (6) Iola—Scandinavia School System: \$8,500 per year.

**§ 219-11. Industrial cost recovery charges.**

If industrial users as defined in 40 CFR 905-8 are serviced in the future, an industrial cost recovery system in accordance with 40 CFR 35928 shall be established.

**§ 219-12. Payment of charges.**

- A. Method of billing. The sewer service charge and any cost recovery charge shall be payable to the Village Clerk-Treasurer in such manner as may be directed from time to time by the Village Board. Any change in the manner of payment shall be published in a newspaper in the form of display or commercial type rather than legal notice form no less than three consecutive weeks prior to the commencement of the new billing and paying procedure.
- B. Penalties. A penalty of 10%, but not less than \$0.25, shall be added to all bills not paid by the date fixed for final payment in accordance with any administrative procedures of payment determined by the Board.
- C. Lien for charges. Sewerage service charges shall be a lien upon the property served pursuant to Section 66.076(7), Wis. Stats., and shall be collected in the manner therein provided.

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<sup>2</sup> Editor's Note: Appendix A is on file in the village offices.

**§ 219-13. Disposition of revenue.**

- A. The amount received from the collection of the sewer service charges authorized by this article shall be credited to a sanitary sewerage account which shall show all receipts and expenditures of the sewerage system. When appropriated by the Board, the credits to said account remaining after the payment of operation and maintenance costs of the wastewater treatment facilities shall be available for the payment of the following uses:
- (1) Cost of the replacement of existing sewer mains.
  - (2) Cost of substitution of larger size for existing mains.
  - (3) Cost of new primary sewer mains and installation of same in excess of such charge or cost payable by statutory assessment.
  - (4) Cost of road repair required by such construction.
  - (5) Cost of contracted engineering service to ensure a planned program.
  - (6) Cost of collection.
  - (7) Cost of repairs, renewals or expansion of the sewerage plant in excess of \$2,500.
- B. Any surplus 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 the 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, by resolution, pledge such surplus or any part thereof for any such purpose.

**§ 219-14. Sewer connection charge.**

- A. All non-village customers of wastewater collection and treatment services receiving such service for the first time after 1976 shall pay a sewer connection charge to the village.
- B. The approving authority shall establish the number of residential units assigned to any non-village customer. Additional residential units may be assigned by the approving authority to a non-village customer if his or her wastewater changes substantially in quantity or quality.
- C. The sewer connection charge per residential unit shall be \$250 per residential unit after 1976.<sup>3</sup>

**§ 219-15. Audit.**

The village shall conduct an annual audit, the purpose of which shall be to maintain the proportionality between users and user classes of the user charge system and to insure that adequate revenues are available relative to increasing operation, maintenance and replacement costs.

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<sup>3</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D).

