

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

**CHAPTER 1 GENERAL**

**1.01 Title; Sewer Use and Sewer Service Charge Ordinance**

An ordinance establishing a system of charges and regulations governing the use of public and private sewers and drains, private sewage disposal, the installation, and connection of building sewers, and the discharge of waters and wastes into the public sewer system, and providing penalties for violations thereof; and levying and collection of sewer service charges, in the Town of Neenah Sanitary District No. 2, County of Winnebago, State of Wisconsin. Furthermore, this Ordinance is to comply with administrative provisions, water quality requirements, toxic pretreatment effluent standards, and other requirements as authorized and/or required by the laws set forth by the State of Wisconsin or Federal law.

Revenues derived, all or in part, from the application of this Ordinance shall be used to defray the costs of operating and maintaining the wastewater collection system, including treatment costs, and to provide funds for capital outlay, debt service, depreciation, and replacement.

**1.02 Definitions**

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

- (1) **Approving Authority.** Approving authority shall mean the Town of Neenah Sanitary District No. 2, or its duly authorized committee, agent, or representative.
- (2) **Biochemical Oxygen Demand (BOD).** BOD (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter in five days at 20 degrees Celsius, expressed as milligrams per liter (mg/l).
- (3) **Building Drain.** Building drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the walls of a building or proposed building and conveys it to the building sewer.
- (4) **Building Sewer (a/k/a Lateral).** Building sewer shall mean the part of the drain system not within or under a building that conveys its discharge to a public sewer, private

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interceptor main sewer, private onsite wastewater treatment system or other point of discharge or dispersal.

- (5) **Collection Sewers (a/k/a Public Sewers).** Collection sewers shall mean the common sanitary sewers within the Town of Neenah Sanitary District No. 2 sewage system that receives wastewater and conveys the same to a treatment plant. Private sewers are specifically excluded from the definition of a collection sewer; except that tanks and/or pumping units and pressurized lines from individual structures or groups of structures may be included as part of the collection sewer system when such units are owned and maintained by the District or are designated by the District as part of the collection system.
- (6) **Collection System.** Collection system shall mean the system of sewers and appurtenances for the collection, transportation, and pumping of domestic wastewater and industrial waste. The collection system shall include any and all lift stations constructed now or hereinafter as part of the common sanitary sewer system.
- (7) **Commissioners (a/k/a Commission).** Commissioners shall mean the duly appointed or elected officials responsible for administration and operation of Town of Neenah Sanitary District No. 2.
- (8) **Connection.** Connection shall mean each physical connection to the collection system, or private sewer system, which connects to the sanitary district collection system.
- (9) **Connection Fee.** Connection fee shall be the fee charged to connect any residential, public, or commercial unit to the sewer. *See Fee Schedule for connection fee information.*
- (11) **Connection Permit.** Connection permit shall refer to the permit issued by the District after proper application and payment of the required permit fee, which grants permission authorization to connect to the Town of Neenah Sanitary District No 2.
- (11) **Customer.** Customer shall mean the owner of premises to which sewer is now or is to be furnished unless specific written agreements specify otherwise. The customer refers to the property owner at the time a contribution is to be made or a refund becomes available.

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- (12) **Debt Service Charges.** Debt service charges shall include all costs associated with repayment of debt incurred for the construction and/or rehabilitation of the sewage collection system, and including the Town of Neenah Sanitary District No. 2 Assessment Policy, and including any and all amendments thereto, and further including any and all special assessments or mill tax levied hereinafter associated with and designated for repayment of debt.
- (13) **District (a/k/a Sanitary District).** District shall mean the Town of Neenah Sanitary District No. 2, located in Winnebago County, State of Wisconsin.
- (14) **District-Owned Sewer System.** District-owned sewer system shall mean that part of the system located within public rights-of-way, private rights-of-way by easement or condemnation, and all other easement areas as obtained by the Sanitary District from time to time. The same does not include the Neenah-Menasha Sewage Treatment Plant. The same does include, by definition, the Sanitary District's interceptor as the same connects to the City of Neenah public sewer system for transporting sewage to the Neenah-Menasha Sewage Treatment Plant.
- (15) **Easement.** Easement shall mean an acquired legal right for the specific use of property owned by another.
- (16) **Holding Tank.** Holding tank shall mean a watertight receptacle for the collection and holding of wastewater.
- (17) **Infiltration.** Infiltration shall mean water entering a sewer system (including sewer service connections) from the ground through such means as defective pipes, pipe joints, connection, or manhole walls. *May be referenced under I&I.*
- (18) **Inflow.** Inflow shall mean water other than wastewater that enters a sewerage system (including sewer service connections) from sources such as roof leaders, cellar drains, yard drains, area drains, foundations, drains from springs and swampy areas, manhole

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covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters, or drainage.

- (19) **Lateral.** Lateral shall mean the pipe that connects the customer's property to the public sewer.
- (20) **Lateral Permit.** Lateral permit shall refer to the permit issued by the District after proper application and payment of the required permit fee, which grants permission of a lateral connection from the customer's property to the public sewer. This permit must be requested at least 24-hours in advance of the day that the lateral connection will be occurring.
- (21) **May.** May means permissible.
- (22) **Natural Outlet.** Natural outlet shall mean any outlet, including storm sewers, into a watercourse, pond, ditch, lake, or other body of surface or groundwater.
- (23) **Operation and Maintenance Costs.** Operation and maintenance costs shall include all costs incurred by the Town of Neenah Sanitary District No. 2 in the operation and maintenance of the wastewater collection and sewer system. These costs include but are not limited to equipment, materials, energy, manpower, repairs, treatment costs paid to the Neenah-Menasha Sewage Commission, interceptor fees from the City of Neenah, and preventative maintenance.
- (24) **Owner.** Owner shall mean one or more legal or beneficial owners of any parcel of land in the District or the TNSD2 District Service Area.
- (25) **Parcel.** Parcel shall mean all or any part of land either within the boundaries of the District, to be incorporated within the District's boundaries, to be incorporated within the District's boundaries, or otherwise being served by the District sewer system.

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- (26) **Person.** Person shall mean any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency, or other entity.
- (27) **Private Sewer (a/k/a Service Pipes or Laterals).** Private sewer shall mean the property owner's privately owned and maintained sewer beginning at the end of the building drain and extending to the point of connection with the District's public sewer main.
- (28) **Prepaid Sewer User Fee.** Prepaid sewer user fee shall mean an annual prepaid user fee reflecting the annual sewer fee that is shown as a special charge on the property tax bill for Town of Neenah residents that reside in the Town of Neenah Sanitary District No. 2.
- (29) **Public Sewer.** Public sewer shall mean a sewer or lateral in a public right-of-way or easement abutting properties and is controlled or owned by the public authority.
- (30) **Replacement Costs.** Replacement costs shall include all costs associated with establishing a fund to accumulate the necessary resources to replace equipment, accessories, or appurtenances as required to maintain capacity and performance during the useful life of the wastewater collection and treatment facilities for which such facilities were designed and constructed.
- (31) **Recreational Use Charge.** 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.
- (32) **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*.

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- (33) **Sanitary Sewer.** Sanitary sewer shall mean a sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.
- (34) **Shall.** Shall means mandatory.
- (35) **Sewer Service Areas (a/k/a Wastewater Service Areas).** Sewer service areas shall mean the areas presently served and/or anticipated to be served by the Town of Neenah Sanitary District No. 2.
- (36) **Sewer User Fee.** Sewer user fee shall mean the charge assessed to all users of the sanitary system to pay for all operation and maintenance costs. Such charges shall be payable as determined by the Commission in accordance with the terms of this Ordinance.
- (37) **TNSD2.** TNSD2 shall mean Town of Neenah Sanitary District No. 2.
- (38) **Treatment Costs.** Treatment costs shall mean all costs imposed upon the Sanitary District for its proportionate use of the Neenah-Menasha Sewage Treatment Plant.
- (39) **Wastewater Facilities.** Wastewater facilities shall mean the structures, equipment, and processes required to collect and carry away domestic and industrial wastes.
- (40) **Watercourse.** Watercourse shall mean a natural or artificial channel for the passage of water, either continuously or intermittently.