

**LARSEN-WINCHESTER SANITARY DISTRICT
ESTABLISHMENT OF SEWER USER CHARGE RATE
ORDINANCE NO. 2016-1**

The Larsen-Winchester Sanitary District of Winnebago County, Wisconsin, hereinafter referred to as Sanitary District, by its Commissioners, does hereby ordain as follows:

A. The District shall establish a District budget on an annual basis. The budget shall be based on the previous year's operating, maintenance and replacement costs of the District's collection and interceptor sewer system, expenses, revenues and charges from the Larsen-Winchester Sanitary District.

B. Upon approval of the annual budget, the District shall set the sewer user charge rates which shall continue until further order of the District such that revenues will be balanced with costs and expenses. The District Commissioners shall have the right to establish new sewer user charge rates from time to time as required to meet budgeted costs.

C. User charge rates established by the District shall distribute costs and expenses in proportion to wastewater contributions from industrial and domestic users. Excess revenue generated by either class will be used to offset charges and rates for that class in the following budget year.

D. The sewer user charge provisions of this chapter replace and supersede all previous provisions and agreements to the extent such previous provisions and agreements are inconsistent with the provisions of this chapter.

E. Sewer user charges shall be billed quarterly to all users and made payable to the district within 30 days of the date of the invoice. In the event of late payment, a late charge of 12% of the total amount due shall be added to the user charge.

F. Each sewer user charge established by this chapter shall be a lien upon the property served by a connection to the District System, and if such user charge is not timely paid, such charge, including interest, shall constitute a lien and be inserted on the tax roll as provided in §66.0809, Wis. Stats.

G. Sewer user charge revenues received shall be deposited at regular intervals in a depository selected by the District and shall be credited to the sewer revenue account, which shall show all receipts and expenditures of the District. Any surplus in the account shall first be applied to the payment of principal and interest on any revenue bonds issued and outstanding; then to the payment of principal and interest on any special assessment bonds or notes issued and outstanding; then to the district depreciation fund; and then to expenses for additions or improvements or other necessary disbursements.

H. An audit of the financial standing of the District shall be made annually. This audit shall be used to review the adequacy of existing rates.

Dated this 1 day of JUNE, 2016.

Michael J. Barduel
Frank J. Johnson
Mike Kinney

The Larsen-Winchester Sanitary District of Winnebago County, Wisconsin, herein referred to as the Sanitary District, by its Commissioners, does hereby ordain that Paragraphs 4.01 through 4.05 of Section 4.00 of Ordinance No. 4, being a restatement of Ordinance No. 2, shall be revised to read as follows:

SECTION 4

MISCELLANEOUS RULES AND REGULATIONS

4.01 MANDATORY HOOKUP:

- A. The owner of any parcel of land on which there exists a building used for human habitation, which parcel is located adjacent to a sewer main or in a block through which such system is extended, shall connect to such system within ten (10) days of notice in writing from the Sanitary District. Upon failure to do so, the Sanitary District may cause such connection to be made and bill the property owner for such costs. If such costs are not paid within thirty (30) days, such notice shall be assessed as a special tax lien against the property, all pursuant to Section 281.45, Wisconsin Statutes, provided, however, that the owner may within thirty (30) days after the completion of the work file a written option with the Sanitary District Board stating that he cannot pay such amount in one sum and ask that there be levied in not to exceed five (5) equal annual installments, and that the amount shall be so collected with interest at a rate not to exceed 15% per annum from the completion of the work, the unpaid balance being a special tax lien, all pursuant to Section 281.45, Wisconsin Statutes. The interest rate shall be established from time to time by resolution of the Sanitary District Board.
- B. In lieu of the above, the Sanitary District Board at its option may impose a penalty for the period that the violation continues, after ten (10) days written notice to any owner failing to make a connection to the sewer system. The penalty shall be equal to 150% of the minimum quarterly charge for any owner failing to make a connection to the sewer system. Such penalty shall continue to be payable quarterly for the period in which the failure to connect continues. Upon failure to make such payment, said charge shall be assessed as a special tax lien against the property, all pursuant to Section 281.45, Wisconsin Statutes.
- C. This ordinance ordains that the failure to connect to the sewer system is contrary to the minimum health standards of said Sanitary District and fails to assure preservation of public health, comfort, and safety of said Sanitary District.

4.02 MAINTENANCE OF SERVICES:

- A. The utility shall maintain sewer service within the limits of the Sanitary District from the street main to the property line and including all controls between the same, without expenses to the property owner, except when they are damaged as a result of negligence or carelessness on the part of the property owner, a tenant, or an agent of the property owner, in which case they will be repaired at the expense of the property owner. All sewer services from the point of maintenance by the system to

and throughout the premises must be maintained free of defective conditions by and at the expense of the owner or occupant of the property.

- B. When any sewer service is to be relaid and there are two or more buildings on such service, each building shall be disconnected from such service and a new sewer shall be installed for each building.

4.03 PENALTY FOR IMPROPER USE:

- A. It shall be unlawful for any person to willfully injure the sewer system, or any building, machinery, or fixture pertaining thereto, or, to willfully and without authority of the Sanitary District Board bore or otherwise cause to lead, any tunnel, aqueduct, reservoir, pipe or other thing used in the system for holding, conveying, or distributing sewage.
- B. It shall be unlawful for any person to introduce sewage into the system which shows an excess of a B.O.D. or suspended solids concentration of over 200 mg/l (normal domestic sewage); a surcharge shall be based on the excess of B.O.D. or suspended solids at a rate to be set from time to time by the Sanitary District Board. The Sanitary District reserves the right to test the sewage at any point within the connection system of the user or consumer.
- C. No user shall discharge or cause to be discharged any of the following described liquids or solid wastes to any sanitary sewer:
 - 1. Any storm water, surface water, ground water, roof run-off or surface drainage.
 - 2. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
 - 3. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, slug, plastics, wax, wood, flashings, hides, animal guts, spent lime, spent grain, spent hops, whole blood, paunch manure, or any other solid or viscous substance capable of causing obstruction of the flow in sewers or other interference with the proper operation of the sewerage system or any part thereof.
 - 4. Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans and animals or create any hazard in the receiving treatment facility.
 - 5. Any water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such material at the sewage treatment plant.

6. Any noxious or malodorous gas or substance capable of creating a public nuisance.
 7. Any garbage that has not been property shredded.
 8. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit, or lower than 32 degrees Fahrenheit.
 9. Any water or wastes which may contain more than 100 parts per million by weight of fat, oil, or grease, as analyzed in accordance with Standard Methods.
 10. Any water or waste having PH lower than 5.5 or higher than 9.0 having any corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- D. All plans for new sewers and connections to the sewer system shall be reviewed and approved by the Sanitary District Board prior to the start of construction.

4.04 DAMAGE RECOVERY:

- A. The Sanitary District shall have the right of recovery from all persons, any expenses incurred by said system for the repair or replacement of any sewer pipe damaged in any manner by any person by the performance of any work under their control or by a negligent act.

4.05 PENALTIES:

- A. Any person who shall violate any of the provisions of this ordinance or rules or regulations of the Sanitary District; or who shall connect a service pipe without first having obtained a permit therefore; or who shall violate any provisions of the Wisconsin Statutes, Wisconsin Administrative Code, or any other requirements which are incorporated by reference, shall upon conviction thereof forfeit not less than \$10 nor more than \$200 and the costs of prosecution. This however, shall not bar the Sanitary District from enforcing the connection duties set forth in Section 4.01 above for mandatory hookup.

Dated this 12th day of August, 2016.

Posted by: Betty Nelson

