

ORDINANCE NO. 21-07

**AN ORDINANCE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE WASTEWATER DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM(S):
AND PROVIDING PENALTIES FOR VIOLATION THEREOF: IN THE CITY OF PLATTEVILLE, WISCONSIN**

The Common Council of the City of Platteville do ordain as follows:

SECTION 1: Chapter 8, of the Municipal Code of the City of Platteville is hereby revoked and recreated as follows, excluding rules and regulations:

- (1) Definitions: Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

“Approving Authority” shall mean the Director of Public Works of the City of Platteville, or a duly authorized deputy, agent or representative.

“BOD” (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C., expressed in milligrams per liter (mg/L). Quantitative determination of BOD shall be made in accordance with procedures set forth in Standard Methods.

“Building Drain” shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and convey it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall.

“Building Inspector” shall mean the building inspector of the City of Platteville or said person’s appointed assistant, agent, or representative.

“Building Sewer” shall mean the extension from the building drain to the public sewer or other place of disposal.

“Chlorine requirement” shall mean the amount of chlorine in milligrams per liter, which must be added to sewage to produce a specified chlorine content in accordance with procedures set forth in Standard Methods.

“City” shall mean the City of Platteville, Wisconsin.

“Combined sewer” shall mean a sewer receiving both surface run-off and sewage. A Combined Sewer is illegal in the City of Platteville.

- (b) Any non-governmental user who discharges wastewater to the City's sewers, which wastewater contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other waste, to contaminate the sludge of the municipal sewer systems, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment works.

"Industrial Wastes" shall mean wastes discharged by "Industrial Users".

"May" is permissive (see **"Shall"**, below).

"Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

"Normal Concentration" shall mean:

- (a) 5-day 20-degree C., BOD of not more than 250 mg/L.
- (b) A TSS content of not more than 250 mg/L.
- (c) A TKN of not more than 40 mg/L
- (e) TP of not more than 7 mg/L

"Normal Wastewater" shall mean wastewater in which BOD or TSS, or TKN or TP concentrations do not exceed normal concentrations.

"Operation and Maintenance" shall mean costs to the sewer department for the provision of labor, utilities, supplies, equipment maintenance, and other normal costs necessary for the provision of sewage service. Operation and maintenance include replacement.

"Person" shall mean any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

"pH" shall mean the logarithm (base 10) of the reciprocal of the hydrogen ion concentration expressed in moles per liter as determined by **"Standard Methods"**.

"Phosphorous" shall mean the total phosphorous which is all of the chemical element phosphorous present in a sample, regardless of form, expressed in milligrams per liter. Quantitative determination of phosphorous shall be made in accordance with Standard Methods.

"Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be

not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

“User Charge” (or Wastewater Service Charge) shall mean a charge levied on users of wastewater treatment works and the sanitary sewer system for the cost of operation and maintenance and debt service for such facilities. The term operation and maintenance include Replacement.

“Wastewater” shall mean the spent water of a community. From the standpoint of sources, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any ground water, surface water, and storm water that may be present.

“Wastewater Facilities” shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

“Wastewater Treatment Works” shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with **“waste treatment plant”** or **“wastewater treatment plant”** or **“water pollution control plant”**, or **“water resource recovery facility”**.

“Watercourse” shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

(2) User Charges

- (a) Normal Sewage Service Charge: There is hereby levied and assessed upon each lot or parcel of land with a building having a lateral available to discharge normal sewage to the public sewer system, a wastewater service charge based upon rates established by the Water and Sewer Commission and approved by Resolution of the Common Council. Said charges shall be assessed and collected monthly.

The Wastewater service charges taxed or levied pursuant to this Ordinance shall be collected by the Utility at the Municipal Building. The Commission shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economical and efficient operation, management and protection of the City sewer system, the wastewater treatment plant and the Utility.

If commercial or industrial customers obtain all or any part of their water from sources other than the Platteville Municipal Water Utility, all or any part of which is discharged into the public sewers, the customer shall be required to have a water meter or meters installed for the purpose of determining the volume of water obtained from these other sources. Should the Commission determine that the water usage is too small to justify a meter, the Commission shall have the authority to waive this requirement and a flat rate shall be charged based on estimated water usage and the

consistent with the Utility's User Charge System as approved by the Wisconsin Department of Natural Resources.

4. In addition to the above surcharges, the Utility's costs of sampling and analyzing industrial wastes shall be charged to the applicable industry.
 5. Where industrial wastes are of such a strength or magnitude or are delivered over such a period of time that the above surcharges do not reflect the actual cost of treatment to the Utility, the Utility shall have the right to establish a special charge for handling the waste. That portion of the charge related to capital investment shall be based on the design capacity required for the particular waste. In no event shall the charges be less than those charges determined by applying the above surcharge.
- (e) Industrial Waste Pretreatment: In the event the Utility provides pretreatment of industrial wastes, the entire cost of such pretreatment shall be charged to the person producing the industrial wastes. The costs shall include but not be limited to capital expenditures, operation and maintenance expenses, labor, chemicals, heat and power.
 - (f) Contract Basis: Nothing in this Ordinance shall prohibit the City from providing wastewater services to persons outside the corporate limits of the City under mutually agreeable conditions.
 - (g) Remedies from Failure to Pay Service Charges: Each Wastewater service charge levied by or pursuant to this Ordinance is hereby made a lien upon the corresponding lot, land, or premises served by a connection to the sanitary sewer system of the City and if the same is not paid within the period allotted for such payment, said charge shall constitute a lien on the property served and be inserted in the City tax roll as provided in Section 66.076(7) of the Wisconsin Statutes in the same manner as water rates are taxed and collected under the provisions of Section 66.069(1) or 66.071(1)(e) of the Wisconsin Statutes as same has been, and from time to time may be amended or recreated, so far as applicable.
 - (h) Annual Audit: An audit of the Utility's financial standing shall be made annually. This audit will be used to review the adequacy of the extra existing rates and said rates shall be adjusted if necessary to provide sufficient revenues to adequately finance the Utility's operation in accordance with the original intent of the rate structure.

The annual audit and review shall also be used to ensure that each recipient of sewage service (or user class) is charged in proportion to the cost of providing said recipient (or user class) with sewage service. Excess revenues collected for Operation and Maintenance from a class of users shall be applied to the costs of Operation and Maintenance attributable to that class for the next year and the rates shall be adjusted accordingly.

(4) Private Wastewater Disposal

- (a) Where a public sanitary sewer is not available to structures covered by Section 3(d), and with a favorable recommendation of the Commission, the Common Council may allow such structures to be connected to a private wastewater disposal system complying with the provisions of this section.
- (b) Before commencement of the construction of a private wastewater disposal system or additions to an existing private wastewater disposal system within the City, the owner shall first obtain a written permit from the office of the City Building Inspector.
- (c) The type, capacity, location, and layout of a private wastewater disposal system shall comply with all requirements of the Wisconsin Department of Health and Social Services.
- (d) The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the City.
- (e) No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the City Health Officer or by any other laws, ordinances or codes.
- (f) At such time as a public sewer becomes available to a property served by a private wastewater disposal system the building sewer shall be connected to said sewer within ninety (90) days and the private wastewater disposal system shall be cleaned of sludge and filled with sand, gravel, or similar material.

(5) Building Sewers and Connections

- (a) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the City Building Inspector.
- (b) There shall be two (2) classes of building sewer permits: 1) for residential and commercial, and 2) for service to establishments producing industrial wastes. In either case, the owner or the owner's agent shall make application for a permit on a form furnished by the City. The application shall be supplemented by any plans, specifications, or other information considered pertinent by the Commission. A permit and inspection fee as established by the Commission shall be paid to the Utility at the time the application is filed.
- (c) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the City and Utility from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

1. All excavations for building sewer installations shall be adequately guarded with barricades and lights so as to protect the public from hazard.
2. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

(6) Use of the Public Sewers

- (a) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, unpolluted cooling water, swimming pool water or unpolluted industrial process waters to any sanitary sewer.
- (b) Storm water 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 Commission and other regulatory agencies. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Commission and other regulatory agencies having jurisdiction, to a storm sewer or natural outlet.
- (c) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
 1. Gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid, or gas.
 2. 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 wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.
 3. Any waters or wastes having a pH lower than 5.5 or higher than 10.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater works.
 4. 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, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers, sanitary napkins, etc., either whole or ground by garbage grinders.
- (d) The following described substances, materials, waters, or waste shall be limited in discharges 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, will not result in violation of the City's WPDES permit, or will not

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.
- (e) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Subsection (d) of this Section, and which in the judgment of the Commission, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Commission 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, and/or,
 4. Require payment to cover added cost of handling and treating the wastes not covered by existing user charges under the provisions of this Ordinance.

When considering the above alternatives, the Commission shall give consideration to the economic impact of each alternative on the discharger. If the Commission permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Commission.

- (f) Grease, oil and sand interceptors shall be provided when, in the opinion of the Commission, they are necessary for the proper handling of liquid wastes containing floatable grease or other substances specified in Subsection (d)3, or any flammable wastes, sand, or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Commission and shall be located as to be readily and easily accessible for cleaning and inspection. In maintaining 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 shall be subject to review by the Commission. Any removal and hauling of the collected materials not performed by owner(s)' personnel must be performed by currently licensed waste disposal firms. Means of disposal shall also be subject to review by the Commission.
- (g) Where pretreatment or flow-equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

upon obtaining knowledge of the fact of such discharge so that steps may be taken to minimize its effect on the treatment plant.

- (m) Exemption Meters. If an industrial user discharging wastes into the public sewers produces evidence satisfactory to the Commission that significant amounts of the total annual volume of water used for all purposes does not reach the sanitary sewer, the customer may be permitted to have an exemption water meter(s) installed. Said meter(s) shall be furnished by the Sewer Department and installed by the Sewer Department.

All other costs shall be at the expense of the customer requiring the meter(s), including any piping revisions required to ensure that only water not reaching the sanitary sewer is metered by the exemption meter. The Commission will charge for each meter at the rate of fifty (50) percent of the basic monthly water rate set for that size meter to compensate for furnishing, reading, and servicing the meter unless otherwise ordered by the Public Service Commission. This charge shall be in addition to the wastewater service charge. The amount of exemption water metered shall be subtracted from the total amount of water used by the person to determine the applicable wastewater service charge.

- (n) Industrial users shall be prohibited from discharging more than 450 pounds per day of BOD or Suspended Solids determined on a monthly average basis without the approval of the Commission.

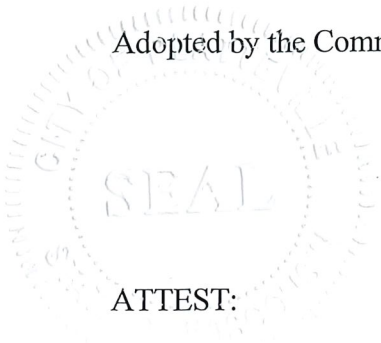
(7) Protection From Damage

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.

(8) Powers and Authority of Inspectors

- (a) The Commission and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties at reasonable times for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the sewer system in accordance with the provisions of this Ordinance.
- (b) The Commission or duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish that the revelation to the public of the information in question might result in an advantage to competitors.

Adopted by the Common Council of the City of Platteville, on the 28th day of September, 2021.



A handwritten signature in black ink, which appears to read "Barbara Daus", is written over a horizontal line.

Barbara Daus, Council President

ATTEST:

A handwritten signature in blue ink, which appears to read "Candace Klaas", is written over a horizontal line.

Candace Klaas, City Clerk