

CHAPTER 711. ORDINANCE FOR A POTW AND COLLECTION SYSTEM.

An ordinance establishing a sewer use and user charge system in the City of Ashland, County of Ashland, State of Wisconsin, to provide procedures, safeguards and funds to operate and maintain and meet WPDES permit limits at the City of Ashland wastewater collection system and pay for wastewater treatment costs; and

Whereas, the City of Ashland Wastewater Utility, Wisconsin, owns and operates a wastewater treatment works; and

Whereas, the Wastewater Utility must pay all the operation and maintenance expenses associated with said treatment works and charge the users of said treatment works accordingly; and

Whereas the Wastewater Utility by accepting wastewater and septage assumes all risk for treatment and meeting their WPDES permit but reserve the right to permit reasons; and immediately discontinue acceptance of wastewater or septage for operational and

Now, therefore, be it ordained by the Mayor and Common Council of the City of Ashland that the following Sewer Use Ordinance be established.

SEWER USE ORDINANCE
City of Ashland, Wisconsin

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ARTICLE I

INTRODUCTION AND GENERAL PROVISIONS

This Ordinance regulates the use of public and private sewers and drains, discharge of septage into the public sewerage system, and the discharge of waters and wastes into the public sewerage systems within the City of Ashland. It provides for and explains the method used for levying and collecting wastewater treatment service charges, sets uniform requirements for discharges into the wastewater collection and treatment systems and enables the City of Ashland to comply with administrative provisions, and other discharge criteria which are required or authorized by the State of Wisconsin or Federal law. Its intent is to derive the maximum public benefit by regulating the characteristics of wastewater discharged into the City of Ashland sewerage system.

This Ordinance provides a means for determining wastewater and septage volumes, constituents and characteristics, the setting of charges and fees, and the issuing of permits to certain users. Revenues derived from the application of this Ordinance shall be used to defray the costs of operating and maintaining adequate wastewater collection and treatment systems and to provide sufficient funds for capital outlay, debt service costs and capital improvements. The charges and fees herein have been established pursuant to requirements of the Wisconsin Statutes. This Ordinance shall supersede any previous Ordinance, Rules or Regulations; and shall repeal all parts thereof that may be inconsistent with this Ordinance. If there is any conflict between this Ordinance and any applicable Statute, the State Statute shall be controlling.

ARTICLE II

DEFINITIONS

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

APPROVING AUTHORITY shall mean the City of Ashland, or its duly authorized committee, agent, or representative.

Ammonia Nitrogen (NH₃-N) shall mean one of the oxidation states of nitrogen, in which nitrogen is combined with hydrogen in molecular form as NH₃ or in ionized form as NH₄⁺. Quantitative determination of ammonia nitrogen shall be made in accordance with procedures set forth in “standard methods” or Chapter NR 149 of the Wisconsin Administrative Code.

Available Utilities: Municipal utilities shall be deemed available when a water or wastewater main exists within a Right-of-Way abutting a property line.

BIOCHEMICAL OXYGEN DEMAND (BODE) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees Centigrade, expressed

as milligrams per liter. Quantitative determination of BOD shall be made in accordance with procedures set forth in the most recent edition of "Standard Methods."

BUILDING DRAIN shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the wall of the building and conveys it to the building sewer.

BUILDING SEWER shall mean the extension from the public sewer or other place of disposal beginning outside the inner face of the building wall.

CHEMICAL ELEMENTS AND COMPOUNDS that are typically found in wastewater and may be regulated by this ordinance: These are as follows:

Aldrin	C ₁₂ H ₆ Cl ₆
Ammonia Nitrogen	NH ₃
Arsenic	As
Benzene	C ₆ H ₆
Benzo(a) Anthracene	C ₁₈ H ₁₂
Benzo(a) pyrene	C ₂₀ H ₁₂
Beryllium	Be
BIS(2-Ethylhexyl) Phthalate	(C ₁₇ H ₃₄ O ₂) ₂
Cadmium	Cd
Carbon Tetrachloride	CCl ₄
Chlordane	C ₁₀ H ₆ Cl ₈
Chloroform	CHCl ₃
Copper	Cu
Chromium	Cr
Cyanide	CN
DDT	(C ₁₄ H ₉ Cl) ₂
DDD	(C ₁₅ H ₁₁ Cl) ₂

DDE	(C1C6H42)CCC12
Dieldrin	C12H10OC16
3,3-Dichlorbenzidine	C6H3CINH2C6H3CINH2
Dichloromethane	CH2C12
2,4-D	C6H3(OCH2 OOH)C12
Dimethyl Nitrosoamine	(CH 3)2NNO
Endrin	C12H10 O C16
Heptachlor	C10H7Cl7
Hexachlorobezene	C6C16
Hexachlorobutadiene	C4C16
Lead	Pb
Lindane	C6H6C16
Malathion	C10H19O6PS2
Mercury	Hg
Molybdenum	Mo
Nickel	Ni
Nitrogen	N
PCB's	C12H10 C12H9Cl C12HBC12 C12H7 Cl3 C12H6C14 C12H5C15 C12H4C16 C12H3Cl7 C12H2C18 C12HIC19 C12Cl10

Pentachlorophenol	C6C15OH
Phenanthrene	C14H10
Phenol	C6H5OH
Phosphorous	P
Phosphate	PO4
Radium	Ra
Selenium	Se
Tetrachloroethylene	CC12CC12
Toxaphene	C10H10C18
Trichloroethylene	CHC1CC12
2, 4, 6-trichlorophenol	C6H2Cl3OH
Vinyl Chloride	CH2CHCl
Zinc	Zn

COMBINED SEWER shall mean a sewer intended to serve as a sanitary sewer and a storm sewer.

COMPATIBLE POLLUTANTS shall mean biochemical oxygen demand, suspended solids, phosphorus, ammonia, or pH, plus additional pollutants identified in the WPDES permit for the publicly owned treatment works receiving the pollutant if such works were designed to treat such additional pollutants to a substantial degree.

Failing Private Sewage System: System defined under § 145.245 (4), Wisconsin Statute. A holding tank which discharges sewage to the ground surface, including intentional discharges and discharges caused by neglect, shall be considered a failing private sewage system.

FLOATABLE OIL shall mean 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 or septage shall be considered free of floatable fat if it is properly treated and the wastewater does not interfere with the collection or treatment system.

GARBAGE shall mean the residue from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of food products and produce.

GROUND GARBAGE shall mean the residue from the preparation, cooking, and dispensing of food that has been shredded to such degree that all particulates will no greater than one-half (1/2) inch in any dimension and will be carried freely in suspension under normal flow conditions in sewers.

HOLDING TANK SERVICE AREA shall mean the area outside the POTW's sewer service area, but inside or equal to the POTW's planning area where a contract has been developed for holding tank wastewater to be treated at the Wastewater Treatment Facility.

INCOMPATIBLE POLLUTANTS OR WASTEWATER shall mean wastewater or septage with pollutants of such a strength that will adversely affect or disrupt the wastewater treatment processes or effluent quality or sludge quality if discharged to the sewerage system facility.

INDUSTRIAL WASTE shall mean the wastewater from industrial process, trade, or business, as distinct from sanitary sewage, including cooling water and the discharge from sewage pretreatment facilities.

LICENSED DISPOSER shall mean a person or business holding a valid license to do septage servicing under NR 113.

MAY is permissible.

MUNICIPAL WASTEWATER shall mean the wastewater of a 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 groundwater, surface water, and storm water that may have inadvertently entered the sewerage system.

NATURAL OUTLET shall mean any outlet, including storm sewers, into a water course, pond, ditch, lake or other body of surface water or groundwater.

“NORMAL DOMESTIC STRENGTH WASTEWATER OR NDSW” – Wastewater that is primarily introduced by residential users with a BOD5 concentration not greater than 250 mg/l, a suspended solids (TSS) concentration not greater than 250 mg/l and a phosphorous (P) concentration not greater than 10 mg/l.

“OPERATION AND MAINTENANCE COSTS” – Expenditures for operation and maintenance, including replacement.

PARTS PER MILLION shall mean a weight-to-weight ratio; the parts per million value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

PERSON shall mean any and all persons, including any individual, firm, company, municipal or private corporations, association, society, institution, enterprise, government agency, or other entity.

pH shall mean the logarithm of the reciprocal of 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} .

PUBLIC SEWER shall mean any sewer provided by or subject to the jurisdiction of the City of Ashland Wastewater Utility. It shall also include sewers within or outside the corporate boundaries that serve one or more personnel and ultimately discharge into the City of Ashland sanitary sewer system, even though those sewers may not have been constructed with City of Ashland Wastewater Utility funds.

REPLACEMENT – Obtaining and installing of equipment, accessories, or appurtenances which are necessary during the design or useful life of the treatment works, whichever is longer, to maintain the capacity and performance for which such works were designed and constructed.

REPLACEMENT COSTS – Expenditures for replacement.

SANITARY SEWAGE shall mean a combination of liquid and water-carried wastes discharged from toilets and/or sanitary plumbing facilities, together with such ground, surface, and storm waters as may have inadvertently entered the sewerage system.

SANITARY SEWER shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with small quantities of ground, storm, and surface waters that are not admitted intentionally.

SEPTAGE shall mean the wastewater or contents of septic or holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, seepage trenches, privies or portable restrooms.

SEWAGE is the spent water of a community. The preferred term is “municipal wastewater”.

SEWER SERVICE AREAS are the areas presently served and anticipated to be served by a municipal wastewater collection system. State regulations (NR 121.05) require that water quality management plans delineate sewer service areas of urban areas with a population of over 10,000. Approved facility plans contain less detailed sewer service areas for communities under 10,000 population.

SEWER SERVICE CHARGE is a service charge levied on users for the wastewater collection and treatment facilities for payment of use-related capital expenses as well as the operation and maintenance costs, including replacement of said facilities.

SEWER SYSTEM means the common sanitary sewers within a sewerage system which are primarily installed to receive wastewaters directly from facilities which convey wastewater from individual structures or from private property, and which include, service connection “Y” fittings designed for connection with those facilities. The facilities which convey wastewater from individual structures, from private property to the public sanitary sewer, or its equivalent, are specifically excluded from the definition of “sewerage collection system”; except that pumping units and pressurized lines for individual structures or groups of structures may be included as

part of a “sewer system” when such units are cost effective and are owned and maintained by the sewerage owner.

SEWERAGE SYSTEM means all structures, conduits and pipes, by which sewage is collected, treated, and disposed of, except plumbing inside and in connection with buildings served, and service pipes, from building to street main.

“SHALL” is mandatory.

SLUG LOAD shall mean any substance release at a discharge rate and/or concentration which cause interference to wastewater treatment processes or plugging or surcharging of the sewer system.

STANDARD METHODS shall mean the examination and analytical procedures set forth in the most recent edition of “Standard Methods for the Examination of Water, Sewage, and Industrial Wastes” published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

STORM DRAIN (sometimes termed “storm sewer”) shall mean drain or sewer for conveying surface water, groundwater, subsurface water or unpolluted water from any source.

STORM WATER RUNOFF shall mean that portion of the rainfall that is collected and drained into the storm sewers.

SUSPENDED SOLIDS shall mean solids that either float on the surface of, or are in suspension in, water, wastewater, septage, or other liquids, and that is removable by laboratory filtering as prescribed in “Standard Methods” and is referred to as nonfilterable residue.

USER – Any person who discharges, or causes or permits the discharge of, wastewater into the City’s wastewater treatment works.

USER CHARGE – A charge levied on users of the wastewater treatment works for the user’s proportionate share of the cost of operation and maintenance, including replacement.

WASTEWATER FACILITIES shall mean the structures, equipment, and processes required to collect, carry away, store, and treat domestic and industrial waste and septage and dispose of the effluent and sludge.

WASTEWATER TREATMENT WORKS shall mean an arrangement of devices and structures for treating wastewater, septage, industrial waste, and sludge. Sometimes used as synonymous with waste treatment.

WATERCOURSE shall mean a natural or artificial channel for the passage of water, either continually or intermittently.

WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT is a document issued by the Wisconsin State Department of Natural Resources which establishes effluent limitations and monitoring requirements for the municipal wastewater treatment facility.

ARTICLE III

Management, Operation and Control

1. The management, operation and control of the sewer system for the City of Ashland vested in the Wastewater Utility; all records, minutes and all written proceedings thereof shall be kept by the Wastewater Utility; the City Finance office shall keep all the financial records.
2. CONSTRUCTION. The City of Ashland Wastewater Utility shall have the power to construct sewer lines for public use, and shall have the power to lay sewer pipes in and through the alleys, streets, and public grounds for the City of Ashland; and generally, to do all such work as may be found necessary or convenient in the management of the sewer system. The City of Ashland shall have power by themselves, their officers, agents, and servants, to enter upon any land for the purpose of making examination or supervise in the performance of their duties under the Ordinance, without liability therefore; and the City of Ashland shall have power to purchase and acquire for the Wastewater Utility all real and personal property which may be necessary for construction of the sewer system, or for any repair, remodeling, or additions thereto.
3. MAINTENANCE OF SERVICES
The Owner shall maintain sewer service from the street main to the house and including all controls between the same, without expense to the Wastewater Utility, except when they are damaged as a result of negligence or carelessness on the part of the City of Ashland. All sewer services must be maintained free of defective conditions, by and at the expense of the Owner or occupant of the property. When any sewer service is to be re-laid and there are two or more buildings on such service, each building shall be disconnected from such service and a new sewer service shall be installed for each building.
4. CONDEMNATION OF REAL ESTATE. Whenever any real estate or any easement therein, or use thereof, shall in the judgment of the City of Ashland be necessary to the sewer system, and whenever, for any cause, an agreement for the purchase thereof, cannot be made with the Owner thereof, the City of Ashland shall proceed with all necessary steps to take such real estate easement, or use by condemnation in accordance with the Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if Federal Funds are used.
5. TITLE TO REAL ESTATE AND PERSONALITY. All property, real, personal, and mixed, acquired for the construction of the sewer system, and all plans, specifications, diagrams, papers, books and records connected therewith said sewer system, and all

buildings, machinery, and fixtures pertaining thereto, shall be the property of the City of Ashland.

ARTICLE IV

USER RULES AND REGULATIONS

GENERAL. The rules, regulations, and sewer rates of the City of Ashland Wastewater Utility hereinafter set forth shall be considered a part of the contract with every person, company or corporation who is connected to or uses the City of Ashland sewer system or wastewater treatment facility and every such person, company or corporation by connecting with the sewer system or wastewater treatment facility shall be considered as expressing their assent to be bound thereby. Whenever any of said rules and regulations, or such others as the Wastewater Utility may hereafter adopt, are violated, the use or service shall be shut off from the building or place of such violation (even though two or more parties are receiving service through the same connection) and shall not be re-established except by order of the Wastewater Utility and on payment of all arrears, the expenses and established charges of shutting off and putting on, and such other terms as the Wastewater Utility may determine, and a satisfactory understanding with the party that no further cause for complaint shall arise. In case of such violation, the Wastewater Utility, furthermore, may declare any payment made for the service by the party or parties committing such violation, to be forfeited, and the same shall thereupon be forfeited. The right is reserved to the City of Ashland to change these said rules, regulations, and sewer rates from time to time as they may deem advisable; and make special rates and contracts in all proper cases.

The following rules and regulations for the government of licensed plumbers, sewer users and others, are hereby adopted and established.

PLUMBERS. No plumber, pipe fitter, or other person will be permitted to do any plumbing or pipe fitting in connection with the sewer system without first receiving a license from the State of Wisconsin and obtaining permission from the City of Ashland. All service connections to the sewer main shall comply with State plumbing code.

(1) MANDATORY HOOK-UP. The owner of each parcel of land adjacent to a waste water main on which there exists a building usable for human habitation or in a block through which such system is extended, shall connect to such system within 180 days of notice in writing from the City. Upon failure to do so, the City may cause such connection to be made and bill the property owner for such costs. If such costs are not paid within 30 days, another said cost shall be assessed as a special tax lien against the property pursuant to Wisconsin Statute 281.45 provided, however, that the owner may, within 30 days after the completion of the work file a written opinion with the City Clerk stating that he or she cannot pay such amount in one sum and ask that the property owner be levied in not to exceed equal annual installments, and the amount shall be so collected with interest at the rate not to exceed 15% per year from the completion of the work, the unpaid balance to a special tax lien.

In lieu of the above, the City of Ashland at its option may impose, after ten (10) days written notice to any owner failing to make a connection to the sewer system, a penalty in the amount of \$1,000 for the period that the violation continues. Upon failure to make such payment, said charge shall be assessed as a special tax lien against the property, all pursuant to Section 144.06.

This ordinance ordains that the failure to connect to the sewer system is contrary to the minimum health standards of the City of Ashland and fails to assure preservation of public health, comfort, and safety of the City of Ashland.

SEPTIC TANK PROHIBITED. The maintenance and use of septic tanks, holding tanks and other private sewage disposal systems within the area of the City of Ashland serviced by its sewer system are hereby declared to be a public nuisance and a health hazard. The use of septic tanks, holding tanks or any private sewage disposal system within the area of the City of Ashland serviced by the sewerage system shall be prohibited.

INFLOW CONNECTIONS PROHIBITED. No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or indirectly to the wastewater disposal system.

APPLICATION FOR SEWER SERVICE. Every person desiring to connect or alter an existing connection to the sewer system shall file an application in writing to the Wastewater Utility on such forms as is prescribed for that purpose. Blanks for such applications will be furnished at the office of the Wastewater Utility. The application must state fully and truthfully all the wastes which will be discharged. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. Persons connected to the sewer system of the City of Ashland are referred to herein as "Users".

Any new connection(s) to the sanitary sewer system shall be prohibited unless sufficient capacity is available in all downstream facilities including, but not limited to, capacity for flow, BODS, and TSS, as determined by the Superintendent.

If it appears that the service applied for will not provide adequate service for the contemplated use, the Wastewater Utility may reject the application. If the Wastewater Utility approves the application, it shall issue a permit for services as shown on the application.

APPLICATION FOR SEPTAGE DISPOSAL. Between August 1 and September 1 of each year every licensed disposer wishing to discharge septage to the City of Ashland sewer system shall file a nonrefundable filing fee and an application in writing to the Wastewater Utility 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 office of the Wastewater Utility. The application must state fully and truly the type, frequency, quantity, quality and location of generated septage to be disposed in the City of Ashland sewerage system.

During the month of September, the Wastewater Utility will evaluate the applications and make a determination as to the amount and conditions of septage disposal in the City of Ashland sewerage system. The Wastewater Utility shall approve or reject all applications by October 1 of

each year. If the WWTF 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)].

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

CONNECTION CHARGE.

- A. Persons attaching to a sewer main shall have the lateral from the sewer main installed at their own expense.
- B. In addition to all other fees and service charges, every person attaching a lateral to a sewer main shall pay the City of Ashland a one-time connection charge in the amount of \$800 if any of the following conditions apply:
 - 1. The sanitary sewer was constructed with City funds and special assessments were not levied.
 - 2. The sanitary sewer was constructed with City funds and special assessments were levied against the property more than twenty (20) years prior.
 - 3. The property was not identified to be serviced by a sanitary sewer which was constructed and paid for by a private individual or developer.

TAP PERMITS. After sewer connections have been introduced into any building or upon any premises, no plumber shall make any alterations, extensions or attachments, unless the party ordering such tapping or other work exhibits the proper permit for the same from the Wastewater Utility.

USER TO KEEP IN REPAIR. All users shall keep their own service pipes in good repair and protected from frost, at their own risk and expense, and shall prevent any unnecessary overburdening of the sewer system.

BACKFLOW PREVENTER. All floor drains shall have a backflow prevention valve installed at the owner's expense.

USER USE ONLY. No user shall allow other persons or other services to connect to the sewer system through their lateral.

VACATING OF PREMISES AND DISCONTINUANCE OF SERVICE. Whenever premises served by the system are to be vacated, or whenever any person desires to discontinue service from the system; the Wastewater Utility must be notified in writing. The owner of the premise

shall be liable for any damages to the property of the system other than through the fault of the system or its employees, representative, or agents.

USER TO PERMIT INSPECTION. Every user shall permit the City of Ashland or its duly authorized agent, at all reasonable hours of the day, to enter their premises or building to examine the pipes and fixtures, and the manner in which the drains, and sewer connections operate; and they must at all times, frankly and without concealment, answer all questions put to them relative to its use, all in accordance with this Ordinance and Section 196.71, Wisconsin Statutes.

INSTALLATION OF HOUSE LATERALS.

All service pipes (laterals) on private property will be installed in accordance with City of Ashland Building Inspection Ordinance 748 and, with State of Wisconsin Administrative Code Chapter ILHR 82 “Design, Construction, Installation, Supervision, and Inspections of Plumbing”, especially, Section ILHR 82.04, “Building Sewers”.

As required by Section ILHR 82.04(5), all laterals shall be inspected: “The building sewer and/or private interceptor main sewer shall be inspected upon completion of placement of the pipe and before backfilling and tested before or after backfilling.”

EXTENSIONS. The Wastewater Utility shall extend sewer mains to a new person(s) in accordance with the following charges and the following conditions:

When an extension of a sewer main is required by the prospective user, said person shall make an application on such a form as it prescribed for that purpose for such an extension in writing to the Wastewater Utility by filing of such an application, the Wastewater Utility shall first determine the logical location of the next manhole or manholes. Next, the Wastewater Utility shall determine the length and location of the extension, taking into consideration the prospective demands for service, the capacity of downstream facilities, and the orderly development of the particular area. No extension shall be made for a distance less than to the next manhole. All sewer extensions shall be constructed in compliance with local and state laws, ordinances, and regulations.

The person who requests the extension shall pay the entire cost of said extension including the manhole or manholes that are part of the extension. If more than one user is involved, the entire cost shall be divided among these users.

After making the decision as to the length and location of the extension and prior to the time of making the charge to the person(s), the City of Ashland shall determine the benefits to be received by any parcel that can be served by said extension. Before making a determination as to benefits received, the City of Ashland shall first divide the area to be served into logical building lots. The City of Ashland may consider the recommendations of the landowner in determining said building lots if the landowner as part of his or her application accompanies said application with a proposed division of said land into lots for sale or use. In determining the amount to be paid by the original users, if more than one user is involved, the division of the charge shall be

made by considering each building lot as a separate user. Payments are to be considered contributions to construction.

UTILITY RESPONSIBILITY. It is expressly stipulated that no claim shall be made against the City of Ashland or acting representative by reason of 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 regulations to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer within any district of the City of Ashland, the Wastewater Utility shall, if practicable, give notice to each and every consumer within the district, of the time when such service will be shut off.

EXCAVATIONS.

In making excavations in streets or highways for laying service pipe or making repairs, the paving and the earth removed must be deposited in a manner that will result in the least inconvenience to the public.

No person shall leave any such excavation made in any street or highway open at any time without barricades; and during the night, warning lights must be maintained at such excavations.

In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than nine inches in depth, and each layer thoroughly compacted to prevent settling. This work together with the replacing of sidewalks, ballast and paving, must be done so as to make the street as good, at least, as before it was disturbed, and satisfactory to the City of Ashland. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.

TAPPING THE MAINS.

No persons, except those having special permission from the Wastewater Utility or persons in their service and approved by them, will be permitted, under any circumstances to tap the mains or collection pipes. The kind and size of the connection with the pipe shall be that specified in the permits or order from the Wastewater Utility to ensure that new sewers and connections to the sewer system are properly designed and construction.

Pipes should always be tapped on top, and not within six inches (15 cm) of the joint, or within 24 inches (60 cm) of another lateral connection. All service connections to mains must comply with State plumbing code. Lateral connections to existing sewers shall be made with saddles and by coring the existing sewer or by inserting (cutting-in) a wye or tee into the existing sewer. The lateral/tee connection shall be made with approved adaptors or couplings.

In addition to the charge made as above provided to each lot, each user shall pay the full cost of the lateral from the main to their building.

SEPTAGE ACCEPTANCE LOCATION. Septage shall only be discharged to the City's sewerage system by City-approved and State of Wisconsin licensed disposers and at locations, times, and conditions as specified by the City of Ashland Wastewater Utility.

Septage discharges to Wastewater Utility specified manholes may, under special circumstances, be allowed provided discharge rates are restricted 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 Wastewater Utility and shall require written documentation of the discharge to be submitted to the Wastewater Utility within one working day of the discharge to the City of Ashland Wastewater Utility sewerage system.

Septage discharges to the septage dumping facility at the wastewater treatment facility shall be limited to the posted normal working hours of the facility. Documentation of the discharge shall be submitted to the Wastewater Utility within one working day of the discharge to the WWTF septage dumping facility.

Forms are prescribed for the purpose of documentation of the discharge will be furnished at the WWTF and will include the following information:

- 1) Name, address and telephone number of the hauler
- 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) Source of septage
- 8) Name and address of septage generator
- 9) Other information as required by the Wastewater Utility

ADDITIONAL AUTHORITY. The Wastewater Utility may at any time establish specific connection and lateral charges for any main not covered by other provisions in this Ordinance or when the Wastewater Utility has made an extension and the Wastewater Utility has failed to provide lateral or connection charges. It is further provided that Wastewater Utility may amend or alter any connection or lateral charge after its establishment under the terms of this Ordinance or previous Ordinance or Resolutions.

ARTICLE V

REGULATIONS

GENERAL DISCHARGE PROHIBITIONS

No Discharger shall contribute or cause to be discharged, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the Authority:

- a) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any other way to the operation of the City of Ashland wastewater facilities or wastewater treatment works.
- b) Solids or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater system.
- c) Any wastewater having a pH less than 5.0 or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.
- d) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or to exceed the limitation set forth in State or Federal Categorical Pretreatment Standards.

A toxic pollutant shall include but not be limited to any pollutant identified in the Toxic Pollutant List set forth in NR 215 of the Wisconsin Administrative Code.

- e) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair.
- f) Any substance which may cause the City of Ashland effluent or treatment residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process.
- g) Any substance which will cause the City of Ashland to violate its WPDES and/or other Disposal System Permits.
- h) Any substance with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
- i) Any wastewater having a temperature which will inhibit biological activity in the City of Ashland treatment works resulting in interference; but in no case, wastewater with a temperature at the introduction into the Publicly Owned Treatment Works which exceeds 40°C (104°F).
- j) Any slugload, which shall mean any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a single extraordinary discharge episode of such volume or strength as to cause interference to the Publicly Owned Treatment Works.
- k) Any unpolluted water including, but not limited to non-contact cooling water.
- l) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as exceed limits established by the Authority in compliance with applicable State or Federal regulations.

- m) Any wastewater which causes a hazard to human life or creates a public nuisance.
- n) Any storm water, surface water, groundwater, roof run-off or surface drainage or any other connections from inflow sources to the sanitary sewer. Such waters may be discharged to a storm sewer or other waterway with permission of the Wastewater Utility.

LIMITATIONS ON WASTEWATER STRENGTH

a) National Categorical Pretreatment Standards

National categorical pretreatment standards as promulgated by the U.S. Environmental Protection Agency shall be met by all Dischargers of the regulated industrial categories.

b) State Requirements

State requirements and limitations on discharges to the Public Owned Treatment Works shall be met by all Dischargers which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this or any other applicable ordinance.

c) Right of Revision

The Authority reserves the right to amend this Ordinance to provide for more stringent limitations or requirements on discharges to the Publicly Owned Treatment Works where deemed necessary to comply with the objectives set forth in this Ordinance.

d) Dilution

No Discharger 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 Ordinance.

e) Supplementary Limitations

No Discharger shall discharge wastewater containing concentrations [and/or mass limitations] of the following enumerated materials, exceeding the following values:

<u>Materials</u>	<u>Concentration (ms/l)</u>	<u>[Mass Limitation]</u>
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f) Accidental Discharges

Each Discharger shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this Ordinance. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained as the Discharger's cost and expense. Detailed plans showing facilities and operating procedures to provide this protections shall be submitted to the Authority for review, and shall be approved by the

Authority before construction of the facility. Review and approval of such plans and operating procedures by the Authority shall not relieve the Discharger from the responsibility to modify its facility as necessary to meet the requirements of this Ordinance.

Dischargers shall notify the Authority immediately upon the occurrence of a “slugload”, or accidental discharge of substances prohibited by this Ordinance. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any Discharger who discharges a slugload of prohibited materials shall be liable for any expense, loss or damage to City of Ashland wastewater facilities or wastewater treatment works, in addition to the amount of any fines imposed on the Authority on account thereof under State or Federal law.

Signs shall be permanently posted in conspicuous places on Discharger’s premises, advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge with respect to emergency notification procedure.

ARTICLE VI

SEWER USER CHARGE SYSTEM

DEFINITIONS. The following terms shall have the following meaning under this Ordinance.

BENEFITTED USERS are all residential users and those other users which would use a residential size water service.

DEBT SERVICE CHARGES shall include all costs associated with repayment of debts incurred for the construction and/or rehabilitation of wastewater collection system and treatment facility.

NON-BENEFITTED users are those which would need a one inch or larger water meter.

NORMAL DOMESTIC STRENGTH WASTEWATER shall mean wastewater with concentrations of BOD’s and suspended solids no greater than 250 milligrams per liter (mg/l) and concentrations of phosphorus no greater than 6 mg/l.

NORMAL USER shall be a user whose contributions to the sewerage system consist only of normal domestic strength waste water originating from a house, apartment, flat, or other living quarters occupied by a person or person constituting a distinct household, business or commercial enterprise.

OPERATION AND MAINTENANCE COSTS shall include all costs associated with the operation and maintenance of the wastewater collection and treatment facilities.

REPLACEMENT COSTS shall include all costs necessary to accumulate the resources to replace equipment, the collection system, and other fixed assets as required to maintain capacity and performance during the design life of the facility. A separate, segregated, distinct replacement fund shall be established and used only for replacement of equipment.

SEWER SERVICE CHARGE is a service charge levied on users of the sewerage system for payment of capital expenses as well as operation and maintenance costs, including replacement of said facility.

POLICY. It shall be the policy of the utility to obtain sufficient revenues to pay the costs of operation and maintenance of the sewerage facilities, including a replacement fund, through a system of sewer service charges as defined in this Article. The system shall assure that each user of the sewerage system pays their proportionate share of the cost of such facilities.

BASIS FOR SERVICE CHARGE. Service charges are based on an annual revenue requirement consisting of operation and maintenance expenses, replacement costs, taxes and debt service. These costs are to be recovered through a volume charge and a fixed charge. The cost allocation between volume and fixed charges shall be according to best management estimates and practices.

FIXED CHARGE

The fixed charge shall be a minimum monthly charge for all users based on the user’s meter size, meter equivalency ratio, monthly equivalency factor and benefitted/non-benefitted status. .

The fixed charge calculation is described below. The fixed charge shall be revised to reflect the actual number and size of users and actual cost no less often than biennially.

$$\begin{matrix} \text{Benefitted Monthly} \\ \text{Fixed Charge} \end{matrix} = (\text{Meter}) \times (\text{Benefitted Monthly}) \\ \text{(Equivalency Ratio)} \quad \text{(Equivalency Ratio)}$$

$$\begin{matrix} \text{Monthly Non-Benefitted} \\ \text{Fixed Charge} \end{matrix} = (\text{Meter}) \times (\text{Non-Benefitted Monthly}) \\ \text{(Equivalency Ratio)} \quad \text{(Equivalency Ratio)}$$

The meter equivalency ratios are as follows:

<u>Meter Size</u>	<u>Meter Equivalency Ratio</u>
5/8” and 3/4”	1.0
1”	2.5
1-1/2”	5.0
2”	8.0
3”	15.0
4”	25.0
6”	50.0

VOLUME CHARGE

The volume charge shall be a monthly charge based upon the volume and strength of wastewater discharged by a user to the sewer system. The normal domestic strength volume charge shall be calculated as described below. The normal domestic strength volume charge shall be revised to reflect actual volume cost no less often than biennially.

$$\frac{\text{Annual Cost Allocation to Volume Charge}}{\text{Total Annual Wastewater Volume}} = \frac{\text{Normal Domestic Strength}}{\text{Volume Charge}}$$

The monthly volume charge shall be calculated as follows:

a) Normal Domestic Strength User

$$\text{Monthly Volume Charge} = (\text{Normal Domestic Strength}) \times (\text{Monthly Volume of Wastewater Discharged to the Sewer System})$$

b) Greater Than Domestic Strength Users

Charges to users discharging wastewater greater than normal domestic strength shall be assessed a surcharge based on the amount by which the wastewater exceeds normal domestic strength in accordance with the following formula:

$$\text{Monthly Volume Charge} = (\text{NDS} \times \text{V}) + ((.00834 \times \text{V}) \times [(\text{B\$} \times \text{B\#}) + (\text{S\$} \times \text{S\#}) + (\text{P\$} \times \text{P\#})])$$

- NDS = Normal domestic strength volume charge
- V = Wastewater volume in CCF
- B\$ = Cost per pound of BOD above normal domestic strength
- B# = Concentration of BOD from a user above normal domestic strength
- S\$ = Cost per pound of SS above normal domestic strength
- S# = Concentration of SS from a user above normal domestic strength
- P\$ = Cost per pound of phosphorus above normal domestic strength
- P# = Concentration of phosphorus from a user above normal domestic strength
- .00834 = Conversion factor (mg/l to pounds)

In no event will a user pay less than the charge for normal domestic strength wastewater.

c) Holding Tank Discharges

Charges to licensed dischargers of holding tank wastes shall be computed on the basis described below. Strengths of holding tank discharges shall be monitored on a continuing, ongoing basis and the holding tank volume charge shall be revised to reflect results of the monitoring no less often than biennially.

$$\text{Holding Tank Charge} = (\text{Holding Tank Volume Charge}) \times (\text{Holding Tank Volume}) + \text{Administrative Charge}$$

d) Septic Tank Discharges

Changes to licensed dischargers of septic tank wastes shall be computed on the basis described below. Strengths of septic tank discharges shall be monitored on a continuing, ongoing basis and the septic tank volume charge shall be revised to reflect results of the monitoring no less often than biennially.

$$\text{Septic Tank Charge} = (\text{Septic Tank Volume Charge} \times \text{Septic Tank Volume}) + \text{Administrative Charge}$$

e) Leachate Discharges

Charges to licensed dischargers of leachate shall be computed on the basis described below. Strengths of leachate discharges shall be monitored on a continuing, ongoing basis and the leachate volume charge shall be revised to reflect results of the monitoring no less often than biennially.

$$\text{Leachate Charge} = (\text{Volume Charge} \times \text{Leachate Volume}) + \text{Administrative Charge}$$

See Appendix A Attachment at end of the ordinance.

ARTICLE VII

CONTRIL OF INDUSTRIAL AND SEPTAGE WASTES

INDUSTRIAL DISCHARGES. If any waters, wastes or septage are discharged, or proposed to be discharged, to the public sewerage system contain substances or possess the characteristics enumerated in Article V and which, in the judgment of the Wastewater Utility may be detrimental to the sewerage system, the Wastewater Utility may:

- (1) Reject the wastes.
- (2) Require pretreatment to an acceptable condition for discharge to the sewerage system.
- (3) Require a control over the quantities and rates of discharge.
- (4) Require payment to cover the added cost of handling and treating the waste not required by existing taxes or sewer charges under the provisions of Section IV (C).

CONTROL MANHOLES

- (1) Each person discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement, and sampling their waste, including domestic sewage.

(2) Control manholes or access facilities shall be located and built in a manner acceptable to the Wastewater Utility. If measuring devices are to be permanently installed, they shall be of a type acceptable to the Wastewater Utility.

(3) Control manholes, access facilities, and related equipment shall be installed by the person discharging the industrial waste, at their expense, and shall be maintained by the person discharging the waste so as to be in safe condition, accessible, and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the Wastewater Utility prior to the beginning of construction.

MEASUREMENT OF FLOW. The volume of flow used for computing the sewer service and the cost recovery charges for nonseptage disposal shall be based upon the water consumption of the person as shown in the records of meter readings maintained by the City of Ashland Water Utility.

PROVISIONS FOR DEDUCTIONS. In the event that a person discharging industrial waste into the public sewers produces evidence satisfactory to the Wastewater Utility that more than 10 percent of the total annual volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the Wastewater Utility and the industrial waste discharger.

METERING OF WASTE. Devices for measuring the volume of waste discharged may be required by the Wastewater Utility if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of water shall be installed, owned, and maintained by the person discharging the wastewater. Following approval and installation, such meters may not be removed without the consent of the Wastewater Utility.

WASTE SAMPLING

(1) Industrial wastes and 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. The determination shall be required by the Wastewater Utility.

(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 Wastewater Utility. A minimum schedule of sampling may be set up by the Wastewater Utility 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 approval of the Wastewater Utility or its duly authorized representatives at all times. Every care shall be exercised in the collection of samples to ensure their preservation in a state comparable to that at the time the sample was taken.

PRETREATMENT. When required, in the opinion of the Wastewater Utility, to modify or eliminate wastes that are harmful to the structures, processes, or operation of the sewerage system, the discharger shall provide at their expense such preliminary treatment or processing facilities as may be required to render this waste acceptable for admission to the public sewers.

GREASE AND/OR SAND INTERCEPTORS. Grease, oil, and sand interceptors shall be provided by the industrial discharger and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the discharger 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 Wastewater Utility. Any removal and hauling of the collected materials not performed by the discharger(s) personnel, must be performed by currently licensed disposal firms.

ANALYSIS

(1) All measurements, tests, and analysis of the characteristics of water, waste and septage to which reference is made in the Ordinances shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association and "Guidelines Establishing Test Procedures for Analysis of pollutants," (1978, 40 CFR 136). Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Wastewater Utility.

(2) Determination of the character and concentration of the industrial waste shall be made by the person discharging them or their agent, as designed and required by the Wastewater Utility. The Wastewater Utility may also make its own analysis of the wastes and these determinations shall be used as a basis for charges. If the person discharging the waste contests the determination, the Wastewater Utility may elect to have an independent laboratory determine the character and concentration of the waste. Said independent laboratory shall be certified under NR 149 and be acceptable to both the Wastewater Utility and the person discharging the waste. All costs incurred by the independent laboratory in making the determination shall be assumed by the discharger.

SUBMISSION OF INFORMATION. Plans, specifications, and any other pertinent information relating to proposed flow equalization, pretreatment, or processing facilities shall be submitted for review by the Wastewater Utility prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

SUBMISSION OF BASIC DATA. Within three (3) months after passage of this Ordinance, each person who discharges industrial wastes to a public sewer shall prepare and file with the Wastewater Utility a report that shall include pertinent data relating to the quantity and characteristics of the waste discharged to the sewerage system.

Similarly, each person desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and file with the Wastewater Utility a report that shall

include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.

EXTENSION OF TIME: When it can be determined that circumstances exist which would create an unreasonable burden on the person proposing to discharge a waste, to comply with the time schedule imposed herein, a request for extension of the time may be presented for consideration to the Wastewater Utility.

ARTICLE VIII

PAYMENT FOR CHARGES

PAYMENT AND PENALTY. The sewerage service charge shall be Monthly, corresponding to the period of the water bills, and shall be payable to the Wastewater Utility not later than 20 days from the date of the bills are issued. A penalty of 1 percent per month shall be added to all bills not paid by the date fixed for final payment.

CHARGES A LIEN. All sewage charges shall be a lien upon the property serviced pursuant to Section 66.076(7), Wisconsin Statutes, and shall be collected in the manner therein provided.

DISPOSITION OF REVENUE. The amounts received from the collection of charges authorized by this Ordinance shall be credited to a sanitary sewerage account which shall show all receipts and expenditures of the sewerage system. Charges collected for equipment replacement expenses shall be credited to a segregated, nonlapsing replacement account. These funds are to be used exclusively for replacement. When appropriated by the Wastewater Utility, the credits to the sanitary sewerage account shall be available for the payment of the requirements for operation, maintenance, and replacement of the sewerage system. Any surplus in said account, shall be available for the payment of principal and interest of bonds issued and outstanding, or which may be issued, to provide funds for said sewerage system, or part thereof, and all or a part of the expenses for additions and improvements and other necessary disbursements or indebtedness, and the Wastewater Utility may resolve to pledge each surplus or any part thereof for any such purposes. All present outstanding sewer system general obligation bonds, including the refunding bonds, shall be paid from this fund as to both principal and interest.

ADDITIONAL CHARGES. Additional charges shall be imposed upon each lot, parcel of land, building, or premises served by public sewer and wastewater facilities located outside the boundaries of the City of Ashland to equalize local capital costs. Such additional charges shall result in a minimum charge for each user according to the schedule for debt repayment from utility revenues. Such additional charges shall be added to the sewer bill for each billing period.

EXCESS REVENUES. Excess revenues collected from a user class will be applied to operation and maintenance costs attributable to that class for the next year.

ARTICLE IX

AUDIT

ANNUAL AUDIT. The Wastewater Utility shall have conducted, an independent Annual Audit, the purpose of which shall be to verify the reasonableness of Utility's financial statements, and also to maintain the proportionality between users and user classes of the user charge system and ensure that adequate revenues are available relative to increasing operation, maintenance and replacement costs and debt retirement. Copies of Audit Reports shall be maintained at the Utility's office and made available to the public upon request.

ARTICLE X

VIOLATIONS AND PENALTIES

DAMAGES. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure of pertinence or equipment which is a part of the sewerage system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

WRITTEN NOTICE OF VIOLATION. Any person connected to the sewerage system found to be violating a provision of this Ordinance shall be served by the Wastewater Utility with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Any licensed disposer discharging to the sewerage system, found to be violating a provision of this ordinance or of any conditions of the Wastewater Utility approval for septage disposal, may have their approval immediately revoked. This revocation shall be done in writing and state the reasons for revoking the septage disposal approval.

ACCIDENTAL DISCHARGE. Any person found to be responsible for accidentally allowing a deleterious discharge into the sewerage system which cause damage to the sewerage system and/or receiving water body shall, in addition to a fine, pay the amount to cover all damages, both of which will be established by the Wastewater Utility.

ACCIDENTAL DISCHARGE REPORTING. Any person responsible for an accidental discharge, that may have a detrimental impact on the sewerage system, shall immediately report the nature and amount of the discharge to the Wastewater Utility.

CONTINUED VIOLATIONS. Any persons, partnership, or corporation, or any officer, agent, or employee thereof, who shall continue any violation beyond the aforesaid notice time limit provided shall, upon conviction thereof, forfeit not less than \$100 dollars, (\$100), together with the costs of prosecution. Each day in which any violation is continues beyond the aforesaid notice time limit shall be deemed a separate offense.

LIABILITY TO WASTEWATER UTILITY FOR LOSSES. Any person violating any provision of this Ordinance shall become liable to the Wastewater Utility for any expense, loss, or damage occasioned by reason of such violation which the Wastewater Utility may suffer as a result thereof.

DAMAGE RECOVERY. The system shall have the right of recovery from all persons, any expense incurred by said system for the repair or replacement of any part of the sewerage system damaged in any manner by any person by the performance of any work under their control, or by any negligent acts.

PENALTIES. Any person who shall violate any of the provisions of this Ordinance or rules or regulations of the City of Ashland or who shall connect a service pipe or discharge without first having obtained a permit thereof; or who shall violate any provisions of the Wisconsin Statutes, Wisconsin Administrative Code, or any other materials which are incorporated by reference, shall upon conviction thereof forfeit not less than \$100 nor more than \$500 and the costs of prosecution. This, however, shall not bar the Wastewater Utility from enforcing the connection duties set out in Section III (C) for mandatory hookup.

APPEAL PROCEDURE. Any user, affected by any decision, action, or determination including cease and desist orders, made by the interpreting or implementing provisions of this Ordinance may file with the City Clerk a written request for reconsideration within ten (10) days of the date of such decision, action, or determination, setting forth in detail the facts supporting the user's request for reconsideration. The City Clerk upon receiving the request for reconsideration shall publish the request in the official newspaper. The City of Ashland shall render a decision on the request for reconsideration to the user in writing within fifteen (15) days of receipt of request.

ARTICLE XI

VALIDITY

REPEAL OF CONFLICTING ORDINANCES. All ordinances, resolutions, orders or parts thereof heretofore adopted, enacted or entered in conflict with this Ordinance shall be and the same are hereby repealed.

SAVINGS CLAUSE. If any provision of this Ordinance is found invalid or unconstitutional or if the application of this Ordinance to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision of application.

AMENDMENTS. The City of Ashland, through its duly qualified governing body, may amend this Ordinance in part or in whole whenever it may deem necessary.

ARTICLE XII

EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after its passage, approval, and publication as provided by law.

ADOPTED: 711 (1252) 3/25/1991

AMENDMENTS: 711 (1265) 11/12/1991; 711 (1353) 8/8/1995; 711 (1458) 2/2/1999;
711 (1542) 5/14/2002; 711 (1559) 2/11/2003; 711 (1690) 10/28/2008;
711 (1776) 3/13/2012; 711 (1806) 5/28/2013; 711 (1822) 1/14/2014;
711 (2016-1869) 5/10/2016;

ASHLAND WASTEWATER UTILITY

SEWER USE ORDINANCE

APPENDIX A

SANITARY SEWER SERVICE CHARGES

(Part I Effective May 26, 2016)

(Part II Effective May 24, 2017)

A sanitary sewer service charge is hereby imposed upon each lot, parcel of land, building, or premise service by the public sanitary sewer and wastewater facilities or otherwise discharging sewage, including industrial wastes, into the public sanitary sewer system. Such sanitary sewer charge shall be payable as hereinafter provided and in the amount determinable as follows:

APPENDIX A PART I

Schedule 1 – Volume and Strength Rate Calculation Effective May 26, 2016

VOLUME CHARGE

Volume	\$1,078,166
BOD (Biological Oxygen Demand)	\$ 181,789
SS (Suspended Solids)	\$ 163,608
Phosphorous	\$ 99,983

<u>COMPONENT</u>	<u>Volume</u> (1,000 Gallons)	<u>Conversion</u> Factor (lb*L)/(gal*mg)	<u>Assumed</u> Strength	<u>Billed Units</u>
Volume – Domestic Strength	166,576			166,576 (1,000 gal)
BOD	166,576	x 0.00834538	x 250 mg/L	= 347,535 pounds
SS	166,576	x 0.00834538	x 250 mg/L	= 347,535 pounds
Phosphorous	166,576	x 0.00834538	x 6 mg/L	= 8,341 pounds

<u>COST PER UNIT</u>	<u>Allocated Cost</u>	<u>Billed Units</u>	<u>Rate per Unit</u>
Volume Cost per 1,000 gallons	\$1,078,166	/ 166,576	= \$ 6.47 / 1000 gallons
BOD	\$181,789	/ 347,535	= \$ 0.52 / pound
SS	\$163,608	/ 347,535	= \$ 0.47 / pound
Phosphorous	\$ 99,983	/ 8,341	= \$11.99 / pound

CALCULATED DOMESTIC STRENGTH RATES

<u>COMPONENT</u>	<u>Assumed</u> Strength	<u>Conversion</u> Factor (lb*L)/(gal*mg)	<u>Rate per</u> Pound	<u>Rate per 1,000</u> Gallons
Volume				= \$ 6.47 / 1,000 gal
BOD	250 mg/L	x 0.00834538	x \$ 0.46	= \$ 1.08 / 1,000 gal
SS	250 mg/L	x 0.00834538	x \$ 0.42	= \$ 0.98 / 1,000 gal
Phosphorous	6 mg/L	x 0.00834538	x \$10.80	= <u>\$ 0.60 / 1,000 gal</u>
Total Calculated Domestic Rate				\$ 9.14 / 1,000 gal
Total Calculated Domestic Rate				\$ 6.83 / CCF
Authorized Domestic Rate				\$ 5.51 / CCF

APPENDIX A PART I - CONTINUED

Schedule 2 – Customer Charge Calculation Effective May 26, 2016

	<u>Customer Fixed</u>	<u>Customer Demand</u>
Customer Related Costs	\$129,016	\$326,061

<u>Meter Size</u>	<u>Meters</u>	<u>Equivalent Ratio</u>	<u>Meter Equivalents</u>
< 1 Inch Meter	2900	1.0	2900
1 Inch Meter	71	2.5	178
1.5 Inch Meter	37	5.0	185
2 Inch Meter	41	8.0	328
3 Inch Meter	15	15.0	225
4 Inch Meter	<u>2</u>	25.0	<u>50</u>
 Total	 3066		 3866

Customer Fixed Monthly Rate per Meter	\$3.51
Customer Demand Monthly Rate per Meter Equivalent	\$7.03

<u>Meter Size</u>	<u>Customer Fixed</u>	<u>Customer Demand</u>	<u>Calculated Monthly Customer Charge</u>
< 1 Inch Meter	\$ 3.51	\$ 7.03	\$ 10.54
1 Inch Meter	\$ 3.51	\$ 17.58	\$ 21.09
1.5 Inch Meter	\$ 3.51	\$ 35.15	\$ 38.66
2 Inch Meter	\$ 3.51	\$ 56.24	\$ 59.75
3 Inch Meter	\$ 3.51	\$105.45	\$108.96
4 Inch Meter	\$ 3.51	\$175.75	\$179.26

<u>Meter Size</u>	<u>Calculated Monthly Customer Charge</u>	<u>Authorized Benefitted Charges</u>	<u>Authorized Non-Benefitted Charges</u>
< 1 Inch Meter	\$ 10.54	\$ 13.52	\$ 13.52
1 Inch Meter	\$ 21.00	\$ 34.00	\$ 66.00
1.5 Inch Meter	\$ 39.00	\$ 68.00	\$132.00
2 Inch Meter	\$ 60.00	\$108.00	\$211.00
3 Inch Meter	\$109.00	\$203.00	\$396.00
4 Inch Meter	\$179.00	\$338.00	\$661.00

APPENDIX A PART I CONTINUED

Schedule 3 – Septic and Holding Tank Rate Calculation Effective May 26, 2016

Assumed holding tank strength is 550 mg/L of BOD, 550 mg/L of SS, and 6 mg/L of Phos.

<u>Component</u>	<u>Concentration (mg/L)</u>	<u>Concentration in Domestic Rate (mg/L)</u>	<u>Conversion Factor (lb*L)/(gal*mg)</u>	<u>Pounds per 1,000 Gallons</u>	<u>Rate per Pound</u>	<u>Rate per 1,000 Gallons</u>
Volume						\$ 9.14
BOD	550	(250)	0.00834538	2.504	\$ 0.52 =	\$ 1.30
SS	550	(250)	0.00834538	2.504	\$ 0.47 =	\$ 1.18
Phosphorus	6	(6)	0.00834538	-	\$11.99 =	\$ -
Total Rate per 1,000 Gallons						\$ 11.61

Assumed septic tank strength is 4500 mg/L of BOD, 12,000 mg/L of SS, and 71 mg/L of Phos.

<u>Component</u>	<u>Concentration (mg/L)</u>	<u>Concentration in Domestic Rate (mg/L)</u>	<u>Conversion Factor (lb*L)/(gal*mg)</u>	<u>Pounds per 1,000 Gallons</u>	<u>Rate per Pound</u>	<u>Rate per 1,000 Gallons</u>
Volume						\$ 9.14
BOD	4,500	(250)	0.00834538	35.468	\$ 0.52 =	\$18.44
SS	12,000	(250)	0.00834538	98.058	\$ 0.47 =	\$46.09
Phosphorus	71	(6)	0.00834538	0.542	\$11.99 =	\$ 6.50
Total Rate per 1,000 Gallons						\$80.17

Administrative Charge per Load

Loaded Labor Rates

<u>Office Billing and Collection</u>	<u>WWTP Dumping Supervision</u>	<u>Hours</u>	<u>Administrative Charge</u>
\$29.98	\$32.64	0.25	\$15.66

APPENDIX A PART I CONTINUED

Schedule 4 – Summary of Authorized User Fees Effective May 26, 2016

Authorized Benefitted and Non-Benefitted Monthly Customer Charges

<u>Meter Size</u>	<u>Authorized Benefitted Charges</u>	<u>Authorized Non-Benefitted Charges</u>
< 1 Inch Meter	\$ 13.52	\$ 13.52
1 Inch Meter	\$ 34.00	\$ 66.00
1.5 Inch Meter	\$ 68.00	\$132.00
2 Inch Meter	\$108.00	\$211.00
3 Inch Meter	\$203.00	\$396.00
4 Inch Meter	\$338.00	\$661.00

Authorized Volume Charges

Domestic Volume Charge	-	\$ 5.51 / CCF
High Strength Charges per pound BOD (Biological Oxygen Demand)	-	\$ 0.52 / pound
SS (Suspended Solids)	-	\$ 0.47 / pound
Phosphorous	-	\$11.99 / pound

Authorized Suburban Customer Charges

Suburban customer charges are at a rate of 1.25 times (x) the rates charged to customers located within the corporate limits of the City of Ashland.

Authorized Holding Tank Charges

Charge per 1,000 gallons	-	\$11.61
Administrative Fee / Load	-	\$15.66

Authorized Septic Tank Charges

Charge per 1,000 gallons	-	\$80.17
Administrative Fee / Load	-	\$15.66

APPENDIX A PART II

Schedule 1 – Volume and Strength Rate Calculation - May 24, 2017

VOLUME CHARGE

Volume	\$1,126,384
BOD (Biological Oxygen Demand)	\$ 189,360
SS (Suspended Solids)	\$ 170,424
Phosphorous	\$ 104,149

<u>COMPONENT</u>	<u>Volume</u> <u>(1,000 Gallons)</u>	<u>Conversion</u> <u>Factor</u> <u>(lb*L)/(gal*mg)</u>	<u>Assumed</u> <u>Strength</u>	<u>Billed Units</u>
Volume – Domestic Strength	166,576			166,576 (1,000 gal)
BOD	166,576	x 0.00834538	x 250 mg/L	= 347,535 pounds
SS	166,576	x 0.00834538	x 250 mg/L	= 347,535 pounds
Phosphorous	166,576	x 0.00834538	x 6 mg/L	= 8,341 pounds

<u>COST PER UNIT</u>	<u>Allocated Cost</u>	<u>Billed Units</u>	<u>Rate per Unit</u>
Volume Cost per 1,000 gallons	\$1,126,384 /	166,576	= \$ 6.76 / 1000 gallons
BOD	\$ 189,360 /	347,535	= \$ 0.54 / pound
SS	\$ 170,424 /	347,535	= \$ 0.49 / pound
Phosphorous	\$ 104,149 /	8,341	= \$12.49 / pound

CALCULATED DOMESTIC STRENGTH RATES

<u>COMPONENT</u>	<u>Assumed</u> <u>Strength</u>	<u>Conversion</u> <u>Factor</u> <u>(lb*L)/(gal*mg)</u>	<u>Rate per</u> <u>Pound</u>	<u>Rate per 1,000</u> <u>Gallons</u>
Volume				= \$ 6.76 / 1,000 gal
BOD	250 mg/L	x 0.00834538	x \$ 0.54	= \$ 1.13 / 1,000 gal
SS	250 mg/L	x 0.00834538	x \$ 0.49	= \$ 1.02 / 1,000 gal
Phosphorous	6 mg/L	x 0.00834538	x \$12.49	= <u>\$ 0.63 / 1,000 gal</u>
Total Calculated Domestic Rate				\$ 9.53 / 1,000 gal
Total Calculated Domestic Rate				\$ 7.13 / CCF
Authorized Domestic Rate				\$ 5.90 / CCF

APPENDIX A PART II CONTINUED

Schedule 2 – Customer Charge Calculation Effective May 24, 2017

	<u>Customer Fixed</u>	<u>Customer Demand</u>
Customer Related Costs	\$134,530	\$340,746

<u>Meter Size</u>	<u>Meters</u>	<u>Equivalent Ratio</u>	<u>Meter Equivalents</u>
< 1 Inch Meter	2900	1.0	2900
1 Inch Meter	71	2.5	178
1.5 Inch Meter	37	5.0	185
2 Inch Meter	41	8.0	328
3 Inch Meter	15	15.0	225
4 Inch Meter	<u>2</u>	25.0	<u>50</u>
 Total	 3066		 3866

Customer Fixed Monthly Rate per Meter	\$3.66
Customer Demand Monthly Rate per Meter Equivalent	\$7.34

<u>Meter Size</u>	<u>Customer Fixed</u>	<u>Customer Demand</u>	<u>Calculated Monthly Customer Charge</u>
< 1 Inch Meter	\$ 3.66	\$ 7.34	\$ 11.00
1 Inch Meter	\$ 3.66	\$ 18.35	\$ 22.01
1.5 Inch Meter	\$ 3.66	\$ 36.70	\$ 40.36
2 Inch Meter	\$ 3.66	\$ 58.72	\$ 62.38
3 Inch Meter	\$ 3.66	\$110.10	\$113.76
4 Inch Meter	\$ 3.66	\$183.50	\$187.16

<u>Meter Size</u>	<u>Calculated Monthly Customer Charge</u>	<u>Authorized Benefitted Charges</u>	<u>Authorized Non-Benefitted Charges</u>
< 1 Inch Meter	\$ 11.00	\$ 13.52	\$ 13.52
1 Inch Meter	\$ 22.00	\$ 34.00	\$ 66.00
1.5 Inch Meter	\$ 40.00	\$ 68.00	\$132.00
2 Inch Meter	\$ 62.00	\$108.00	\$211.00
3 Inch Meter	\$114.00	\$203.00	\$396.00
4 Inch Meter	\$187.00	\$338.00	\$661.00

APPENDIX A PART II CONTINUED

Schedule 3 – Septic and Holding Tank Rate Calculation Effective May 24, 2017

Assumed holding tank strength is 550 mg/L of BOD, 550 mg/L of SS, and 6 mg/L of Phos.

<u>Component</u>	<u>Concentration (mg/L)</u>	<u>Concentration in Domestic Rate (mg/L)</u>	<u>Conversion Factor (lb*L)/(gal*mg)</u>	<u>Pounds per 1,000 Gallons</u>	<u>Rate per Pound</u>	<u>Rate per 1,000 Gallons</u>
Volume						\$ 9.53
BOD	550	(250)	0.00834538	2.504	\$ 0.54 =	\$ 1.35
SS	550	(250)	0.00834538	2.504	\$ 0.49 =	\$ 1.23
Phosphorus	6	(6)	0.00834538	-	\$12.49 =	\$ -
Total Rate per 1,000 Gallons						\$ 12.11

Assumed septic tank strength is 4500 mg/L of BOD, 12,000 mg/L of SS, and 71 mg/L of Phos.

<u>Component</u>	<u>Concentration (mg/L)</u>	<u>Concentration in Domestic Rate (mg/L)</u>	<u>Conversion Factor (lb*L)/(gal*mg)</u>	<u>Pounds per 1,000 Gallons</u>	<u>Rate per Pound</u>	<u>Rate per 1,000 Gallons</u>
Volume						\$ 9.53
BOD	4,500	(250)	0.00834538	35.468	\$ 0.54 =	\$19.15
SS	12,000	(250)	0.00834538	98.058	\$ 0.49 =	\$48.05
Phosphorus	71	(6)	0.00834538	0.542	\$12.49 =	\$ 6.77
Total Rate per 1,000 Gallons						\$83.51

Administrative Charge per Load

Loaded Labor Rates

<u>Office Billing and Collection</u>	<u>WWTP Dumping Supervision</u>	<u>Hours</u>	<u>Administrative Charge</u>
\$29.98	\$32.64	0.25	\$15.66

APPENDIX A PART II CONTINUED

Schedule 4 – Summary of Authorized User Fees Effective May 24, 2017

Authorized Benefitted and Non-Benefitted Monthly Customer Charges

<u>Meter Size</u>	<u>Authorized Benefitted Charges</u>	<u>Authorized Non-Benefitted Charges</u>
< 1 Inch Meter	\$ 13.52	\$ 13.52
1 Inch Meter	\$ 34.00	\$ 66.00
1.5 Inch Meter	\$ 68.00	\$132.00
2 Inch Meter	\$108.00	\$211.00
3 Inch Meter	\$203.00	\$396.00
4 Inch Meter	\$338.00	\$661.00

Authorized Volume Charges

Domestic Volume Charge	-	\$ 5.90 / CCF
High Strength Charges per pound		
BOD (Biological Oxygen Demand)	-	\$ 0.54 / pound
SS (Suspended Solids)	-	\$ 0.49 / pound
Phosphorous	-	\$12.49 / pound

Authorized Suburban Customer Charges

Suburban customer charges are at a rate of 1.25 times (x) the rates charged to customers located within the corporate limits of the City of Ashland.

Authorized Holding Tank Charges

Charge per 1,000 gallons	-	\$12.11
Administrative Fee / Load	-	\$15.66

Authorized Septic Tank Charges

Charge per 1,000 gallons	-	\$83.51
Administrative Fee / Load	-	\$15.66

