

CHAPTER 3 User Rules and Regulations

3.01 Connection Rules and Regulations

- (1) Declaration of Policy. The Commissioners of the Sanitary District find and declare that the public health, comfort, and safety is preserved and enhanced by the provision of the Sewage System in the promotion of a clean and healthful environment, and that failure to connect to the Sewage System is contrary to minimum health standards.
- (2) Connection:
 - (a) Assure Public Health. To assure preservation of public health, comfort, and safety, the Owner of any house, building, or property used for human occupancy, employment, recreation, or other habitation, situated within the Sanitary District and adjacent to a Public Sewer, or in a block through which a Public Sewer extends, is hereby required at his expense to install suitable toilet facilities therein and to connect such facilities directly with the proper Public Sewer in accordance with the provisions of this Ordinance.
 - (b) Notice to Connect. The Sanitary District shall send notice to connect in the form of a written notice mailed by ordinary mail to persons and addresses as shown for each applicable property on the District tax roll.
 - (c) Application to Connect. Persons desiring to connect to the sewer system shall file two (2) applications in writing with the District as prescribed and pay the applicable application fees detailed in the District fee schedule. If it appears that the service applied for will not be adequate for the contemplated use, or if the District otherwise determines that approval will not be in the best interest of the District, the District may reject the application. If the District approves the application, it shall issue a permit for services as described in the approved application. No work toward the construction of the private sewer shall commence prior to the issuance of the permits.
 - (d) Failure to Connect. If the Owner shall not cause the aforesaid connections to be made within the required time, the Sanitary District shall send, by Certified Mail, a notice instructing the Owner to connect. If the aforesaid connections are not made within ten (10) days after receipt of the notice, the Sanitary District may:
 - (1) Cause such a connection to be made and bill the property owner for such costs. If such costs are not paid within thirty (30) days, such costs shall be assessed as a special tax lien against the property, unless the Owner,

SEWER USE ORDINANCE OF THE TOWN OF NEENAH SANITARY DISTRICT NO. 2
WINNEBAGO COUNTY, WI

CHAPTER 3

within thirty (30) days after the completion of the work, files a sworn affidavit with the Sanitary District stating that he cannot pay such amount in one sum and asking it be levied in not to exceed five (5) equal, annual installments, and the amount shall be so collected with interest, at a rate which is sufficient to recover the Sanitary District's costs of borrowed funds or interest lost, plus one (1) percentage point per annum from the completion of the work, the unpaid balance to be a special tax lien; and/or

- (2) Impose a standby charge, for the period of time in excess of twelve (12) months that such failure continues after the date the Public Sewer first becomes operational, after ten (10) days written notice to any owner failing to make a connection to the Sewage System, for an amount equal to one hundred fifty percent (150%) of the Service Charge, payable monthly for the period in which the failure to connect continues. Upon failure to make such payment, said charge shall be levied as a tax against the lot or parcel to which sewer service was furnished; and/or
 - (3) Collect from the Owner a forfeiture of not more than One Hundred Dollars (\$100.00) for each day thereafter the aforesaid connections are not made.
- (e) User Use Only. No User shall allow others or other services to connect to the sewer system through his/her lateral.
 - (f) After sewer connections have been made to any building or upon any premises, no person shall make any alterations to the connection unless the party has a proper permit for the alteration from the District.
 - (g) No persons shall make connection of roof downspouts, exterior foundation drains, sump pumps, areaway drains, or other sources of surface runoff or groundwater to a sewer connected directly or indirectly to a sanitary sewer.
- (3) Alternative Disposal Prohibited:
 - (a) No person shall construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended to be used for the disposal of domestic wastewater if a Public Sewer is available.
 - (b) No person shall discharge to any Natural Outlet within the Sanitary District in any area under the jurisdiction of the Sanitary District, sewage or other polluted

SEWER USE ORDINANCE OF THE TOWN OF NEENAH SANITARY DISTRICT NO. 2
WINNEBAGO COUNTY, WI

CHAPTER 3

waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

- (4) Plumbers. No plumber, pipefitter, or other person will be permitted to do any plumbing or pipe fitting work in connection with the sewer system without first receiving a license from the State of Wisconsin, submitting a certificate of insurance for general liability to the District, obtaining a connection and lateral permits, and paying the permit fees with the District. Permission from the District will include a lateral permit with inspection and approval of connection. All service connections to the sewer main shall comply with State plumbing code.
- (5) District Responsibility. It is expressly stipulated that no claim shall be made against said Sanitary District or the Sanitary District Commission due to the breaking, clogging, stoppage, or freezing of any service pipes nor from any damage arising from repairing mains, making connections or extensions, or any other work that may be deemed necessary. The right is hereby reserved to cut off the service at any time for the purpose of repairs or any other necessary purpose, any permit granted, or regulation to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer service within any area of said Sanitary District, the Commission shall, if practicable, give notice to each and every customer within such affected area of the time when such service will be so shut off.
- (6) Disconnection. Whenever premises served by the system are to be vacated, or whenever any person desires to discontinue services from the system, the District must be notified in writing by the Owner. The Owner is responsible for all sewer user fees for the property being served unless the following is applicable:
 - (a) Disconnection with Razing. Before any building connected to a sanitary sewer is razed or removed to another location. A permit shall be obtained by a licensed and insured plumber from the District to disconnect and seal all sewer services serving the premises. The plumber shall disconnect sewer service at the property line or as near thereto as practical and seal them as specified for new, unused services. The District shall approve disconnection and sealing thereof upon inspection before the work is covered. Upon inspection and approval by the District, the District shall issue a release stating that the said disconnection and sealing are approved. The property owner shall bear all costs and expenses associated with the disconnection and sealing of the building sewer. The property owner shall indemnify the District from any loss or damage that may directly or

SEWER USE ORDINANCE OF THE TOWN OF NEENAH SANITARY DISTRICT NO. 2
WINNEBAGO COUNTY, WI

CHAPTER 3

indirectly be occasioned by the disconnection of the building sewer. A property owner may apply for a disconnection application from the Sanitary District in conjunction with the razing of the home or business on a property. The Sanitary District may approve the disconnection application based upon confirmation that a razing permit has been applied for with the Town Building Inspector. The fee for the disconnection application can be found in the fee schedule.

3.02 User Charges and Regulations

- (1) Policy. It shall be the policy of the Sanitary District to obtain sufficient revenues to pay the cost of:
 - (a) The annual debt retirement payment on any bonded indebtedness;
 - (b) Any required cash reserve account payment;
 - (c) Operation and maintenance of the sewage works, including a replacement fund (i.e., a cash account to be used for future expenditures for obtaining or installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance of the sewage works during the service life for which such works were designed and constructed), through a system of user charges as defined in this Section. The system shall assure that each user of the sewage works pays a proportionate share of the cost of such works. The Sanitary District shall use special assessments, user charge revenue, and general taxation (mill levy) to generate the revenue necessary to pay back any and all indebted capital loans.
- (2) Connection Fee.
 - (a) A connection charge shall be assessed for each new and substantially separate building that has or will have a connection to the wastewater collection system. The District shall assign each new building a residential unit charge (RUC) rating. The connection charge shall be calculated as specified on the current and approved Fee Schedule. The connection charge shall be due and payable upon connection to the sanitary sewer.
 - (b) In the event the land use of an existing building or structure which has previously been assessed a connection charge is changed without expanding or enlarging the footprint of the existing building or structure and the new land use does not in the discretion of the Commission or its engineers materially change the quantity or

SEWER USE ORDINANCE OF THE TOWN OF NEENAH SANITARY DISTRICT NO. 2
WINNEBAGO COUNTY, WI

CHAPTER 3

quality of the wastewater to be discharged from the property then no additional connection charge will be assigned. In the event a land use change is likely to result in a material change in the quantity or quality of wastewater to be discharged or is accompanied by the construction of an additional structure or a material expansion of an existing structure, then an additional RUC will be calculated, and an additional connection fee may be assessed as specified on the Fee Schedule.

- (c) Connection fees must be paid in full within thirty (30) days of the receipt of the invoice. If the fee is not paid within thirty (30) days, a one and half percent (1.5%) fee will incur monthly, and the fee will be assessed as a lien on the property.
- (3) Unit Charges.
- (a) Residential Unit Charge (RUC). Residential unit charge shall mean the unit of sewer service use consisting of any residential or small commercial aggregation of space or area occupied for a distinct purpose, such as a residence, apartment, flat, store or office, which is equipped with one or more fixtures for rendering sewer service, separate and distinct from other users. When a customer's premises have several buildings, an apartment complex, a duplex, nursing and/or rest home facility, a **multiple unit charge will apply**. Unit classifications and formulas are listed in Appendix A.
 - (b) Recreational Use Charge (RUC). A recreational use charge shall be charged to all parcels which are provided access to the sewer system and which are designated as parks or areas of recreational use. Unit classifications and formulas are listed in Appendix A.
- (4) User Fee Rates. A sewer service charge known as a user fee shall be assessed to all District users connected to the sewer system for the purpose of raising revenue to pay for maintenance, repair, operation, a replacement fund, and other costs resulting from the use of the District's sewage system, treatment costs payable by the District to the Neenah-Menasha Sewage Treatment Plant and transportation cost payable to the City of Neenah for maintenance and use of the interceptor sewer system.

User fees will be as listed in the fee schedule and based upon the number of RUCs. User fees will be assessed and collected each year as determined by the Commissioners with any updates reflected in the fee schedule.

SEWER USE ORDINANCE OF THE TOWN OF NEENAH SANITARY DISTRICT NO. 2
WINNEBAGO COUNTY, WI

CHAPTER 3

- (5) Late Payment Penalty. A late payment charge of one and a half percent (1.5%) will be added to bills that have not been paid within thirty (30) days of issuance. This late payment charge will be assessed every thirty (30) days until payment has been received. An additional late fee of twenty-five dollars (\$25.00) will be charged every quarter that a payment is not received. A failure to receive a bill shall not excuse nonpayment.
- (6) Lien on Property. All charges established by this Ordinance shall be a lien upon the property served pursuant to Wisconsin Statutes 66.0809 and 66.0821(4)(d) and shall be collected in the manner therein provided.
- (7) Obligation for Payment. The property owner shall be liable for the sewer user fee, and the unpaid bill shall remain a lien against the property serviced until paid in accordance with this Ordinance. Upon failure to make payment within the time specified on the fee schedule, all such delinquent charges with interest will be placed on the next succeeding tax roll.
- (8) Penalty for Improper Use. 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 Commissioners bore or otherwise cause to leak any tunnel, aqueduct, reservoir, pipe, or other thing used in the system for holding, conveying or collecting sewage.
 - (a) No user shall discharge or cause to be discharged any of following described liquids or solid wasters to any sanitary sewer:
 - (1) Any stormwater, surface water, groundwater, roof runoff, surface drainage, foundation drains or sump pumps.
 - (2) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid-gas.
 - (3) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or sticky substances capable of causing obstruction of the flow in sewers or other interference with the proper operation of the sewage works.
 - (4) Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process constituting a hazard to humans and animals or creating any hazard in the receiving treatment facility.

SEWER USE ORDINANCE OF THE TOWN OF NEENAH SANITARY DISTRICT NO. 2
WINNEBAGO COUNTY, WI

CHAPTER 3

- (5) Any wastes 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 properly shredded.
 - (8) Any antifreeze or engine coolant.
 - (9) Any liquid or vapor having a temperature higher than 150° F.
 - (10) Any water or wastes which may contain more than 100 parts per million by weight of fat, oil or grease.
 - (11) Any water or wastes having a pH lower than 5.5 or higher than 9.0 having corrosive property capable of causing damage or hazard to structure, equipment, and personnel of the sewage works.
- (9) Damage Recovery. The Sanitary District shall have the right of recovery from all persons of any expense incurred by said Sanitary District for the repair or replacement of any sewer pipe damaged in any manner by any person by the performance of any work under his/her control, or by any negligent act.
- (10) Grease, oil and sand interceptors shall be provided as required by the State Plumbing Code, which is necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts 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 District approving authority and shall be located as to be readily and easily accessible for cleaning and inspection. In maintaining these interceptors, the Owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal, which are subject to review by the District approving authority. Disposal of the collected materials performed by the Owner's personnel or licensed waste disposal firms must be in accordance with the acceptable Department of Natural Resources (DNR) practice.

SEWER USE ORDINANCE OF THE TOWN OF NEENAH SANITARY DISTRICT NO. 2
WINNEBAGO COUNTY, WI

CHAPTER 3

3.03 User Responsibilities

- (1) **Permission Required.** No unauthorized person shall uncover, repave, disturb, or alter the areas where the sanitary sewer maintains easements except in accordance with said easements or without obtaining written consent from the Sanitary District.
- (2) **Manhole Area Paving.** Manholes are owned and maintained by the Sanitary District. All paving of the area around the manhole must be completed to District standards to enable water to flow away from the manhole. All paving must have written consent from the Sanitary District and must comply with District specifications to ensure inflow and infiltration do not occur.