

PART V PUBLIC AND PRIVATE UTILITIES

Chapter 52 SEWER

Article I General provisions

- 52.01 Purpose
- 52.02 Authority
- 52.03 Definitions
- 52.04 Unsanitary deposits
- 52.05 Discharge to natural outlet
- 52.06 Private waste disposal systems
- 52.07 Required connection to wastewater facilities
- 52.08 Reserved

Article II Private wastewater disposal

- 52.09 Allowance of private disposal system
- 52.10 Permit to construct private disposal system
- 52.11 Inspecting private disposal system
- 52.12 Private disposal system compliance with state and local codes
- 52.13 Availability of public sewer
- 52.14 Operate private disposal system
- 52.15 Additional requirements to operate private disposal system

Article III Building sewers and connecting to sewers

- 53.16 Permits
- 53.17 Owner's cost
- 53.18 Separate building sewers
- 53.19 Existing building sewers
- 53.20 Construction and materials
- 53.21 Depth of building sewers
- 53.22 Exclusion of unpolluted water
- 53.23 Connecting building sewer
- 53.24 Inspection

Article I General provisions

52.01 Purpose

This chapter regulates the use of public and private sewers and drains, private wastewater disposal, the installation and connection of building sewers, and the discharge of waters and wastes into the public sewer system.

- 52.25 Excavation
- 52.26 Connecting to sanitary sewer
- 52.27 Sanitary sewers
- 52.28 Existing grinder pumps
- 52.29 Future grinder pump installation

Article IV Use of village sewers

- 52.30 Prohibited discharges, general
- 52.31 Prohibited discharges, specific
- 52.32 Prohibitions on unpolluted water discharges
- 52.33 Discharge unpolluted water
- 52.34 Limitations on discharges
- 52.35 Accidental discharge of prohibited wastewater
- 52.36 Dilution
- 52.37 Alternatives to accepting wastewater
- 52.38 Pretreatment
- 52.39 Sand and grease interceptors
- 52.40 Control structures
- 52.41 Discharge holding-tank wastes
- 52.42 Special agreements
- 52.43 Septic and holding tank disposal
- 52.44 Powers and authority for inspecting and sampling
- 52.45 Village liability
- 52.46 Easements
- 52.47 Protect from damage
- 52.48 Violation notice
- 52.49 Penalty
- 52.50 Discharger liability
- 52.51 Misrepresentation
- 52.52 Right to appeal
- 52.53 Stay of enforcement

The chapter sets forth uniform requirements for discharges into the village of Lake Delton wastewater facilities and enables the village to protect the public health in conformity with all applicable local, state, and federal laws relating thereto. Its purpose is to:

- A. Assure proper design and construction of all connections to the village wastewater facilities;
- B. Prevent the introduction of pollutants into the village wastewater facilities that will interfere with the normal operation of the facilities or contaminate the resulting treatment works sludge;
- C. Prevent the introduction of pollutants into the wastewater facilities that do not receive adequate treatment in the village treatment works and will pass through the system into receiving waters or the atmosphere or otherwise be incompatible with the facilities.

52.02 Authority

This chapter is adopted under the authority granted by s. 62.18, 62.185 and 66.0821, Wis. Stats.

52.03 Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

- A. Biochemical oxygen demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C., expressed in milligrams per liter.
- B. Building drain. That part of the lowest horizontal piping of a drainage system that 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 (5) feet outside the inner face of the building wall.
- C. Building sewer. The extension from the building drain to the public sewer or other place of disposal; also called house connection.
- D. Combined sewer. A sewer intended to receive both wastewater and storm or surface water.
- E. Environmental Protection Agency (EPA). Means United States Environmental Protection Agency.
- F. 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.
- G. Garbage. The animal and vegetable waste resulting from handling, preparation, cooking and serving foods.
- H. Holding tank waste. Any waste from holding tanks such as chemical toilets, campers, trailers, septic tanks and vacuum pump tank trucks.
- I. Industrial user. Any nongovernmental, nonresidential user of the public sewer system that discharges more than the equivalent of 25,000 gallons per day and is further defined in the Wisconsin Administrative Code, Chapter NR 110.03.
- J. Industrial wastes. Liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.
- K. May. Is permissive.

- L. Natural outlet. Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.
- M. Normal domestic strength wastewater. Wastewater with concentrations of BOD₅ and suspended solid waste, each with no greater than 300 milligrams per liter (mg/l).
- N. Person. Any individual, firm, company, association, society, corporation or group.
- O. 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.
- P. Pretreatment. The treatment of wastewaters to remove or reduce the quantity of one or more pollutants prior to discharge to the village sewerage works.
- Q. Properly shredded garbage. The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one (1) inch (1.27 centimeters) in any dimension.
- R. Public sewer. A publicly owned sewer.
- S. 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.
- T. Septage. The wastewater or contents of septic or holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, seepage trenches, privies or portable rest rooms.
- U. Sewage. The spent water of a community. The preferred term is *wastewater*.
- V. Sewer. A pipe or conduit that carries wastewater or drainage water.
- W. Sewerage works. All facilities for collecting, pumping, treating and disposing of sewage.
- X. Shall. Is mandatory.
- Y. Slug. Any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow causes the capacity of a public sewer to be exceeded or which adversely affects the operation of the sewage treatment plant.
- Z. Standard methods. The examination and analytical procedures set forth in the latest addition of Standard Methods for the Examination of Water and Wastewater as prepared, approved and published jointly by the American Public Health Association, American Water Works Association and the Water Pollution Control Federation, and is in compliance with Federal Regulations 40 CFR 136, "Guidelines Establishing Test Procedures for Analysis of Pollutants."
- AA. Storm sewer. A sewer that carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- BB. Suspended solids. Shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater or other liquids and is removable by laboratory filtering as prescribed in Standard Methods for the Examination of Water and Wastewater and referred to as nonfilterable residue.
- CC. 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.
- DD. Wastewater. Shall mean the spent water of the 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 storm water that may be present.

EE. 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.

FF. 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 publicly owned treatment works.

GG. Watercourse. Shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

HH. WPDES permit. Means the permit to discharge pollutants obtained under the Wisconsin Pollutant Discharge Elimination System pursuant to Chapter 147 of the State of Wisconsin Statutes.

52.04 Unsanitary deposits

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the village of Lake Delton or in any area under the jurisdiction of said village, any human or animal excrement, garbage or objectionable waste.

52.05 Discharge to natural outlet

It shall be unlawful to discharge to any natural outlet within the village of Lake Delton or in any area under the jurisdiction of said village, any wastewater or other polluted waters, except where suitable treatment has been provided, in accordance with subsequent provisions of this chapter.

52.06 Private waste disposal systems

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.

52.07 Required connection to wastewater facilities

The owner(s) 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 sewer of the village, is hereby required at the owner('s)(s') expense to install suitable sanitary conveniences therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter within ninety (90) days after date of official notice to do so.

52.08 Reserved

Article II Private wastewater disposal

52.09 Allowance of private disposal system

Where a public sanitary sewer is not available under the provisions of 53.08 the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Article II.

52.10 Permit to construct private disposal system

Before construction of a private wastewater disposal system commences, the owner(s) shall first obtain a written permit. The application for such permit shall be made on a form furnished by the village, which the applicant shall supplement by any plans, specifications and other information

as the village deems necessary. A permit and inspection fee of ten dollars (\$10) shall be paid to the village at the time the application is filed.

52.11 Inspecting private disposal system

A permit for a private wastewater disposal system shall not become effective until the installation is completed to the village's satisfaction. A village representative shall be allowed to inspect the work at any stage of construction and in any event, the applicant for the permit shall notify the said representative when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within forty-eight 48 hours of the receipt of notice.

52.12 Private disposal system compliance with state and local codes

The type, capacities, location and layout of a private wastewater disposal system shall comply with all recommendations of the appropriate administrative codes of the state of Wisconsin and be approved by the Wisconsin Department of Industry, Labor and Human Relations, Bureau of Plumbing. No permit shall be issued for any private wastewater disposal system employing sub-surface soil absorption facilities where the area of the lot is less than 20,000 square feet. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

52.13 Availability of public sewer

At such time as a public sewer becomes available to a property served by a private wastewater disposal system as provided in 52.08, a direct connection shall be made to the public sewer within ninety (90) days in compliance with this chapter and any septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and filled with clean bankrun gravel or sand.

52.14 Operate private disposal system

The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the village. Sludge removal from private disposal systems is to be performed by licensed operators and disposed of in a manner approved by the DNR. Sludge removal shall be no less frequent than once every three years.

52.15 Additional requirements to operate private disposal system

No statement contained in this Article II shall be construed to interfere with any additional requirements that may be imposed by the village.

Article III Building sewers and connecting to sewers

52.16 Permits

No unauthorized person(s) 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 village.

There shall be two (2) classes of building sewer permits: (a) for residential and commercial service and (b) for service to establishments producing industrial wastes. In either case, the owner(s) or his agent shall apply on a special form furnished by the village. The permit application shall be supplemented by any plans, specifications or other information considered

pertinent in the village's judgment. A permit and inspection fee of ten (\$10) dollars for a residential or commercial building sewer permit and twenty (\$20) dollars for an industrial building sewer permit shall be paid to the village at the time the application is filed.

52.17 Owner's cost

The owner(s) shall bear all costs and expenses incidental to installing and connecting the building sewer. The owner(s) shall indemnify the village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

52.18 Separate building sewers

A separate and independent building sewer shall be provided for every building.

52.19 Existing building sewers

Old building sewers may be used in connection with new buildings only when they are found on examination and test to meet all requirements of this chapter.

52.20 Construction and materials

The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Wisconsin Administrative Code.

52.21 Depth of building sewers

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.

52.22 Exclusion of unpolluted water

No person(s) shall connect roof downspouts, foundation drains, areaway drains or other inflow sources of surface run-off or ground water to a building sewer or building drain which, in turn, is connected directly or indirectly to a public sanitary sewer, unless such connection is approved by the village for purposes of disposal of polluted surface drainage.

52.23 Connecting building sewer

The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable village and state rules and regulations. All such connections shall be made gas tight and watertight and verified by proper testing. The village must approve any deviation from the prescribed procedures and materials before installation.

52.24 Inspection

The applicant for the building sewer permit shall notify the proper village representative when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of said representative.

52.25 Excavation

All excavations for 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.

52.26 Connecting to sanitary sewer

Any person desiring to connect a sanitary sewer other than a building sewer to a public sewer, shall apply to the village in writing. The application shall describe the location of the requested connection and the volume and characteristics of the wastewater to be transmitted and shall include a statement that the new sewers and connections to the public sewer system shall be properly designed and constructed and shall be subject to the lawful village rules and regulations. Connections will be allowed only when the capacity of downstream collection and treatment facilities is adequate. All construction costs including engineering, materials, labor, inspection and easements shall be the responsibility owner(s) of the property for which such connection is desired. Upon completion and village acceptance of the project for which the connection is desired, all of the facilities constructed other than the building sewers shall be conveyed to the village free and clear of any liens, and the village shall assume the responsibility for operating and maintaining said facilities thenceforth.

52.27 Sanitary sewers

Design and construction of sanitary sewers and their connection to the public sewers shall be under the direction of a licensed professional engineer authorized by the owner(s) of the property or the village's engineer if requested by the owner(s). Such engineer shall keep accurate records of the location, depth and length of sewers as built and the location of the Y branches or slants. All costs of such engineering shall be the owner's(s') responsibility. The owner(s) of the property shall notify the proper village representative when the sewer is ready for inspection and connection to the public sewer. Said representative shall inspect the connection and testing.

52.28 Existing grinder pumps

The village of Lake Delton accepts ownership of and maintenance responsibilities of all existing grinder pumps installed prior to the 1982–83 sewer extension. The village shall purchase, install and maintain grinder pumps installed in the 1982–83 sewer extension project.

52.29 Future grinder pump installation

Grinder pumps installed after the completion of the 1982-1984; sewer extension project shall be Hydro-matic SPG-200, or Environmental One, single phase, 230 volts or equivalent pumps approved by the Village. The property owner shall pay for the purchase and installation of such grinder pumps and associated equipment to the property line curb stop. An inspection of grinder pump installations shall be completed by Village personnel prior to start up. Maintenance and repairs of said installations to the property line curb stop shall be the responsibility of the property owner. *52.29 Modified: June 18, 2014*

Article IV Use of village sewers

52.30 Prohibited discharges, general

No person shall discharge wastes to a village sewer that cause or are capable of causing either along or with other substances:

- A. Fire or explosion
- B. Obstruction of flow or damage to the wastewater facilities
- C. Danger to life or safety of persons
- D. Air pollution as defined in s. 144.30(2), Wis. Stats.
- E. Prevention of effective maintenance or operation of the wastewater facilities
- F. Any product of the village treatment processes or any of the village's residues, sludges or scums to be unsuitable for reclamation and reuse or to interfere with reclamation processes
- G. A detrimental environmental impact, a nuisance or any condition unacceptable to any public agency having regulatory jurisdiction over the village
- H. Any sanitary sewer of the village wastewater facilities to be overloaded
- I. Excessive village collection and treatment costs or use of a disproportionate share of the village facilities
- J. A violation of the village WPDES permit

52.31 Prohibited discharges, specific

Prohibited discharges shall include, but not be limited to,

- A. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- B. Any wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity either singly or by interaction or in combination with other wastes to injure or interfere with any waste treatment process, constitute a danger to humans, flora or fauna, create a public nuisance or create any hazard in the receiving waters of the wastewater treatment plant.
- C. Any waters or wastes having a pH lower than 6.0 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or operating personnel.
- D. Solids or viscous substances including, but not limited to, such substances as ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, improperly shredded garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers either whole or ground by garbage grinders.
- E. Any wastewater from industrial plants containing floatable oils, fats or greases.
- F. Any wastewater that contains organo-sulfur or organo-phosphate pesticides, herbicides or fertilizers.
- G. Any garbage that has not been properly shredded, see Article I, section 53.03 (Q).
Garbage grinders may be connected to sanitary sewers from homes, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from preparing food in kitchens for consumption on the premises or when served by caterers.
- H. Any water or wastes containing odor-producing substances exceeding limits that may be established by the village.
- I. Any substance with objectionable color not removed in the treatment process such as, but not limited to, dye wastes and vegetable tanning solutions.

52.32 Prohibitions on unpolluted water discharges

No person(s) shall discharge or cause to be discharged any unpolluted waters such as storm water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sewer.

52.33 Discharge unpolluted water

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 village and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged upon approval of the village or other regulatory agency to a storm sewer, combined sewer or natural outlet.

52.34 Limitations on discharges

Discharge to the village wastewater facilities of the following described substances, materials, waters or waste shall be limited to concentrations of quantities that will not harm the sewers, wastewater treatment process or equipment; will not have an adverse effect on the receiving stream; will not endanger persons or property; will not cause air pollution or other detrimental environmental effects; and will not constitute a nuisance:

- A. Liquid having a temperature higher than 65°C (150°F).
- B. Wax, grease, oil, plastic or any other substance that solidifies or becomes discernibly viscous at temperatures between 32° and 150°F (0° and 65°C).
- C. Radioactive wastes that alone or with other wastes result in releases greater than those specified by current United States Bureau of Standards Handbooks, or that violate rules or regulations of any applicable regulatory agency.
- D. Wastewater containing more than 25 milligrams per liter of petroleum oil, nonbiodegradable cutting oils or products of mineral oil origin.
- E. Wastewater containing more than 100 mg/l of oil or grease of animal or vegetable origin.
- F. Wastewater that 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 or flows during normal operation. A slug as defined in Article I, section 53.03 (Y).
- G. Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the superintendent for such materials.
- H. Materials that exert or cause unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to adversely affect the sewage treatment works operation.
- I. Waters or wastes containing substances that are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

52.35 Accidental discharge of prohibited wastewater

All discharges shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this chapter. Dischargers shall notify the village immediately upon the occurrence of an accidental discharge, including the location of the discharge and the type, concentration and volume of the discharge. Within fifteen (15) days of the discharge, a

detailed written statement describing the cause of the discharge and the measures taken to prevent future occurrences shall be submitted to the village. The dischargers will be liable for any expense, loss or damage to the treatment works caused by the discharge in addition to any fines imposed by the village pursuant to this chapter.

52.36 Dilution

No discharges shall increase the use of potable or process water in any way nor mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in this chapter.

52.37 Alternatives to accepting wastewater

If any waters or wastes are discharged or are proposed to be discharged to the village sewers that contain the substances or possess the characteristics enumerated in Article IV, section 53.34, and which in the village's judgment 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 village may:

- A. Reject the wastes.
- B. Require pretreatment to an acceptable condition for discharge to the public sewers.
- C. Require control over the quantities and rates of discharge.
- D. Require payment to cover added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

52.38 Pretreatment

If the village board permits pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the village board's review and approval and subject to all applicable codes, ordinances and laws.

The constructing, operating and maintaining all pretreatment facilities shall be at the discharger's expense and they shall be maintained and operated in a satisfactory manner.

52.39 Sand and grease interceptors

Grease, oil and sand interceptors shall be provided when in the village's opinion they are necessary to properly handle liquid wastes containing floatable grease in excessive amounts as specified in Article IV, section 53.34, 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 village board 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 properly removing and disposing the captured material by appropriate means and shall maintain records of the dates and means of disposal, which are subject to review by the village. Any removal and hauling of the collected materials not performed by owner('s)(s') personnel must be performed by currently licensed waste disposal firms.

52.40 Control structures

When the village board deems necessary, a suitable control manhole or structure shall be constructed on a building sewer carrying industrial wastes and such facility shall contain necessary meters, equipment or appurtenances to facilitate observation, sampling and

measurement of the waste. The construction and maintenance costs of these control facilities shall be at the owner('s)(s') expense.

52.41 Discharge holding-tank wastes

No person shall discharge holding-tank wastes, section 53.03 (H), directly into a manhole or other opening in a village sewer. Holding-tank wastes shall be discharged as directed by the village at the treatment works. The village shall determine appropriate charges for such discharges.

52.42 Special agreements

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the village and a user whereby a waste of unusual strength or character may be accepted by the village for treatment.

52.43 Septic and holding tank disposal

A. Application for septage disposal. Between August 1 and September 1 of each year every licensed disposer wishing to discharge septage to the Lake Delton sewerage system shall file a nonrefundable filing fee and an application in writing to the village on such a form as is prescribed for that purpose. During the months of July and August, forms for such application will be furnished at the village clerk's office. The application must state fully and truly the type, frequency, quantity, quality and location of generated septage to be disposed in the sewerage system.

B. Determination by village. During the month of September, the village public works department will evaluate the applications and make a determination as to the amount and conditions of septage disposal in the sewerage system. The village board shall approve or reject all applications by October 1 of each year. If the village cannot accept all the proposed septage disposal then consideration shall be given first to those generators of septage that are within the sewer service or holding tank service areas (see NR 205.07 (2)(h)).

C. Restrictions to permitted disposals

1. All approvals for septage disposal shall have the conditions that any time the sewerage system has operational problems, maintenance problems, or threat of WPDES permit violations that are indirectly or directly related to septage disposal, the village may immediately restrict septage disposal until such time as corrective action or mitigative measures have been taken.

2. Septage shall only be discharged to the sewerage system by village-approved and state of Wisconsin-licensed disposers and at the location and time and under the conditions specified by the public works department.

3. Septage discharges to village sewerage system are subject to restrictions as necessary to facilitate mixing, prevent a backup in the receiving sewer and prevent a slug load to the wastewater treatment facility. Discharges may be limited to the normal working hours of the village and require written documentation of the discharge to be submitted to the village public works department within one working day of the discharge to the sewerage system.

D. Application forms. Forms prescribed for documenting the discharge will be furnished at village public works department, in the municipal building at 50 Wisconsin Dells Parkway South, Lake Delton, Wisconsin, and will include the following information:

1. Hauler's name, address and telephone number
2. License number

3. Type of septage
4. Quantity of septage
5. Estimated quality of septage
6. Location, date, time and feed rate of discharge to the sewerage system
7. Septage source
8. Septage generator's name and address
9. Other information as required by the village public works department, or the Wisconsin Dells-Lake Delton Joint Sewerage Commission.

E. Control of septage wastes, sampling

1. Septage discharge into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said waste at least quarterly.
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 municipality. A minimum of at least quarterly sampling shall be necessary to determine sewer service charges.
3. Testing facilities shall be the responsibility of the person discharging the waste or septage and shall be subject to the village public works department's approval at all times. Every care shall be exercised in the collecting samples to ensure their preservation in a state comparable to the time the sample was taken.
4. When required, in the opinion of the village public works department, to modify or eliminate waste that are harmful to the structures, processes or the sewerage system operation, the discharger shall provide at its expense such preliminary treatment or processing facilities as may be required to render this waste acceptable for admission to the sewer system.

52.44 Powers and authority for inspecting and sampling

The officials or other duly authorized village employees bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing pertinent to discharge to the village wastewater facilities in accordance with the provisions of this chapter.

The officials or other duly authorized employees are authorized to obtain information concerning industrial processes that 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.

52.45 Village liability

While performing the necessary work on private properties referred to above, the official or duly authorized employees of the village shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the village officials or employees, and the village shall indemnify the company against loss or damage to its property by the village officials or employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.

52.46 Easements

The officials and other duly authorized village employees bearing proper credentials and identification, shall be permitted to enter all private properties through which the village holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

52.47 Protect from damage

No person(s) shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment that is a part of the wastewater facilities. Any person(s) violating this provision shall be subject to immediate arrest under charge of criminal damage to property or other appropriate charge.

52.48 Violation notice

Any person found to be violating any provision of this chapter except 53.47, shall be served by the village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall within the period of time stated in such notice, permanently cease all violations.

52.49 Penalty

Any person who shall continue any violation beyond the time limit provided for 53.48 shall be guilty of a misdemeanor and on conviction thereof, shall be fined in the amount not exceeding \$100 for each violation. Each day in which any such violation shall continue, shall be deemed a separate offense. Continued violation may result in the village refusing to accept the discharges of the violating discharger.

52.50 Discharger liability

Any person violating any of the provisions of this chapter shall become liable to the village for any expense, loss or damage occasioned the village by reason of such violation.

52.51 Misrepresentation

Any person who knowingly makes a false statement, representation or certification in any application, record, report, plan or other document filed or required to be maintained pursuant to this chapter; or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this chapter, shall upon conviction, be punished by the imposition of a civil penalty of not more than one thousand (\$1,000) dollars.

52.52 Right to appeal

Any discharger or agent of the discharger shall have the right to appeal an interpretation or ruling by the village on any matter covered by this chapter. The discharger or his agent shall be entitled to a hearing before the village board for the purpose of appeal. Such a meeting shall be promptly scheduled by the village upon receipt of a written appeal from the discharger.

52.53 Stay of enforcement

In the event that such appeal deals with matters of performance or compliance with this chapter for which enforcement activity relating to an alleged violation is subject, receipt of a discharger's written appeal shall stay all enforcement proceedings pending the hearing before the village board. Appeal on a final judgment by the village entered pursuant to this chapter may be taken in accordance with the law of the state of Wisconsin.