

Chapter 2

Sewer Utility Rates and Regulations

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Sec. 9-2-1 Definitions.

- (a) Unless the context specifically indicates otherwise, the meaning of terms used in this Chapter shall be as follows:
- (1) **Agency.** The City of Onalaska Common Council and the Board of Public Works which is designated by it to administer and enforce the terms of this Chapter.
 - (2) **Agreement.** The current agreement between the City of LaCrosse and the City of Onalaska for the transportation and treatment of wastewater emanating in the City of Onalaska.
 - (3) **Ammonia Nitrogen plus Organic Nitrogen.** The quantity of soluble nitrogen in the oxidation tri-negative state combined with hydrogen and hydroxyl ions as NH_4OH expressed in mg/l of nitrogen, plus the organically bound nitrogen in the oxidation trinegative state; also referred to as Kjeldahl Nitrogen; the quantity being determined by *Standard Methods for the Examination of Water and Wastewater*, latest edition.
 - (4) **Biochemical Oxygen Demand (BOD_5).** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees Celsius, expressed in milligrams per liter.

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- (5) **Building Drain.** The lowest horizontal piping of a drainage system which receives the discharge from waste drainage pipes inside the building and conveys the same to the building sewer, beginning five (5) feet (1.52 meters) outside the inner face of the building wall.
- (6) **Building Sewer.** The extension from the building drain beginning at five (5) feet (1.52 meters) outside the inner face of the building wall to its connection with the sanitary sewer or other place of disposal.
- (7) **Commercial User.** Any user engaged in a business enterprise, churches, schools, mobile home courts, governmental and public facilities, multi-family units consisting of more than two (2) families, elderly housing units, care centers and nonprofit organizations shall be considered commercial users.
- (8) **Compatible Pollutant.** Biochemical oxygen demand, suspended solids, pH, fecal coliform bacteria, chemical oxygen demand, total organic carbon, nitrogen and nitrogen compounds.
- (9) **DNR.** The State of Wisconsin Department of Natural Resources.
- (10) **Domestic Wastewater.** Water-carried wastes containing approximately two hundred fifty (250) mg/1 BOD5 and approximately two hundred fifty (250) mg/1 suspended solids, consistent with that emanating from a typical household.
- (11) **Garbage.** Solid wastes from the domestic and commercial preparation, cooling and dispensing of food, and from the handling, storage and sale of produce.
- (12) **Grant.** Federal and/or state financial assistance for the construction of improvements to the public sanitary sewer collection system and/or sewage treatment plant.
- (13) **Grantee.** The local agency which receives a grant.
- (14) **Incompatible Pollutant.** Any pollutant which is not a compatible pollutant.
- (15) **Industrial User.** Any nongovernmental, nonresidential user of a sewage treatment plant which discharges more than the equivalent of twenty-five thousand (25,000) gallons per day of sanitary wastes and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one (1) of the following divisions: Division A, Agriculture, Forestry and Fishing; Division B, Mining; Division D, Manufacturing; Division E, Transportation, Communications, Electric, Gas and Sanitary Services; Division I, Industrial Services.
- (16) **Industrial Wastewater.** The liquid processing wastes from an industrial manufacturing process, trade or business including, but not limited to, all Standard Industrial Classification Manual D manufacturers, as distinct from domestic wastewater.
- (17) **Natural Outlet.** Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- (18) **Non-contact Cooling Water.** Wastewaters from a commercial or industrial user which have not become exposed to contamination or pollution, the sole alteration of which is in temperature increase and which do not contain any toxic or deleterious substances.

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- (19) **Person.** Any individual, corporation, company, association, cooperative, trust, institution, partnership, state, municipality or federal agency.
- (20) **pH.** The logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of the hydrogen-ions, in grams per liter of solution. Neutral water, for example, has a pH of 7 and hydrogen-ion concentration of 10^{-7} .
- (21) **Properly Shredded Garbage.** The wastes from the preparation, cooking and dispensing of food that have 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-half (1/2) inch in any dimension.
- (22) **Public Sanitary Sewer Collection System.** A system of sanitary sewers owned, maintained, operated and controlled by the Agency.
- (23) **Private Sewage System.** A system comprised of a septic tank and effluent absorption area designed for the purpose of processing and disposing of sewage.
- (24) **Residential User.** Single- and two-family homes which discharge domestic waste to the public wastewater collection system, as distinct from commercial or industrial users.
- (25) **Sanitary Interceptor Sewer.** A sewer whose primary purpose is to transport wastewaters from collection systems to a treatment facility.
- (26) **Sanitary Sewer.** A pipe or conduit owned and maintained by the Agency which carries sewage.
- (27) **Sanitary Waste.** The wastes discharged from the average residential user in the City; also termed domestic wastewater.
- (28) **Sewage.** A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.
- (29) **Shall** is mandatory; **may** is permissive.
- (30) **Slug.** Any discharge of sewage or industrial wastewater, the concentration of any constituent of which or the quantity of flow of which exceeds instantaneously more than five (5) times the average twenty-four (24) hour concentration of flows of the user during normal operation.
- (31) **Standard Industrial Classification Manual.** The document so entitled, published by the Office of Management and Budget, 1972.
- (32) **Storm Sewer (sometimes termed "storm drain").** A sewer which carries storm and surface waters and drainage, but excludes sewage, garbage and domestic wastewater and wastewaters other than non-contact cooling water from commercial and industrial users.
- (33) **Superintendent.** The Superintendent of the Water and Sewer Commission of the City of Onalaska or his authorized deputy, agent or representative.
- (34) **Suspended Solids.** Solids that are visible and in suspension in the liquid, the quantity being determined by *Standard Methods for the Examination of Water and Wastewater*, latest edition.

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- (35) **Treatment Facilities.** Any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or industrial wastes.
- (36) **Users.** Those residential, commercial, governmental, institutional and industrial establishments which are connected to the public sanitary sewer collection system.
- (37) **User Charge System.** A system based on estimated use of wastewater collection, transportation and treatment services where each user pays its proportionate share or construction and operation and maintenance cost of the collection, transportation and treatment facilities.
- (38) **Unaltered Water.** Waters which are not changed chemically or physically as a result of use.
- (39) **Watercourse.** A channel in which a flow of water occurs, either continuously or intermittently.
- (40) **Wastewater.** See sewage.

Sec. 9-2-2 Connection to Sanitary Sewers Required.

- (a) It shall be unlawful for any person to place, deposit or permit to be deposited any sewage, except non-contact cooling waters, on the ground surface of any public or private property within the jurisdiction of the Agency.
- (b) It shall be unlawful to discharge any sewage except non-contact cooling waters to any natural outlet within the jurisdiction of the Agency, except where authorized by the DNR.
- (c) Except as provided for in Section 9-2-4(b), 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 sewage.
- (d) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the jurisdiction of the Agency and abutting on any street, alley or right-of-way in which there is located a sanitary sewer is hereby required, at his expense, to install suitable toilet facilities therein and to connect such facilities directly with the public sewer collection system in accordance with the provisions of this Chapter within a period determined by the Superintendent of the Agency but in no event more than one (1) year and to pay such connection charges as may be established herein or by other ordinance.

Sec. 9-2-3 Installation of Laterals and Provisions of Water and/or Sanitary Sewer Services to Properties Outside the Corporate Limits of the City.

- (a) No person, corporation, partnership or other legal entity owning property outside the corporate limits of the City of Onalaska may connect said property to and/or obtain City

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water and/or sanitary sewer services for said property from any City water or sanitary sewer main(s).

- (b) Notwithstanding the provisions of Subsection (a), any person, corporation, partnership or other legal entity owning property outside the corporate limits of the City of Onalaska may install, at their own expense, a lateral for water and/or sanitary sewer services from the City's main(s) to said property, which lateral may, upon annexation of the property to the City and upon payment of all fees or charges, be utilized for the purpose of obtaining water and/or sanitary sewer services for said property.
- (c) This Section shall not affect the provisions of Title 9, Chapter 2, of the Code of Ordinances of the City of Onalaska regarding water services in unincorporated areas as provided in said Chapter.

Sec. 9-2-4 Private Sewage Disposal.

- (a) Where a sanitary sewer is not available, the building sewer shall be connected to a private, individual sewage system complying with the provisions of this Section.
- (b) Before commencement of construction of a private sewage system, the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the Agency which the applicant shall supplement by any plans, specifications and/or other information as is deemed necessary by the Superintendent. A permit and inspection fee of Fifteen Dollars (\$15.00) shall be paid at the time the application is filed.
- (c) A permit for a private sewage system shall not become effective until the installation is completed and approved by the Superintendent. The Superintendent shall be allowed to inspect the work at any stage of construction; and in any event, the applicant for the permit shall notify the Superintendent 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 by the Superintendent.
- (d) The type, capacity, location and layout of a private, individual sewage disposal system shall comply with Ch. H82.20, Wis. Adm. Code.
- (e) At such time as a sanitary sewer becomes available to a property served by a private sewage system, as provided in Section 9-2-2(d), a direct connection shall be made to the sanitary sewer in compliance with this Chapter and any septic tanks, cesspools and similar private or individual sewage facilities shall be abandoned in accordance with Ch. H82.20, Wis. Adm. Code.

Sec. 9-2-5 Building Sewers and Connections.

- (a) No authorized person shall alter, disturb or uncover any connections with or opening into any sanitary sewer or appurtenance thereof without first obtaining written permission from the Superintendent.

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- (b) (1) There shall be two (2) classes of building sewer permits:
 - a. For establishments producing only domestic wastewaters, including residences, institutions, public facilities and commercial establishments; and
 - b. For service to establishments producing industrial wastewater.
- (2) In either case, the owner or his representative shall make application on a special form furnished by the Agency. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Superintendent.
- (3) For each sewer and water inspection, there shall be a permit fee of Ten Dollars (\$10.00). For each relay sewer and water inspection there shall be a permit fee of Five Dollars (\$5.00). In addition, there shall be a charge pursuant to the project's value. This fee is to be applicable for installation and inspection for connections to the main or end of the lateral at the curb to the buildings, as well as for septic tank and dry well installations, also for each tap and water service pipe connected to the City water main, including fire protection services.
- (4) In addition to the foregoing, there shall be a connection charge of Twenty dollars (\$20.00) per dwelling unit or commercial establishment for connection to the sanitary sewer system comprising Area A on attached Exhibit A which is incorporated herein. There shall be a connection charge of Thirty Eight (\$38.00) per dwelling unit or commercial establishment for connection to the sanitary sewer system comprising Area B on said attached Exhibit A. Each of said charges shall be in addition to the various fixture charges and permit charges and shall be payable at the time application for the permit is made, whether it be to the public sewer system or water system, when applicable. Said connection charges shall be adjusted annually with the first adjustment being made as of January 1, 2002. The adjustment will be calculated by multiplying the connection charge by the percentage change in the Consumer Price Index for La Crosse County from January 1, 2001 to the date of connection or payment of the connection charge whichever is later. Said resulting amount shall be added to the connection charge to arrive at a total connection charge.
- (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 Agency from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- (d) A separate and independent building sewer shall be provided for every building, except where one (1) building stands at the rear of another on an interior lot and no individual sewage system is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway. The building sewer from the front building may be extended in such cases to the rear building and the whole considered as one (1) building sewer.
- (e) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this Chapter.
- (f) The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of Chapter H 82.20, Wis. Adm. Code, except that bituminous fiber pipe shall not be allowed.

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- (g) 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 sanitary sewer, sewage carried by such a building drain shall be lifted and discharged to the building sewer by facilities conforming to H82.11(13), Wis. Adm. Code.
- (h) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, basement sump pumps or other sources of surface runoff or groundwater to the building sewer or building drain which, in turn, is connected directly or indirectly to a sanitary sewer. If such connections are found during an inspection by the Superintendent or his representative, the penalty provisions of Section 9-2-14(a) are applicable.
- (i) The connection of the building sewer into the sanitary sewer shall conform to the requirements of Subsection (f) above.
- (j) The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the sanitary sewer. The connection shall be made under the supervision of the Superintendent or his representative.
- (k)
 - (1) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to minimize the hazard to public welfare and safety. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Agency.
 - (2) Where sanitary sewer construction requires excavation of streets or sidewalks, the applicant shall be required to obtain a permit for excavation from the City Engineering Department.
- (1) All building sewers, both new and existing, shall be maintained in such condition as to prevent inflow or infiltration of unpolluted waters from the groundwater table, storm runoff or other sources. If, during an inspection defined in Section 9-2-13(b) of this Chapter, upon plugging the building sewer at or near its point of entry into the sanitary sewer, unpolluted water should be observed by the Superintendent or his representative to back up into the building being served, the building sewer shall be declared defective and correction shall be ordered under Section 9-2-14.

Sec. 9-2-6 Use of the Sanitary Sewers.

- (a) **Prohibited Discharge.** No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or any other unaltered water to any sanitary sewer.
- (b) **Authority to Restrict Industrial Wastewaters.** The Agency reserves the right to refuse or limit the amount or character of any or all industrial wastewaters from an industry or combination of industries as may be necessary to insure adequate treatment and proper operation of the public sewer collection system.

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- (c) **Prohibited Substances.** No person shall discharge or deposit or cause to allow to be discharged or deposited into the wastewater collection system any wastewater or substances which contain the following:
- (1) Liquids, solids or gases which, by reason of their nature or quantity, may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious to the wastewater collection system or personnel engaged in the operation, maintenance or repair or monitoring of the same. At no time shall two (2) successive readings on the explosion meter, at the point of discharge into the wastewater collection system, be more than five percent (5%) of the Lower Explosive Limit (LEL) of the meter nor shall any single reading exceed ten percent (10%) of the LEL.
 - (2) Solid or viscous wastes which will or may cause obstruction to the flow in a sewer require excessive cleaning or maintenance or otherwise interfere with the proper operation of the wastewater collection system.
 - (3) Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in the public sewers, with no particle greater than one-half (1/2) inch in any dimension.
 - (4) Noxious or malodorous solids, liquids or gases which either singly, or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are or may be sufficient to prevent entry into the wastewater collection system for the purpose of monitoring, maintenance or repair.
 - (5) Any waste which will cause corrosion or deterioration of the collection system. All wastes discharged into the wastewater collection system must have a pH value in the range of six (6) to nine (9) standard units at the point of discharge into the wastewater collection system. Prohibited materials include, but are not limited to, compounds and substances which will react with water to form acidic or alkaline products.
 - (6) Wastewater or materials containing fat, wax, oil or grease of a concentration exceeding one hundred (100) mg/l, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between zero (0) and sixty-five (65) degrees Celsius [thirty-two (32) degrees Fahrenheit and one hundred fifty (150) degrees Fahrenheit] at the point of discharge into the wastewater collection system.
 - (7) Radioactive wastes or isotopes of such half-life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use and which will or may cause damage or hazards to the wastewater collection system or personnel engaged in the operation, maintenance or monitoring of the same.
 - (8) Any wastewater or materials not removable by the wastewater treatment process which will cause discoloration of the wastewater treatment plant effluent or treatment residues.
 - (9) Heated wastewater in amounts which will cause or is likely to cause deterioration or hazard to the wastewater collection system, personnel engaged in monitoring,

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maintenance or repair, or inhibit biological activity resulting in loss of treatment efficiency. In no case shall wastewater with a temperature exceeding forty (40) degrees Celsius [one hundred four (104) degrees Fahrenheit] be introduced into the wastewater collection system.

- (10) Any unpolluted water, including, but not limited to, cooling water, rain water, storm water, river water or ground water which will increase the hydraulic load on the wastewater collection system, except in cases where no prudent and reasonable alternative exists as determined by the Agency.
- (11) Wastewater at a flow rate or containing such concentrations of pollutants released in a single extraordinary discharge episode such that would cause a wastewater collection system upset and subsequent loss of treatment efficiency or result in the accumulation or production of inert or biological sludges in excess of normal operating removal capability or adversely affect treatment residues, sludges or scums.
- (12) Wastewater discharges, except as authorized by the Agency, shall not contain in excess of the following:

Parameter	Limitation, whichever is greater (maximum for any operating day)
Biochemical Oxygen Demand	500 mg/l or 500 lbs/day
Suspended Solids, Total	500 mg/l or 250 lbs/day

The Agency, upon review, may approve discharges in excess of the limits set forth providing that such discharge has little or no adverse impact on the wastewater treatment operation.

- (13) No holding tank wastes shall be discharged into the wastewater collection system unless a permit has been secured from the Agency or its representative. Unless allowed by the Agency under the terms and conditions of a permit, a separate permit must be secured for each separate discharge. This permit will state the specific location of discharge, time of day discharge is to occur, the volume of the discharge and the wastewater origin, constituents and characteristics.
- (14) Fluid or solid substances in quantities or of such size or nature as to cause obstruction to the flow in sanitary sewers or other interference with the proper operation of the wastewater treatment plant such as, but not limited to, unground garbage, ashes, cinders, clay, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups or milk containers, either whole or ground by garbage grinders, or any soluble substance that would create a viscosity of liquid greater than 1.1 in any portion of the treatment works.
- (15) Any fluid or solid containing chromium, copper, zinc, cyanide and similar objectionable or toxic substances which exceed the limits which are established for such materials. Unless more restrictive limits are established by a state or federal

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regulatory agency having jurisdiction, the following concentrations in milligrams per liter (mg/l) shall not be exceeded on a grab sample basis:

Arsenic	0.50	Lead	0.2
Barium	4.00	Mercury	0.002
Cadmium	0.01	Nickel	2.0
Chromium	0.6	Selenium	0.004
Copper	1.0	Silver	0.1
Cyanide	0.05	Zinc	1.0

- (16) Any fluid or solid containing phenols or other taste- or odor-producing substances in such concentrations exceeding limits which may be established by the Superintendent as necessary or as are established by the state, federal or other public agencies having jurisdiction for such discharge to the receiving waters. Unless other limits are established by a state or federal regulatory agency having jurisdiction, the concentration of phenol shall not exceed 0.005 mg/l on an instantaneous basis.
- (17) Any waste containing more than one hundred (100) mg/l of antiseptic substances.
- (18) Materials which exert or cause:
- Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, clays, lime slurries and lime residues) or of dissolved solids detrimental to the treatment processes.
 - Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions) or excessive odors.
 - Unusual chemical oxygen demand or chlorine requirements in quantities in excess of that found in domestic sewage.
 - Unusual volume of flow or concentration of wastes constituting "slugs" as defined in Section 9-2-1.
 - BODS in excess of five thousand (5,000) mg/l on an instantaneous basis or five hundred (500) mg/l on an average daily (work day) basis.
 - Total solids in excess of twenty thousand (20,000) mg/l on an instantaneous basis or two thousand (2,000) mg/l on an average daily (work day) basis.
 - Suspended solids in excess of ten thousand (10,000) mg/l on an instantaneous basis or one thousand (1,000) mg/l on an average daily (work day) basis.
- (19) Fluids or solids containing substances which are not amenable to treatment by the sewage treatment processes employed or are untreatable to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction.
- (d) **Compliance Standards.** No person shall discharge or cause or allow to be discharged or deposited any waters or wastes that do not conform to the following:
- Pretreatment standards established by the United States Environmental Protection Agency pursuant to Sections 307(b) and (c) of the Clean Water Act or standards

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- established by the Wisconsin Department of Natural Resources. No sewage, water or waste, including commercial and industrial waste, shall contain any substance which is determined to be in violation of any state or federal pretreatment standards, the WPDES permit requirements or which may be determined by the Agency to be unduly harmful or deleterious to the wastewater collection system, environment, public health and welfare, or interfere with the operation of the system.
- (e) **Action Upon Prohibited Discharge.** If wastewaters containing any substances described in Subsection (c) are discharged or proposed to be discharged into the public sewer system of the City of Onalaska or any sewer system tributary thereto, the Agency and City Attorney may take any action necessary to:
- (1) Prohibit the discharge of such wastewater.
 - (2) Require a discharger to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with this Chapter.
 - (3) Require pretreatment, including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations.
 - (4) Require the person making, causing or allowing the discharge to pay any additional cost or expense incurred by the City for handling and treating excess loads imposed on the treatment system.
 - (5) Take such other remedial action as may be deemed to be desirable or necessary to achieve the purpose of this Chapter.
- (f) **Discharge Permit.** New and existing industrial users subject to categorical standards or required to pretreat industrial wastes wishing to connect or continue discharging into any part of the Onalaska wastewater collection system must obtain a discharge permit therefor.
- (1) All of said industrial users connected to, proposing to connect to or discharging to any part of the City wastewater collection system must obtain a wastewater discharge permit within ninety (90) days from and after the effective date of enactment of any pretreatment standard applicable to the respective industrial category or subcategory under which said industrial user is classified.
 - (2) Users seeking a wastewater discharge permit shall complete and file with the Agency an application on the form prescribed by the Agency and accompanied by the applicable fee. In support of this application, the user shall submit the following information:
 - a. Name, address and SIC number of applicant.
 - b. Volume of wastewater to be discharged.
 - c. Wastewater constituents and characteristics including, but not limited to, those set forth in Section 9-2-6(c) of this Chapter as determined by a reliable analytical laboratory.
 - d. Time and duration of discharge.
 - e. Average and peak wastewater flow rates, including daily, monthly and seasonal variations, if any.

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- f. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers and appurtenances by size, location and elevation.
- g. Description of activities, facilities and plant processes on the premises, including all materials and types of materials which are, or could be, discharged.
- h. Each product produced by type, amount and rate of production.
- i. Number and type of employees and hours of work.
- j. Any other information as may be deemed by the Agency to be necessary to evaluate the permit application.

The Agency will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Agency may issue a wastewater discharge permit subject to terms and conditions provided therein.

(g) **Permit Conditions.**

- (1) Wastewater discharge permits shall be expressly subject to all provisions of this Chapter and all other regulations and fees established by the City. The conditions of the wastewater discharge permits shall be uniformly enforced in accordance with this Chapter and applicable state and federal regulations. Permit conditions will include the following:
 - a. The average and maximum wastewater constituents and characteristics.
 - b. Limits on rate and time of discharge or requirements for flow regulation and equalization.
 - c. Requirements for installation of inspection and sampling facilities and specifications for monitoring programs.
 - d. Requirements for maintaining and submitting technical reports and plant records relating to wastewater discharges.
 - e. Daily average and daily maximum discharge rates or other appropriate conditions when pollutants subject to limitations and prohibitions are proposed or present in the user's wastewater discharge.
 - f. Compliance schedules.
 - g. Other conditions to ensure compliance with this ordinance.
- (2) Permits shall be issued for a specified time period, not to exceed three (3) years. A permit may be issued for a period of less than one (1) year or stated to expire on a specific date. The terms and conditions of the permit may be subject to modification and change by the Agency during the life of the permit, as limitations or requirements as identified in Subsection (c) are modified and changed. The user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions shall include reasonable time schedule for compliance.
- (3) Wastewater discharge permits are issued to a specific user for specific process or operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation or process.

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- (4) Any user who violates the following conditions of his permit or of this Chapter or of applicable state and federal regulations is subject to having his permit revoked. Violations subjecting a user to possible permit revocation include, but are not limited to, the following:
 - a. Failure of a user to accurately report the wastewater constituents and characteristics of his discharge;
 - b. Failure of the user to report significant changes in operations or wastewater constituents and characteristics;
 - c. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or
 - d. Violation of conditions of the permit.
- (5) Permit fees shall be established by the City to provide revenues for the costs associated with the administration and compliance monitoring of the industrial pretreatment program. The fees provide only for the direct cost of industrial monitoring and administration and do not provide for the recovery of operations, maintenance and repairs or replacement costs of the wastewater treatment system. Permit fees, at intervals of no less than one (1) year, shall be evaluated and amended as necessary to reflect current costs. Permit fee schedules shall be available from the Agency.
- (h) **Preconstruction Approval.** Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater collection system is required, plans, specifications and other pertinent data or information relating to such pretreatment or flow-control facilities shall first be submitted to the Agency for review and approval at least sixty (60) days prior to initiation of construction. Such approval shall not exempt the applicant from compliance with any applicable code, ordinance, rule, regulation or order from any governmental authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior to approval of the Agency.
- (i) **Proper Maintenance of Pretreatment Facilities.** If pretreatment or control of waste flows is required, such facilities shall be maintained in good working order and operated as efficiently as possible by the owner or operator at his cost and expense, subject to the requirements of these rules and regulations and all other applicable codes, ordinances and laws.
- (j) **Inspections and Sampling.** Whenever it shall be necessary for the purposes of these rules and regulations, the Agency or duly appointed representatives, upon presentation of credentials, may enter upon any property or premises at reasonable times for the purpose of:
 - (1) Copying any records required to be kept under the provisions of this Chapter.
 - (2) Inspecting any monitoring equipment or method.
 - (3) Sampling any discharge of wastewater to the wastewater collection system.

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The Agency, or said representatives, may enter upon the property at any hour under emergency circumstances.

- (k) **Accidental Discharge Protection.** Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this Chapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or operator's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Agency for review at least sixty (60) days prior to the construction of the facility. Review and approval of such plans shall not relieve the industrial user from the responsibility to modify his facility as necessary to meet the requirements of this Chapter.
- (1) **Notification of Accidental Discharge.** If, for any reason, a facility does not comply with or will be unable to comply with any prohibition or limitation in this Chapter, the facility responsible for such discharge shall immediately notify the Agency so that corrective action may be taken to protect the wastewater collection system. In addition, a written report addressed to the Agency detailing the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge and corrective action taken to prevent future discharges shall be filed by the responsible industrial facility within five (5) days of the occurrence of the non-complying discharge.
- (m) **Discharge Reports.**
 - (1) Every industrial user subject to categorical standards or required to pre-treat industrial waste shall file periodic self-monitoring discharge reports at such intervals as are designated by the Agency. The Agency may require any other industrial users discharging into the wastewater collection system to file such periodic self-monitoring reports depending upon the volume and character of discharge. The self-monitoring report shall include, but, in the discretion of the Agency, shall not be limited to:
 - a. Nature of process;
 - b. Volume and rates of flow;
 - c. Mass emission rate of pollutants;
 - d. Production quantities;
 - e. Hours of operation; and
 - f. Concentrations of controlled pollutants or other information which relate to the generation of waste.
 - (2) Such reports may also include the chemical constituents and quantity of liquid materials stored onsite even though they are not normally discharged.

Sec. 9-2-7 Records and Monitoring.

- (a) All industrial users subject to categorical standards or required to pre-treat industrial waste who discharge or propose to discharge wastewaters to the wastewater collection system shall maintain such records of production and related factors, effluent flows and pollutant

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amounts or concentrations as are necessary to demonstrate compliance with the requirements of this Chapter and any applicable state or federal pretreatment standards or requirements.

- (b) The owner or operator of any premises or facility discharging industrial wastes subject to categorical pretreatment standards or required to pre-treat industrial waste shall install, at his own cost and expense, suitable monitoring equipment to facilitate the accurate observation, sampling and measurement of wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all times.
- (c) Industrial records relating to wastewater discharges shall be available upon request by the Agency. All treatment standards shall be made available to officials of the U.S. Environmental Protection Agency or the Wisconsin Department of Natural Resources upon demand.
- (d) Monitoring equipment shall be located and maintained on the industrial user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the Agency may allow modifications as necessary.
- (e) When more than one (1) user can discharge into a common sewer, the Agency may require the installation of separate monitoring equipment for each user. Where there is a significant difference in wastewater constituents or characteristics produced by different operations of a single user, the Agency may require that separate monitoring facilities be installed for each separate discharge.
- (f) Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the Agency's requirements and all applicable construction standards and specifications.

Sec. 9-2-8 City Inspection, Sampling and Analysis for Compliance.

- (a) Compliance determinations with respect to Section 9-2-6(c) prohibitions and limitations may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a twenty-four (24) hour period, or cover a longer or shorter time span, as determined necessary by the Agency to meet the needs of specific circumstances.
- (b) Laboratory analysis of industrial wastewater samples shall be performed in accordance with the current edition of "Standard Methods," "Methods for Chemical Analysis of Water and Waste" published by the U.S. Environmental Protection Agency or the "Annual Book of Standards, Part 23, Water, Atmospheric Analysis" published by the American Society for Testing and Materials.
- (c) Sampling of industrial wastewater for the purpose of compliance determination with respect to Section 9-2-6(c) prohibitions and limitations will be done at intervals as the Agency may designate. However, it is the intention of the Agency to conduct compliance sampling or to cause such sampling to be conducted for all industrial users subject to categorical standards or required to pre-treat industrial wastes at least once per year.

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Sec. 9-2-9 Special Agreements.

No statement contained in this Chapter shall be construed as preventing any special agreement or arrangement between the Agency and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Agency for treatment, subject to payment therefor by the industrial concern, provided the agreement is not in conflict with the intent or rates established by this Chapter or with Wisconsin Administrative Code requirements.

Sec. 9-2-10 Wisconsin Administrative Code Requirements.

No statement contained in this Chapter shall be construed to interfere with any additional requirements that may be imposed by the Wisconsin Administrative Code.

Sec. 9-2-11 User Charge System.

- (a) **Purpose.** The purpose of this Section is to establish the basis for reasonable charges for the cost of collection, transportation and treatment of wastewater.
- (b) **Classes of Charges.** Two (2) classes of wastewater charges shall be established as follows: (1) domestic wastewater; and (2) industrial wastewater. Domestic wastewater shall include wastewater from residential, commercial, institutional and public sources. The characteristics of domestic wastewater from residential users shall be utilized as the basis for computation of charges for nonresidential users. Nonresidential users shall pay on the basis of user equivalents as established in Subsection (c).
- (c) **User Equivalents.**
 - (1) Each of the following shall represent one (1) user equivalent in calculating the user charges:
 - a. Each single-family home or dwelling.
 - b. Each living unit in a two (2) family dwelling.
 - c. Each apartment unit in multi-family dwellings.
 - d. Each living unit of a care center or housing project.
 - e. Each mobile home site or unit.
 - f. Each school.
 - g. Each church.
 - h. Each governmental structure, unit or business.
 - i. Each public facility.
 - j. Each commercial business enterprise.
 - k. The first unit of a motel or boarding house [each additional unit equals one-half (1/2) user equivalents].

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- (2) Where a combination of uses exist in the same building or structure, each use or business shall be considered one (1) user equivalent.
- (3) The Agency shall update user equivalent calculations no less frequently than annually.
- (d) **Domestic Wastewater Charges.** The charges for domestic wastewater shall include a quarterly service charge plus a volume charge. The volume charge shall be based on metered water volume for the six (6) month period beginning October 1 and ending March 31 of each year.
- (e) **Quarterly Service Charge.**
 - (1) A quarterly service charge shall be assessed each user equivalent. The quarterly service charge is intended to generate sufficient revenues to pay the cost of wastewater treatment by the City of La Crosse and to pay the amortization cost of improvements to the La Crosse Interceptor Sewer System.
 - (2) The quarterly service charge shall be Eighteen Dollars and 60/100 (\$18.60) or the amount as determined by the following formula, whichever is greater:

$$\frac{\text{Annual Cost of Wastewater Treatment} + \text{Amortization Cost of } \textit{Improvements to LaCrosse Interceptor Sewer System}}{(4) \text{ (Number of User Equivalents)}}$$

- (3) The volume charge is intended to generate sufficient revenues to pay for the cost of operation, maintenance and depreciation of the Onalaska Sanitary Sewer Collection System. The annual operating budget will be estimated prior to each calendar year's operation. The volume charge shall be calculated as follows:

Volume Charge (per 100 cubic feet) =

$$\frac{\text{Annual Operating Expense of Onalaska Sewer Utility}}{\text{Total Metered Water Sales for October 1 - March 31 Period}} \times 2$$

Where a public water supply is not available and a private water supply is used or where metered records are not available, water usage shall be determined as follows:

Volume of Domestic Water Usage =

$$\frac{\text{Total Domestic Metered Water Volume}}{\text{Total Number of Metered Domestic Users}}$$

* Public and fire users excluded.

- (4) The Agency shall reserve the right to require a meter for any user.
- (5) Charges for a portion of a billing period shall be prorated by the Agency.

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- (f) **Billing Schedule.** Billing intervals shall be established by the Agency. If it has been impossible to read the water meter or a meter card has not been sent in, and as a result been over-estimated, there shall be no rebate on the sewer bill. No credits shall be given on such estimated bills unless proof is submitted of correctable error and a solution is possible.
- (g) **Special Treatment Charges.** Each user which discharges wastewater other than domestic or discharges toxic pollutants which cause an increase in the cost of managing the collection or treatment systems as determined by the Agency shall pay for such increased costs.
- (h) **Distribution of Costs.** The costs of operation and maintenance of all flow not directly attributable to users, e.g., infiltration and inflow, shall be distributed among all users on the basis of the flow volume of users.
- (i) **Records.** The Agency shall keep the records necessary to comply with applicable state or federal requirements.
- (j) **Excess Revenue.** The Agency shall apply excess revenues collected from a user class to the same class for the next year.

Sec. 9-2-12 Sewer Installation Charges in Greens Coulee Service Area.

- (a) It is hereby found and determined that a necessity exists for determining an equitable method for apportioning the costs of the installation of sanitary sewers in lands which may be developed within the Greens Coulee Service Area and which are not presently within the corporate limits of the City but may, in the future, become a part of the City. As a result, the City of Onalaska does hereby establish a base sewer installation charge for all developed lands in the Greens Coulee Service Area of One Hundred Fifty Dollars (\$150.00) multiplied by the number of acres or portion thereof for each developed lot or parcel within the service area. For any developed lot or parcel which becomes part of the city in 1987 or thereafter, the installation charge will be adjusted. The adjustment will be calculated by multiplying One Hundred Fifty Dollars (\$150.00) by the percentage change in the Consumer Price Index for La Crosse County from 1986 to the year in which the developed lot or parcel becomes part of the City. Said amount shall then be added to the One Hundred Fifty Dollars (\$150.00) per acre charge to arrive at a per-acre charge for that lot or parcel.
- (b) The sewer installation charge shall be paid by the owner(s) of each developed lot or parcel prior to connecting to the City's sanitary sewer system.
- (c) The Greens Coulee Service Area consists of those lands designated on the map which is designated as Appendix A of this Chapter, a copy of which is on file with the City Clerk and which is incorporated herein.

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Sec. 9-2-13 Powers and Authority of Inspectors.

- (a) The Superintendent and other duly authorized employees of the Agency bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Chapter. The Superintendent or his representatives shall have no authority to inquire into any processes, including metallurgical, chemical, oil, refining, ceramic, paper or other processes beyond that point having a direct bearing on the kind and source of discharge to the sanitary sewers or wastewater treatment facilities.
- (b) The Superintendent and other duly authorized employees of the Agency bearing proper credentials and identification shall be permitted to enter all private properties for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage collection system or treatment works. All entry and subsequent work, if any, shall be done in full accordance with the terms of this Chapter.
- (c) While performing the necessary work on private properties referred to in Subsection (b) above, the Superintendent or duly authorized employees of the Agency shall observe all safety rules applicable to the premises established by the owner, the owner shall be held harmless for injury or death to the Agency employees, and the Agency shall indemnify the owner against loss or damage to its property by Agency employees and against liability claims and demands for personal injury or property damage asserted against the owner and growing out of the inspection, gauging or sampling operation, except as such may be caused by negligence or failure of the owner to maintain safe conditions as required in Sections 9-2-6 through 9-2-10.

Sec. 9-2-14 Penalties.

- (a) Any person found to be violating any provision of this Chapter shall be served by the Agency with written notice stating the nature of the violation and providing thirty (30) days for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- (b) Any person who shall continue any violation beyond the time limit provided for in Subsection (a) above shall be subject to a One Hundred Dollar (\$100.00) fine for each violation. Each day in which such violation shall continue shall be deemed a separate offense.
- (c) Any person violating any of the provisions of this Chapter shall become liable to the Agency for any expense, loss or damage occasioned the Agency by reason of such violation. The Agency shall be held harmless as a result of any expense, loss or damage incurred as a result of a violation of this Chapter.

