

Title 9 ► Chapter 2

Sewer Utility Regulations and Rates

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Sec. 9-2-1 Definitions.

- (a) **Definitions Established.** The following definitions shall be applicable in this Chapter:
- (1) **Approving Authority.** The Village Board of the Village of Bangor, La Crosse County, Wisconsin, or its duly authorized committee, agent, or representative.
 - (2) **Biochemical Oxygen Demand (BOD).** The quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20° degrees Centigrade, expressed as milligrams per liter. Quantitative determination of BOD shall be made in accordance with procedures set forth in "Standard Methods."
 - (3) **Building Drain.** That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, other drainage pipes inside the walls of the building and conveys it to the building sewer.
 - (4) **Building Sewer.** The extension from the building drain to the public sewer of other places of disposal beginning outside the inner face of the building wall.
 - (5) **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."

- (6) **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 to a substantial degree.
- (7) **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. Wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.
- (8) **Garbage.** The residue from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of food products and produce.
- (9) **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 one-half (1/2) inch in any dimension.
- (10) **Incompatible Pollutants.** Wastewater with pollutants that will adversely affect or disrupt the quality of wastewater treatment if discharged to a wastewater treatment facility.
- (11) **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.
- (12) **Natural Outlet.** Any outlet, including storm sewers and combined sewer overflows, into a water course, pond, ditch, lake or other body of surface water or ground waters.
- (13) **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.
- (14) **Person.** Any and all persons, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency, or other entity.
- (15) **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} .
- (16) **Public Sewer.** Any sewer provided by or subject to the jurisdiction of the Village of Bangor. 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.
- (17) **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.
- (18) **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.

- (19) **Sewage.** The spent water of a community. The preferred term is "wastewater."
- (20) **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.
- (21) **Shall** is mandatory; "may" is permissible.
- (22) **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 fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation and shall adversely affect the system and/or performance of the wastewater treatment works.
- (23) **Standard Methods.** The examination and analytical procedures set forth in the most recent addition of "Standard Methods for the Examination of Water, Sewage, and Industrial Wastes" published jointly by the American Public Health Association, the American Water Works Association, and the Federation of Sewage and Industrial Wastes Association.
- (24) **Storm Drain.** (Sometimes called "storm sewer"). A drain or sewer for conveying water, ground water, subsurface water or unpolluted water from any source.
- (25) **Stormwater Runoff.** That portion of the rainfall that is drained into the sewers.
- (26) **Suspended Solids.** Solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for Examination of Water and Wastewater" and is referred to as nonfilterable residue.
- (27) **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.
- (28) **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 ground water, surface water, and stormwater that may be present.
- (29) **Wastewater Facilities.** The structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.
- (30) **Wastewater Treatment Works.** An arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with waste treatment.
- (31) **Wisconsin Pollutant Discharge Elimination System (WPDES).** A document issued by the Wisconsin Department of Natural Resources which establishes effluent limitations and monitoring requirements for the municipal wastewater treatment facility.

Sec. 9-2-2 Use of the Public Sewers.

- (a) **Sanitary Sewers.** No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, ground water, roof runoff, subsurface drainage, or cooling water to any sanitary sewer.
- (b) **Storm Sewers.** Stormwater, other than the types exempted under this Section, 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 Against Discharge.** No person shall discharge or cause to be discharged any of the following-described waters or wastes to any public sewer:
- (1) Any gasoline, benzene, naphtha, fuel oil, lubricating oil or other flammable or explosive liquid, solid or gas, or other substances which by themselves or by interaction with other substances may cause fire or explosion hazards, or in any other way be injurious to persons, property, or the operation of the wastewater facilities.
 - (2) Any waters or waste containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, which will injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance in the receiving waters of the wastewater treatment plant, or interference with the disposal of sludge.
 - (3) Any waters or wastes having a pH lower than 6 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 9.
 - (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) Any discharge into the sanitary sewerage system that is in violation of the requirements of the WPDES Permit and the modifications thereof.
- (d) **Limitations As To Discharge.** No person shall discharge or cause to be discharged the following specifically described substances, materials, fluids, or solids which may harm sanitary sewers, wastewater treatment works and equipment, have an adverse effect on the receiving stream, or may otherwise constitute a nuisance without the specific written permission of the Approving Authority. Such permission is subject to termination at any time upon written notice. In forming its opinion as to the acceptability of these wastes, the Approving Authority will give consideration to such factors as the quantities of subject

wastes in relation to flows and velocities in the sanitary sewers, materials of construction of sanitary sewers, nature of the wastewater treatment works, capacity of the wastewater facilities and other pertinent factors. The substances prohibited are:

- (1) Wastewater having a temperature higher than 150° degrees Fahrenheit.
- (2) Wastewater from industrial plants containing floatable oils, fat or grease.
- (3) Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from home, 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.
- (4) 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.
- (5) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Approving Authority.
- (6) 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 or Federal regulations.
- (7) Quantities of flow, concentrations, or both which constitute a "shock" as defined herein.
- (8) 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.
- (9) 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.
- (10) Materials which exert or cause:
 - a. 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.
 - b. Unusual volume of flow or concentration of wastes constituting "shocks" 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).

- (e) **Special Agreements.** No statement contained in this Section shall be construed as prohibiting any special agreement between the Approving Authority 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 Village without recompense by the person, provided that all rates and provisions set forth herein are complied with.
- (f) **Septic Tank and Holding Tank Disposal.** No person in the business of gathering and disposing of septic tank sludge shall transfer such material into any disposal area or sewer manhole located within the Village of Bangor. Holding tank sewage may be accepted with the approval of the Utility and payment of any required fees.

Sec. 9-2-3 Connections to Public Sewer or Water Utilities.

- (a) **Required Connections.** The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Village of Bangor and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a sanitary sewer or public water system shall be required, at the owners' expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer and water system in accordance with the provisions of this Chapter and Section 8-1-7.
- (b) **Connection Charge.** Persons attaching to a main of the Bangor Municipal Sewer or Water Utility shall pay a connection charge of Two Hundred Dollars (\$200.00), plus that person shall have the lateral from the sewer or water main installed at his/her own expense.
- (c) **Extensions.** Bangor Municipal Sewer Utilities shall extend sewer and/or water mains to a new person(s) in accordance with the following charges and the following conditions, to-wit:
 - (1) When an extension main is required by the prospective user, said person shall make an application for such an extension in writing to the Village of Bangor by filing a written application for the same with the Village Clerk-Treasurer. After filing of such an application the Village Board shall first determine the logical location of the next manhole or manholes. Next, the Board (or its designees) shall determine the length and location of the extension, taking into consideration the future prospective demands for service and the orderly development of the particular area. No extension shall be made for a distance less than to the next manhole.
 - (2) The person who requests the extension shall pay the entire cost of said extension including the manhole or manholes that are a part of the extension. If more than one user is involved, the entire cost shall be divided among these users.
 - (3) After making the decision as to the length and location of the extension and prior to the time of making the charge to the person(s), the Village Board shall determine the benefits to be received by any parcel that can be served by said extension. Before

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

- (4) Payments are to be considered contributions to construction and after the original contribution in any future connection by a user other than to a lot owned by a party making a previous contribution, such user shall be required to pay to the Village his/her pro-rata share of the lot or lots owned by the new attaching user in the entire extension cost as if said user had been one of the original contributors.
 - (5) When the Village receives a future contribution, it shall after receiving the money, pay said money to the previous contributors by paying to each of the previous contributors equal amounts by counting each previous contributing lot as a separate contributor. The Village shall not make payments to a previous contributor if ten (10) years have expired from the date of the original contribution. Said money paid shall be retained by the Village.
 - (6) It is hereby provided that the right to contribution shall follow the land and not the contributor with the reimbursement to go to the person who is the owner of the receiving lot at the time of the reimbursement. If a contributor owns more than one lot at the time of contribution he/she shall be required to designate one of the lots as the lot entitled to contribution and the owner of such lot at the time of any contribution shall receive the reimbursements for all of the lots owned by the original contributor at the time of the original contribution. Such lot designation shall be filed with the Village of Bangor Clerk-Treasurer and may be filed in the office of the La Crosse County Register of Deeds. The owner of such designation to another lot owned by him/her as long as such new lot is one of the lots to be served by said extension. The total amount of the reimbursement that any contributor may receive shall be the total payment made by him/her at the time of his/her contribution.
 - (7) In addition to the charge made as above provided to each lot, each user shall pay the full cost of the lateral from the main to his/her building and a connection charge.
- (d) **Additional Authority.** The Village Board may at any time establish specific connection and lateral charges for any main not covered by any other provisions in this Chapter or when the Village has made an extension and the Village Board has failed to provide lateral or connection charges. It is further provided that the Village Board may amend or alter any connection or lateral charge after its establishment under the terms of this Chapter or previous ordinance or resolutions.

Sec. 9-2-4 Control of Industrial Wastes.

- (a) **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 Section 9-2-2 and which, in the judgment of the Approving Authority, may have deleterious effects upon the wastewater treatment works, processes, 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 charged under the provisions of Section 9-2-4(e).
- (b) **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/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/her expense, and shall be maintained by him/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.
- (c) **Measurement of Flow.** The volume of flow used for computing the sewer service and the cost recovery charges shall be based upon the water consumption of the person shown in the records of meter readings maintained by the Bangor Water Utility.
- (d) **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 ten percent (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.
- (e) **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.

- (f) **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) Testing 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 insure their preservation in a state comparable to that at the time the sample was taken.
- (g) **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/her expense such preliminary treatment or processing facilities as may be required to render his/her wastes acceptable for admission to the public sewers.
- (h) **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 Section 9-2-2(d), or any flammable wastes, sand, or other harmful ingredients.
- (i) **Analyses.** Analyses are required as follows:
- (1) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association. Sampling methods, locations, 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 wastes shall be made by the person discharging them, or his/her agent, as designated and required by the Approving Authority. The Approving Authority 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 determination, the Approving Authority 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 costs incurred by the independent laboratory in making the determination shall be assumed by the discharger.
- (j) **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.

- (k) **Submission of Basic Data.** Within three (3) months after original passage of this Chapter, 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. 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.
- (l) **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 herein, a request for extension of time may be presented for consideration by the Approved Authority.

Sec. 9-2-5 Right of Entry.

- (a) **Right of Entry.** The Director of Public Works, Superintendent of the Wastewater Treatment Plant, or other duly-authorized employee of the Approving Authority bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, testing, all in accordance with the provisions of this Chapter and Section 196.171, Wis. Stats.
- (b) **Safety.** While performing the necessary work on private premises referred to in Section 9-2-5(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 asserted against the company and growing out of gauging and sampling operation, 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 Section 9-2-4(b).

Sec. 9-2-6 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 permission from the Approving Authority.
- (b) **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 Chapter.

- (c) **Installation of Laterals.** All service pipes (laterals) on private property will be installed in accordance with Ch. H82, Wis. Adm. Code, "Design, Construction, Installation, Supervision and Inspection of Plumbing." Per H82.04(5), Wis. Adm. Code, all laterals will be inspected. The building sewer and/or private interceptor main sewer shall be inspected upon completion of placement of the pipe and before backfilling, and tested before or after backfilling.

Sec. 9-2-7 Sewer Use Charge System.

- (a) **Definitions.** The following terms shall have the following meanings under this Chapter:
- (1) **Normal Domestic Strength Wastewater.** Wastewater with concentrations of BOD and suspended solids no greater than 250 milligrams per liter (mg/l) each.
 - (2) **Replacement Costs.** Includes all costs associated with establishing a fund to accumulate the necessary resources to replace equipment as required to maintain capacity and performance during the design life of the plant.
 - (3) **Operation and Maintenance Costs.** Includes all costs associated with the operation and maintenance of the wastewater collection and treatment facilities. These costs, including costs associated with extraneous (clear water) flows, shall be divided proportionately among the various sewer users according to their equivalent user factors.
 - (4) **Debt Service Costs.** Includes all costs associated with repayment of debts incurred for the construction and/or rehabilitation of the wastewater collection system and treatment plant. These costs, including costs associated with extraneous (clear water) flows, shall be divided evenly among all sewer users.
 - (5) **Normal Users.** 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, business or commercial enterprise.
- (b) **Basis For Sewer Use Charge.** The sewer use charge shall consist of a service charge and a user charge. The service charge shall be a minimum quarterly billing sufficient to pay the annual debt retirement and minimum service costs. The user charge shall be the cost per unit volume sufficient to pay the annual cost of operation and maintenance costs and a replacement fund. The user charge shall be reviewed and amended as necessary every two (2) years, or when needed, whichever comes first.
- (c) **Sewer Use Charge.** A sewer service and user charge are hereby imposed upon each lot, parcel or land, building, or premises within or outside the corporate limits, served by the public sewer and wastewater facilities, or otherwise discharging sewage, and including industrial wastes, into the public sewer and wastewater facilities. Such sewer use charge shall be payable as hereinafter provided, and in an amount determinable as follows:

- (1) **Category A.** "Category A" is defined as normal or domestic strength wastewater having organic concentrations of biochemical oxygen demand (BOD) no greater than 250 milligrams per liter (mg/l) and suspended solids no greater than 250 milligrams per liter (mg/l). The sewer charge for Category A is as follows:

Meter Size	Total
5/8"	\$16.00
3/4"	24.00
1"	40.00
1-1/4"	64.00
1-1/2"	80.00
2"	132.00
3"	240.00
4"	480.00

The Volumetric charge is \$3.19 per 1,000 gallons as measured by the user's water meter.

- (2) **Category B.** "Category B" is defined as wastewater having organic concentrations of biochemical oxygen demand (BOD) greater than 250 milligrams per liter (mg/l) and/or suspended solids greater than 250 milligrams per liter (mg/l). The minimum Category B charge for BOD and suspended solids will be based on a concentration for 250 mg/l for BOD and 250 mg/l for suspended solids. The sewer service charge for Category B wastewater is as follows: The BOD charge is \$0.69/lb. BOD. The suspended solids charge is set at \$0.53/lb of TSS.
- (d) **Reassignment of Sewer Users.** The Approving Authority will reassign sewer users into appropriate sewer service charge categories if wastewater sampling programs and the related information indicate a change is necessary.
- (e) **Additional Charges.** The service charge imposed upon each lot, parcel of land, building or premises served by public sewer and wastewater facilities located outside the boundaries of the Approving Authority shall result in a minimum charge equal to the debt charge for each user according to the schedule for debt repayment from utility revenues. Such charge shall be added to the sewer bill for each billing period.
- (f) **Excess Revenues.** Excess operation and maintenance revenues collected from a user class will be attributed to that class the next year.
- (g) **User Charge Notification.** Users will be notified annually of the portion of the user charges attributed to debt and wastewater treatment services.

Sec. 9-2-8 Industrial Cost Recovery Charges.

- (a) **Definitions.** The following terms shall have the following meanings under this Chapter:
- (1) **Cost Recovery Charge.** 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.
 - (2) **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 industrial user which discharges less than the equivalent of 25,000 gallons per day of sanitary waste shall be exempt from Cost Recovery Charges provided the waste discharged does not contain pollutants which:
 1. Interfere with the treatment works processes, or
 2. Are incompatible, or
 3. Contaminate or reduce the utility of the sludge of the treatment works (i.e. toxics).
- (b) **Cost Recovery Charge.** In addition to the sewer service charge imposed on each user herein, Cost Recovery Charges shall be imposed upon each industrial user. If industrial users are serviced in the future, an industrial cost recovery system in accordance with 40 CFR 35.928 shall be established.

Sec. 9-2-9 Payment of Charges.

- (a) **Payment and Penalty.** The sewerage service charge shall be for the corresponding period of the water bills, and shall be payable to the Utility Secretary-Cashier not later than twenty (20) days from the issuance of the bill. Interest of 1.5% per month shall be added to all bills not paid by the due date designated on the bill.
- (b) **Charges a Lien.** All sewage charges shall be a lien upon the property served pursuant to Sec. 66.0809, Wis. Stats., and shall be collected in a manner therein provided.
- (c) **Disposition of Revenue.** The amounts received from the collection of charges authorized by this Chapter shall be credited to a sanitary sewerage account which shall show all

receipts and expenditures of the sewerage system. When appropriated by the Village Board, the credits to said accounts shall be available for the payment of the requirements for operation, maintenance, repairs, and depreciation of the sewerage system, consistent with 40 CFR 35.929. Any surplus outside the scope of 40 CFR 35.929, in said account shall be available for the payment of principal and interest of bonds issued and outstanding, of which may be issued to provide funds for said sewerage system, or part thereof, and all or a part of the expenses for additions and improvements and other necessary disbursements or indebtedness, and the Village Board may by resolution pledge present outstanding sewer system general obligation bonds, including refunding bonds, shall be paid from this fund both principal and interest.

Sec. 9-2-10 Audit/Review.

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

Sec. 9-2-11 Violations and Penalties.

- (a) **Written Notice of Violation.** Any person found to be violating any provision of this Chapter shall be served by the Approving Authority with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- (b) **Accidental Discharge.** Any person found to be responsible for accidentally allowing a deleterious discharge into the sewer system which caused 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, forfeit not less than Two Hundred Dollars (\$200.00) together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the La Crosse County Jail for a period not to exceed thirty (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 Chapter 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.

Sec. 9-2-12 Validity.

- (a) **Savings Clause.** If any provision of this Chapter is found invalid or unconstitutional or if the application of this Chapter to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this Chapter which can be given effect without the invalid or unconstitutional provision or application.
- (b) **Amendments.** The Village, through its duly-qualified governing body, may amend this Chapter in part or in whole wherever it may deem necessary.

