

APPENDIX L

SEWER UTILITY RATE

M & P Project No. 01-131

**-Municipal WWCTF-
SEWER USE ORDINANCE
and
USER CHARGE SYSTEM**

Village
of
New Auburn, Wisconsin
July, 2003

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FOREWORD

WHEREAS The Village of New Auburn owns, manages, and operates a municipal Wastewater Treatment Facility and related Sanitary Sewer Collection System;

AND WHEREAS The Village of New Auburn operates said facility under a current WPDES Permit, Number WI-0030635-07, issued by the Wisconsin Department of Natural Resources on July 1, 2002 with an expiration date of June 30, 2007;

AND WHEREAS The Village of New Auburn, agrees to abide by the conditions contained in their current WPDES Permit and all subsequent editions thereto; causing a copy of said Permit to become a permanent attachment of this Ordinance;

AND WHEREAS The Village of New Auburn has directed the preparation of an adequate **Sewer Use Ordinance;**

NOW, THEREFORE, BE IT RESOLVED: That the Village Board of New Auburn, Wisconsin, in regular session assembled this 23rd day of October, 2003 do hereby ordain as follows:

SECTION 1. PURPOSE: The purpose of this Ordinance is to provide for the use of Village owned and operated sewerage facilities, including the existing Wastewater Treatment Facility, without damage to the physical facilities, without impairment of their normal function of collection, treating and discharged domestic wastewater from the area served by the Village, and without the discharge by the publicly owned treatment works of pollutants which would be in violation of its permitted discharge under the applicable rules and regulations of the State and Federal regulatory agencies.

- A. Enactment of this Ordinance and its User Charge System shall take place following approval by the Village Board.

SECTION 2. DEFINITIONS: Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

- A. Approving Authority shall mean the Village Board of New Auburn or their Authorized Deputy, Agent, Representative or Consulting Engineer. Approving Authority and Village are used interchangeably.
- B. BOD (Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter, under standard laboratory procedure, in five days at 20 degrees Centigrade and expressed in milligrams per liter.
- C. Combined Sewer means a sewer intended to receive both wastewater and storm water or surface water.
- D. Commercial and Institutional User means those users of the publicly owned treatment works, which are not residential and are not classified as an industrial user.
- E. Compatible Pollutants means those pollutants generally characterized as BOD, suspended solids, pH and fecal coliform, together with any additional pollutants defined in the

Village's WPDES Permit, unless the concentrations of any of these pollutants are such that they interfere with the operation of the treatment works or exceed the limits established under Sections 4 and 5.

- F. Debt Service Charge means that charge to the users, which shall, in whole or in part, defray the costs of retiring the debts incurred in the construction or retrofitting of any wastewater facilities by the Village of New Auburn.
- G. Domestic Wastewater means water borne wastes normally being discharged from the sanitary conveniences of dwellings, apartment houses, hotels, office buildings, factories and institutions, free of industrial wastes in which the average concentration of Suspended Solids is established at or below 275 mg/l and the BOD is established at or below 275/mg/l.
- H. Flat Charge means the charge made to unmetered users for use of the treatment works.
- I. Holding Tank is a buried temporary storage reservoir, usually located adjacent to the structure it serves, which directly receives raw wastewater from a building's internal waste plumbing collection system. The waste contents are periodically removed by a septic tank pumper and transported elsewhere for treatment.
- J. Incompatible Pollutants are specifically defined in Section 5. Generally, incompatible pollutants shall mean wastewater or septage with pollutants that will adversely affect or disrupt the wastewater treatment processes or effluent quality if discharged to the wastewater treatment facility.
- K. Industrial Cost Recovery means recovery by the Village of New Auburn from industrial users of a wastewater works of the grant amount allocable to the treatment of wastes from such users; pursuant to Section 204 (b) of the Federal Act; if and when applicable.

- L. Industrial User as Defined for Industrial Cost Recovery shall mean (a) Any non-governmental user of publicly owned treatment works which discharges more than 25,000 gallons per day of sanitary waste, or a volume of process waste, or combined process and sanitary waste, equivalent to 25,000 gallons per day of domestic strength sanitary waste. Sanitary wastes are the wastes discharged from the average residential user in the Village's service area. The strength of the average residential waste discharge in the Village's service area shall be defined in terms of a concentration of 275 mg/l biochemical oxygen demand (BOD) and 275 mg/l suspended solids (SS). These concentrations will be applied in determining equivalent volumes of process waste or combined discharge of sanitary and process wastes. (b) Any nongovernmental user of publicly owned treatment works which discharges wastewater to the treatment works which contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in or have any adverse effect on the waters receiving any discharge from the treatment works.
- M. Industrial User as Defined for Industrial User Class means any user or publicly owned treatment process that engages in processing, blending, assembling or in some way transforming of materials or substances into new products. This type of user would normally occupy an establishment described as a plant, factory or a mill.
- N. Industrial Waste means the wastewater from an industrial user as distinct from domestic wastewater.

- O. Minimum Charge means the amount charged to each user regardless of use. This charge does not provide the user a minimum amount of use.
- P. Operation & Maintenance Costs shall mean all costs incurred in the operation and maintenance of the Village's Wastewater Treatment Facility. This class of cost shall include, but not be limited to, labor, energy, chemicals and replacement costs, but excludes debt retirement.
- Q. Person means any individual, firm, company, association, society, corporation, public authority, or group.
- R. pH means the logarithm (base 10) of the reciprocal of the hydrogen ion concentration in gram moles per liter of solution as determined by acceptable laboratory procedures.
- S. Pretreatment means the treatment of wastewater by the user before introduction or discharge into the Village wastewater collection system.
- T. Properly Shredded Garbage shall mean the waste, from preparation, cooking and dispensing of food, that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in sanitary sewers. No particle shall be greater than one-half (1/2) inch in any dimension.
- U. Replacement Cost means expenditures for obtaining and installing equipment, accessories or appurtenances that are necessary to maintain the capacity and performances during the service life of the Wastewater Treatment Facility for which such works were designed and constructed. The term "operation and maintenance" includes replacement. The yearly replacement cost is calculated as follows:

$$a = \frac{\text{Present Installed Cost}}{\text{Projected Service Life}}$$

- V. Residential User means a user of the publicly owned treatment works that would occupy an establishment considered a house or apartment or other dwelling facilities in which people reside.
- W. Sanitary Sewer means a sewer pipe that conveys domestic wastewater or industrial waste or a combination of both, and into which storm, surface and ground waters or unpolluted industrial wastewater are not intentionally passed.
- X. Septage shall mean scum, liquid, sludge or other waste from a septic tank, soil absorption field, holding tank, vault toilet or privy. This does not include the waste from a grease trap.
- Y. Septic Tank is a buried reservoir, usually located adjacent to the structure it serves, which directly receives raw wastewater from a building's internal waste plumbing collection system. During detention of the wastewater in the septic tank, sewage solids are separated from the liquid and bacterial action digest the major portion of these solids.
- Z. Service Lateral is either a pressure or gravity pipe connecting an individual building's sanitary sewer with the municipal wastewater collection system.
- A-A. Sewer Service Charge is the sum of the minimum charge, user charge, debt service charge and any applicable surcharge.
- B-B. Slug means any discharge of water or wastewater which, in concentrations of any given constituent or in quantity of flow, exceeds, for any period of duration longer than fifteen minutes, more than five times the average "twenty-four hour" concentration of flows during normal operation, and which adversely affects the sewage collection system and/or performance of the wastewater treatment plant.

- C-C. Standard Methods means the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water & Wastewater", published jointly by the American Public Health Association, the American Waterworks Association and the Water Pollution Control Federation.
- D-D. Storm Sewer means a sewer pipe, which carries storm and/or surface drainage but excludes domestic wastewater and industrial wastes.
- E-E. Surcharge means an additional charge related to industrial wastes being discharged by any user having unusual characteristics such as excessive BOD, excessive suspended solids or other pollutants.
- F-F. Suspended Solids (SS) means total suspended matter that either floats on the surface of or are in suspension in water, sewage, or other liquids and which are removable by a laboratory filtration device. Quantitative determination of SS shall be made in accordance with procedures set forth in "Standard Methods".
- G-G. Unpolluted Water is water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards as established by DNR and published in the applicable section of the "Wisconsin Administrative Code".
- H-H. User means any person discharging domestic wastewater or industrial wastes into the collection system.
- I-I. User Charge means that charge to users of the treatment facility, which adequately provides for proportionate recovery of the operation and maintenance costs.
- J-J. User Class means a group of users having similar wastewater flows and characteristics, levels of BOD, suspended solids, pH and etc.

- K-K. Wastewater means a combination of the water-carried waste discharged into the sanitary sewer collection system from residences, commercial buildings, institutions and industrial establishments, together with such ground, surface and/or storm water as may be present.
- L-L. Wastewater Collection System shall mean the wastewater (sewer) collection system of the Village, including lift stations, forcemains, sewer mains, manholes and related components that collect and transport sewage to the treatment facility.
- M-M. Wastewater Treatment Works means all facilities and appurtenances for collection, pumping, treating and disposing of domestic wastewater and industrial waste.
- N-N. WPDES Permit means the “Wisconsin Pollutant Discharge Elimination System Permit”, which allows the Village of New Auburn to discharge treated effluent to a water course, provided the effluent meets the condition of the WPDES Permit.

SECTION 3: GENERAL REQUIREMENTS

- A. Discharge of Wastewater Prohibited. It shall be unlawful to discharge, within the Village of New Auburn, or in any area under the jurisdiction of said Village, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of the Ordinance.
- B. Privies, Septic Tank and Cesspools - Compliance with Provisions Required. Except as provided in this Section, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, holding tank, cesspool or other facility intended or used for the disposal of wastewater.
- C. Connection with Public Sewer Required. The owner of any house, building or structure used for human occupancy, employment, recreation or other purposes, situated within the Village of New Auburn and abutting on any street, alley or right-of-way in which there is

now located or may in the future be located a properly designed and constructed public sanitary sewer of said Village, is hereby required, at the owner's expense, to install suitable toilet facilities which have been properly designed, pursuant to all applicable rules as published in the "Wisconsin Administrative Code", therein, and to connect such facilities directly with the proper public sanitary sewer, in accordance with the provisions of this Ordinance, within ninety (90) days after date of "Official Notice" to do so; provided that said public sewer is within one hundred feet of the property line. Where a public sanitary sewer is not available under the provisions of this section, the owner must obtain an exemption from the Village Board, then the building sewer shall be connected to a private wastewater disposal system complying with the provisions of this Ordinance and all applicable State Codes and applicable County Regulations.

- D. Compliance with County Regulations required (County shall mean either Chippewa or Barron County dependent on property location). Before commencement of construction of a private wastewater disposal system the owner shall first obtain a written permit signed by the County Zoning Administrator and comply with the then-applicable County sanitary laws. The Village expressly consents to the enforcement of such laws by the County Zoning Administrator, and other County Officials within the Village. Violations of this section may also be prosecuted by the Village.
- E. Inspection of Installation. A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Approving Authority. The Approving Authority shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Approving Authority when the work is ready for final inspection, and before any underground

portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the Approving Authority.

- F. Compliance with Department of Commerce Regulations (Wis. Adm. Code): All private wastewater collection and treatment/disposal systems shall comply with applicable sections of the Wisconsin Administrative Code; namely Comm 82 thru 87 PLUMBING.
- G. Connections with Public Sewer Required When. At such times as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Item F above, a direct connection shall be made to the public sewer within ninety (90) days, in compliance with this Ordinance, and any septic tanks, cesspools and similar private wastewater disposal facilities shall be cleaned of sludge and filled with suitable material or physically removed from property within 30 days of connection to the sanitary sewer.
- H. Sanitary Operation Required. The owner shall operate and maintain his or her private wastewater disposal facility in a sanitary manner at all times, at no expense to the Village.
- I. Conflict of Provisions. No statement contained in this section shall be construed to interfere with any additional requirements that may be imposed by the Health Office or agent thereof.
- J. A Wastewater Discharge Permit shall be required of any person desiring to discharge wastewater to the wastewater treatment facility and shall be one of two classes.
 - 1. A domestic wastewater discharge permit or request for sanitary sewer service shall be required of any person desiring to discharge domestic waste into the municipal system and shall be considered as part of the "building permit" required and issued by the Village of New Auburn for new construction.

2. An industrial wastewater discharge permit shall be required of any person desiring to discharge any industrial waste and shall be completely separate from any other permits issued by the Village. Further requirements for this class of permit can be found in Section 8 of this Ordinance.
- K. Owner Responsibility and Compliance with Village Regulations. All costs and expenses incidental to the installation and connection of the building sewer to the municipal sanitary sewer collection system shall be borne by the owner. The size, slope, alignment and materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the State Building and Plumbing Code, and other applicable rules and regulations of the Village.
- L. Inspection and Sampling. The Village shall be permitted to have an Authorized Representative inspect any new or old installation for compliance with the regulations of this Ordinance. The user shall allow the Village or an Authorized Representative to enter upon the premises of the user at a reasonable time, for the purpose of inspection, sampling or records examination of the sanitary sewer facility and/or sanitary plumbing/connection. The Village shall have the right to set upon said property such devices as necessary to collect samples, monitor, test or meter the installation.
- M. New Connections. New connections to the system shall not be allowed unless all downstream components have a reserve capacity capable of accepting the proposed additional wastewater.
- N. Manhole. The Village reserves the right to require any user of the system to install and maintain at the user's expense, a control or monitoring manhole on the user's discharge

pipeline. The user shall provide the Village free and unobstructed access to the installed manhole.

- O. Monitoring Station. Any industrial or commercial user, directed by the Village or its Authorized Representative for reasonable cause, shall install and maintain at the user's expense a monitoring station. The station shall include 24-hour composite samplers, continuous flow meters, flow recorders and other necessary equipment to accurately measure and sample the wastewater being discharged. Where conditions do not permit monitoring of all discharges from a user at a single station, multiple monitoring stations shall be installed. The station shall be situated on the user's premises. The user shall allow the Village access to the station at all reasonable hours.

SECTION 4. PROHIBITED DISCHARGES

- A. No person or persons shall discharge or cause to be discharged, any unpolluted water, such as storm water, groundwater, roof runoff, subsurface drainage or cooling water to any sanitary sewer; except that storm water runoff from limited areas, which may be polluted at times, may be discharged to the sanitary sewer by permission of the Approving Authority. Unpolluted industrial cooling water or process waters may be discharged, only with the approval of the Approving Authority, DNR, Department of Commerce, or other regulatory agency as required by law, to a storm sewer or natural outlet.
- B. Except as provided in this Ordinance, no person or persons shall discharge or cause to be discharged any of the following described waters, wastes, compounds or material to any public sewer:
1. Explosive Mixtures: Gasoline, kerosene, benzene, naphtha, fuel oil, alcohols, ketones, aldehydes, ethers, xylene, toluene, peroxides, chlorates, perchlorates,

bromates, carbides, hydrides, sulfides or other flammable or explosive liquid, solid or gas;

2. Toxic Substances: Water or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by intersection with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, or create a public nuisance in the receiving waters of the wastewater treatment plant;
3. Corrosive Wastes: Water or wastes having a pH lower than 6.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to piping, structures, equipment and personnel of the wastewater treatment works;
4. Solid or Viscous Wastes: Solid or viscous substances in quantities or of such size as to be capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, sand, mud, straw, shavings, metal, glass, rags, feathers, entrails, whole blood, paunch manure, hair, fleshings, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
5. Noxious Material. Noxious or malodorous solids, liquids or gases which either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or will prevent the entry into the sanitary sewer collection system for maintenance purposes.
6. Radioactive Wastes. Radioactive waste or isotopes of such half-life or concentration that they are in noncompliance with regulations issued by the appropriate authority having control over their use and which will or may cause

damage or hazards to the waste treatment facilities or personnel operating the system.

7. Accidental Discharge: Each user shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this Ordinance. Users shall notify the Village immediately upon occurrence of a “slug” or accidental discharge of substances prohibited by this Ordinance and shall submit within 48 hours a written report of the incident. The report shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any user who discharges a slug of prohibited materials shall be liable for any expense, loss or damage caused by the discharge, in addition to the amount of fines imposed by the Village. Signs shall be permanently posted in conspicuous places on user’s premises, advising employees whom to call in the event of a slug or accidental discharge. Users shall instruct all employees who may cause or discover such a discharge, with respect to wastewater emergency notification procedure.

SECTION 5. LIMITED AND RESTRICTED DISCHARGES. The following described substances, materials, water or wastes shall be limited to discharges to municipal systems, to concentrations or quantities which will not harm the municipal sewers, wastewater treatment process equipment, will not have an adverse effect on the receiving waters, or will not otherwise endanger life, limb or public property, or constitute a nuisance. The Approving Authority may set limitations lower than the limitations established in the regulations below, if such limitations are necessary to meet the above objectives. In forming an opinion as to acceptability, the Approving Authority will give consideration to such factors as the quantity of subject waste in relation to

flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the Wastewater Treatment Facility, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer, which shall not be violated without approval of the Approving Authority, are as follows:

- A. Temperature Limit: Wastewater having a temperature higher than (150°F) one hundred-fifty degrees Fahrenheit (sixty-five degrees Celsius);
- B. Oil Content: Wastewater containing more than twenty-five milligrams per liter (25 mg/l) of petroleum oil, non-biodegradable cutting oils, or products of mineral oil margin;
- C. Grease Limit: Wastewater containing fats, wax, oils and grease, whether emulsified or not, shall not exceed a concentration of one hundred milligrams per liter. This concentration limit shall be lowered if it is found that the substances are solidifying or becoming viscous and creating obstructions in the sewerage system.
- D. Garbage Restriction: Garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where the garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises, or when served by caterers;
- E. Metals Restrictions: Water or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances to such a degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Approving Authority in compliance with the WPDES Permit and applicable State regulations;

- F. Odor Limit: Water or wastes containing odor-producing substances exceeding limits which may be established by the Approving Authority in compliance with State regulations and to those levels which do not create a nuisance;
- G. Slugs: Quantities of flow, concentrations, or both, which constitute a “slug”, as defined in Section 2.
- H. Incompatible Wastes: Water or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such a degree that the wastewater treatment plant effluent cannot meet the requirements of the Village’s WPDES Permit;
- I. Interactive Wastes: Water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, from suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes;
- J. Materials which exert or cause unusual excessive conditions:
1. Unusual BOD, Chemical Oxygen Demand or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment plant,
 2. Unusual concentrations of inert suspended solids, such as fuller’s earth, lime slurries and lime residues, or of dissolved solids, such as sodium sulfate,
 3. Excessive discoloration, such as dye wastes, inks and/or vegetable tanning solutions.

SECTION 6. PRETREATMENT

- A. Pretreatment required. When, in the opinion of the Approving Authority, and in accordance with Title 40, Part 128 of the Code of Federal Regulations, and/or other

applicable State and Federal regulations, pretreatment is required to modify or eliminate wastes that are harmful to the structures, processes or operation of the wastewater treatment facility, the person or persons creating the waste shall provide, at their expense, such preliminary treatment or processing facilities as may be determined required to render their wastes acceptable for admission to the public sewers.

B. Interceptor requirements. Grease, oil and sand interceptors shall be provided when, in the opinion of the Approving Authority, they are necessary for the proper handling of such wastes; 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 Department of Commerce Plumbing Code, and shall be located so as to be readily and easily accessible for cleaning and inspection. In the maintaining of 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 Approving Authority. Any removal and handling of the collected materials not performed by the owner's personnel must be performed by currently licensed waste-disposal firms.

C. Regulatory Action. If the wastewater to be discharged by a user may be harmful to the Village sanitary sewer system or to the operation of the treatment system, or if the proposed wastewater discharge is prohibited, limited or restricted by this Ordinance the Village may take the following actions:

- 1) Prohibit the discharge of such wastewaters.
- 2) Require a discharger to demonstrate that in-plant modifications will eliminate the discharge of such substances to a degree as to be acceptable to the Village.

- 3) Require pretreatment including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations.
- 4) Require the person making, causing or allowing the discharge to pay all additional costs of collecting, handling and treating the wastewater.
- 5) Take such other remedial action as may be deemed desirable or necessary to achieve the purpose of this Ordinance.

D. Submission of Plans. Where pretreatment or equalization of wastewater flows prior to discharge into any part of its sanitary sewer facilities is required by the Village plans, specifications and other pertinent data or information relating to such pretreatment or flow-control facilities shall be submitted to the Village for review and approval. Approval shall in no way exempt the discharge or such facilities from compliance with any applicable code, ordinance, rule or regulation of any governmental unit or the Village. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to, and approval of the Village.

E. Costs. The cost of constructing grease, oil and sand interceptors; pretreatment facilities and flow equalization facilities shall be the responsibility of the person needing these facilities so as to allow their wastewater to be discharged to the Village sanitary sewer system.

F. Operations. If pretreatment or flow equalization facilities are installed, they shall be effectively operated and maintained at the user's expense.

SECTION 7. SPECIAL AGREEMENTS. No statement contained in this Ordinance shall be construed as prohibiting any special agreement between the Village and any person or persons, whereby an industrial waste of unusual strength or character may be admitted to the sewage

disposal works, either before or after pretreatment, provided that there is not impairment of the functioning of the sewage disposal works by reason of the admission of such wastes, and no extra costs are incurred by the Village without recompense by said person or persons to the Village of New Auburn.

SECTION 8. INDUSTRIAL WASTES. An industrial Wastewater Discharge Permit is required under Section 3 of this Ordinance. For any discharge by an industrial user, as defined in Section 2, Item K or L of this Ordinance, this permit must be obtained 180 days prior to the beginning of discharge. In support of this application, the user shall comply with the following:

A. Application Information.

1. Name, address and standard industrial classification number of applicant.
2. Average hydraulic volume of wastewater to be discharged.
3. Wastewater constituents and characteristics as determined by examination according to the latest edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes."
4. Time and duration of discharge.
5. Average and peak wastewater flow rates, including daily, monthly and seasonal variations; if any.
6. Site plan, floor plans, mechanical and plumbing plans and details to show all sewers and appurtenances by size, location and elevation.
7. Description of activities, facilities and plant processes on the premises including all materials and types of materials, which are, or could be, discharged.
8. Each product produced by type, amount and rate of production.
9. Number and type of employees including work hours of week.
10. Any other information as may be deemed appropriate by the Approving Authority

to be necessary to evaluate the permit application.

- B. Review. The Approving Authority will use a Professional Consulting Engineer to evaluate the data furnished by the prospective user and may require additional information be supplied by applicant. After evaluation and acceptance of the data furnished, the Approving Authority may issue a Wastewater Discharge Permit; subject to appropriate terms and conditions.
- C. Duration of Permit. Industrial discharge permits shall be issued for a specified time period, not to exceed two years. A permit may be issued for a period of less than one year, or may be stated to expire on a specific date. If the user is not notified by the Village 15 days prior to the expiration of the permit, the permit shall automatically be extended for 12 months. The terms and conditions of the permit may be subject to modification and change by the Village during the life of the permit. The user shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.
- D. Permit Conditions: Industrial wastewater discharge permits shall be subject to all provisions of this Ordinance. Additional permit conditions are:
1. The average and maximum wastewater flow and constituent limits the user will be allowed to discharge to the Village sewerage system.
 2. Limits on the rate of discharge and time of discharges necessary to reduce slug flows.
 3. Requirement to construct and maintain a flow regulation or equalization facility.
 4. Requirement to construct, operate and maintain a monitoring station.
 5. The monitoring requirements for the industrial discharge will include type of

sample, sampling frequency and the laboratory analyses required. All analyses shall be performed in accordance with "Standard Methods" and shall be at the user's expense.

6. Require the user to install pretreatment facilities.
7. Require the user to maintain stipulated wastewater records and to allow the Village access to these records.
8. Other conditions deemed necessary by the Village to insure compliance with the Ordinance.

E. Transfer Of Permit. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned, transferred or sold to a new owner, new user, different premises, or a new or changed operation.

F. Wastewater Monitoring. The user discharging industrial waste shall be responsible for the required flow monitoring, sample collection and laboratory analyses stated in their permit. If the user is not qualified to perform these duties, the user shall engage a qualified private firm. As an alternative, the user may engage the Village to perform these duties provided the associated costs are born by the user.

SECTION 9. INDUSTRIAL COST RECOVERY. As the Village currently has no user that would qualify for industrial cost recovery, this section is therefore not applicable.

SECTION 10. SEWER SERVICE CHARGE.

A. Authority. The Village Board of the Village of New Auburn shall have the authority to establish and collect a sewer service charge for the use of the public Wastewater Treatment Facility maintained and operated by the Village of New Auburn.

B. Classes of Users. The following user classes are established:

1. Residential
2. Commercial
3. Institutional
4. Industrial

All users will pay at the residential rate plus the appropriate surcharges.

- C. Method of Computing. The service charge shall be based on water or wastewater meter readings, when available. When such meter readings are unavailable, the service charges will be a flat charge based on the estimate. This estimate shall be 12,000 gallons per quarter. Where the flat charge must be used, it will be paid for the full quarter and shall not be prorated. If service should be interrupted for any full quarter, only the minimum will be charged. The flat charge will be adopted by resolution.
- D. Debt Service Charge. All charges incurred for debts for capital improvements for the Wastewater Treatment Works shall be paid for by a debt service charge, which is a part of the total sewer service charge, or by such sums as the Village Board may annually elect to take from the general fund. The amount of this charge will be reviewed at least annually and adopted by resolution.
- E. Minimum Charge. The minimum charge per user shall be the charge to cover the cost of billing, collection & administration of accounts and debt retirement (if applicable) per connection. This charge will be made regardless of use and shall be adopted by resolution.
- F. User Charge. The user charge for all users discharging domestic wastewater shall be based on a minimum quarterly charge per user and on the volume used by each user. Those discharging wastewater in excess of domestic strength shall pay the surcharges outlined in the User Charge Development section (page 41). The amount of this charge will be reviewed annually and adopted by resolution.

- G. Replacement Cost Account: This account is set aside as a fund for replacement of equipment, emergency loan installments, emergency maintenance, extensions to the facility and replacement of short-lived assets.
- H. Total Sewer Service Charge shall be the sum of: debt retirement; operation and maintenance costs; replacement costs; planning account; billing collection; administration; and any surcharges or industrial cost recovery charges when applicable. For those unmetered services, the total service charge shall consist of the minimum charge plus the flat charge.
- I. Billing Periods. The total sewer service charge shall be billed quarterly. The due date shall be as set forth on the quarterly bill.
- J. Due Date. The due date shall be as set forth on the quarterly bill.
- K. Late Penalties. Charges levied in accordance with this Section shall be a debt due to the Village and shall be a lien upon the property. If this debt is not paid within twenty (20) days after it is due and payable, it shall be deemed delinquent, and a late payment charge is added. The late payment charge is equal to 3 percent (3%) or a minimum of \$.50. This debt may then be recovered by civil action in the name of the Village of New Auburn against the property owner, the person or both. If delinquent payments are not received by November 1st of the calendar year, a ten percent (10%) charge shall be added to delinquent bills. Thereafter, if payment is not received prior to November 15th, the delinquent bill will be forwarded to the applicable County (Chippewa or Barron) for placement on the succeeding tax roll.
- L. Failure to Pay, Removal or Closure of Connection, Restoration of Service:
1. In the event of failure to pay sewer service charges after they become delinquent, the Village shall have the right to remove or close sewer

connections and enter upon the property for accomplishing such purposes.

2. The expense of such removal or closing, as well as the expense of restoring service, shall likewise be a debt to the Village and a tax lien upon the property, and may be recovered by a civil action in the name of the Village of New Auburn against the property owner, the person, or both.
3. Sewer service shall not be restored until all charges, including the expense of removal, closing and restoration shall have been paid.
4. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

M. Summer Months Sewerage Service Charges Based on Winter Usage. (Winter months are January, February, and March billed in April. Summer months are July, August, and September billed in October.) To accommodate residential utility customers who use additional water during the summer months that may not enter the sanitary sewer system, residential users with a 5/8" water or wastewater meter will be charged for sewer volume service for the summer months the lesser of the winter months or summer month's actual usage.

SECTION 11. VIOLATIONS AND PENALTIES

- A. Written Notice Required. Any person found to be violating any provision of this Ordinance, shall be served by the Village 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.
- B. Civil Penalties. Whoever fails to comply with any provisions of this Ordinance or with an Order of the Village issued in pursuance of this Ordinance, shall be fined not less than \$100.00 nor more than \$1,000.00 for each offense. Each day's continuance of such failure is a separate offense. The penalties so imposed, plus reasonable attorneys' fees, court costs and other expenses of litigation, are recoverable by the Village upon its suit as debts are recoverable by law.
- C. Recovery of Costs Incurred by the Village. Any User violating any of the provisions of this Ordinance, or who discharges or causes a discharge producing a deposit or obstruction; or causes damage to or impairs the Village sanitary sewer system shall be

liable to the Village for any expense, loss or damage caused by such violation or discharge. The Village shall bill the cleaning, repair, or replacement work resulting from the violation or discharge. Refusal to pay the assessed costs shall constitute a violation of this Ordinance, and shall be enforceable under the provisions of this Ordinance.

- D. Falsifying Information. Any person who knowingly makes any false statement, representation or certification in any application, record, or report, plan or other document filed or required to be maintained pursuant to this Ordinance, or a Wastewater Discharge Permit; or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Ordinance, shall, upon conviction be punished by the imposition of the civil penalty stated above or by imprisonment for not more than thirty days or by both.
- E. Liability for Expense, Loss or Damage. Any person violating any provisions of this title shall become liable to the Village for any expense, loss or damage occasioned by reason of such violation, which the Village may suffer as a result thereof.
- F. Right to Reject Connections. The Village reserves the right to reject connections to the system if downstream facilities do not have adequate capacity.
- G. Right to Enter Premises. The Village reserves the right to enter premises of any user to sample and/or inspect.

SECTION 12. MANAGEMENT, OPERATION, AND CONTROL OF FACILITIES.

The management, operation, and control of the Wastewater Treatment Facility and Sanitary Collection System for the Village is the responsibility of the New Auburn Village Board and all records, minutes, and written proceedings thereof shall be kept by the Village Clerk. The Village Clerk shall, also, keep all financial records of said facilities.

- A. The Sewer Utility of the Village of New Auburn shall have the power to construct sewer

lines for public use, and shall have the power to lay sewer pipes in and through alleys, streets, easements, and public grounds of the Village; and generally, to do all such work as may be found necessary or convenient in the management of the sewer system. The Village shall have the power by themselves, their officers, agents, and representatives, to enter upon any land for the purpose of making examination or supervise in the performance of their duties under this Ordinance, without liability therefore; and the Village shall have power to purchase and acquire for the sewer utility all real and personal property which may be necessary for construction of the sewer system, or for any repair, remodeling or additions thereto.

B. Condemnation of Real Estate. Whenever any real estate or any easement therein, or use thereof, shall in the judgment of the Village Sewer Utility 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 Village shall proceed with all necessary steps to take such real estate easement, or use by condemnation in accordance with Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if Federal Funds are used.

C. Title to Real Estate and Personal Property. All property, real, personal and mixed, acquired for the construction of sewer system, and all buildings, equipment, piping, tanks, machinery, and fixtures pertaining thereto, shall be property of said Village.

SECTION 13. USER RULES AND REGULATIONS. The rules, regulations, and sewer rates of New Auburn's Sewer Utility herein set forth shall be considered a part of the contract with every person, company or corporation who is connected to the sewer system of the Village of New Auburn and every such person, company, or corporation by connecting to the sewer system

shall be considered as expressing his or their consent to be bound thereby. Whenever any said rules and regulations, as adopted are violated, the 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 Village of New Auburn, and on payment of all debts, plus the expenses and established charges of shutting off and putting on, and such terms as the Village may determine, and a satisfactory understanding with the parties that no further cause for complaint shall arise. In case of such violation, the Village, furthermore, may declare any payment made for the service by the party or parties committing such violation, to be forfeited. The right is reserved by the Village to change the said rules, regulations, and sewer rates from time to time as they may deem advisable; and to make special rates and contracts in all property cases.

SECTION 14. PLUMBING REQUIREMENTS: The following rules and regulations for the governing of licensed plumbers, sewer users, and others are hereby adopted and established:

- A. Plumbing: No plumber, pipe fitter, or other persons will be permitted to do any ~~plumbing or pipe fitting work in connection with the sewer system without first~~ receiving a proper license from the State of Wisconsin.
- B. Application for Service: Every person connecting with the sewer system shall file an application in writing to the Village of New Auburn on such forms as are prescribed for that purpose. Blanks for such applications will be furnished at the Office of the Village Clerk. The application must state fully and truly all the use, which is requested. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. People connected to the Sewer System of the Village of New Auburn are referred to herein as "users". The

application may be for service to more than one building, or more than one unit of service through one service connection; and, in such case, charges shall be made accordingly. If it appears that the service applied for will not provide adequate service for the contemplated use, the Village may reject the application.

- C. 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 shall exhibit the proper permit for the same from the Village.
- D. User Use Only: No user shall allow others or other services to connect to the Sewer System through their lateral.
- E. User to Permit Inspection: Every user shall permit the Village, or their duly Authorized Agent at any reasonable hour 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.
- F. Utility Responsibility: It is expressly stipulated that no claim shall be made against said Village or its 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 regulation to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer service within any district of the said Sewer Utility, the Village

shall, if practicable, give notice to each and every consumer within such affected district of the time when such service will be so shut off.

SECTION 15. EXCAVATIONS.

- A. The Contractor executing the excavation must properly notify all affected utilities prior to commencing any work; i.e. notify Diggers Hotline.
- B. In making excavations in streets, alleys, highways, or easements for laying service pipe or making repairs, the paving and earth removed must be deposited in a manner that will occasion the least inconvenience to the public.
- C. No person shall leave 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.
- D. In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than nine (9") 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 Village. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.

SECTION 16. TAPPING MAINS.

No person, except those having special permission from the Village or persons in their service and approved by them, will be permitted, under any circumstances to tap the sanitary mains or collection pipes. The kind and size of the connection with the pipe network shall be that specified in the permit or order from the Village.

- A. Laterals: All private service laterals and pumping facilities shall be installed per

specifications supplied by Village and in conformance with applicable specifications.

- B. Hook-up Fee: The connection fee shall be paid in advance of physical installation of lateral.
- C. Inspection: All private service laterals and pumping facilities will be inspected by a Village representative upon completion of pipe installation and prior to backfilling and testing.

SECTION 17. SEPTIC TANK SLUDGE AND HOLDING TANK DISPOSAL.

No person or persons shall dispose of septic tank sludge or holding tank sewage by injecting, in any manner, this waste into the Sewer Collection System or Wastewater Treatment Facility unless said person or persons have first obtained written approval from the Village of New Auburn.

- A. Licensed Disposer means a person holding a license under s. 146.20(3)(a).
Reference per Wisconsin Administrative Code, NR 113.05.
- B. Required to Treat Septage. The New Auburn Municipal Wastewater Treatment Facility may accept and treat septage from a licensed disposer during the period of time commencing on November 15 and ending April 15, but will not accept and treat septage at other times during the year.
- C. Exceptions. Notwithstanding Sub. B, the New Auburn Municipal Wastewater Treatment Facility will not accept septage from a Licensed Disposer if:
 - 1. Treatment of the septage would cause the Wastewater Treatment Facility to exceed its operating design capacity or to violate any applicable effluent limitations or standards, water quality standards or any other legally applicable requirements, including court orders or state or any other legally

applicable requirements, including court orders or state or federal statutes, rules, regulations or orders.

2. The septage is not compatible with the Municipal Wastewater Treatment Facility.
3. The Licensed Disposer has not applied for and received approval from the Village of New Auburn to dispose of septage in the municipal Wastewater Treatment Facility or the Licensed Disposer fails to comply with the disposal plan.

D. Priorities. The priority system for acceptance of septage at New Auburn's Wastewater Treatment Facility shall be strictly followed. If the municipal Wastewater Treatment Facility can accept part, but not all, of the septage offered for disposal, the following priority list shall control.

1. First Priority. Septage from existing or new holding and septic tanks within the Village's Sewer Service Area.
2. Second Priority. Septage from the existing or new holding and septic tanks outside of the Sewer Service Area, but within the Village Limits.
3. Third Priority. Septage from existing or new holding and septic tanks outside of the Village limits, but within the Planning Area.
4. Fourth Priority. Septage from existing or new holding and septic tanks outside of Planning Area, but located within twenty (20) miles (shortest direct route by road to New Auburn's Wastewater Treatment Facility).

E. Application for Septage Disposal. Between August 1 and September 1 of each year, every Licensed Disposer wishing to discharge septage to the New Auburn

Wastewater Treatment Facility, shall file a non-refundable filing fee and an Application in writing to the Village Clerk on such a form as is prescribed for said purpose. During the months of July and August, forms for such Applications will be furnished by the office of the Village Clerk. The Application must state fully and truly the type, frequency, quantity, quality and location of generated septage to be disposed at the New Auburn Wastewater Treatment Facility.

During the month of September, the Village Clerk will evaluate the Application and make a determination as to the amount and conditions of septage disposal at the New Auburn Wastewater Treatment Facility. The Village shall approve or reject all Applications by October 1, of each year and so notify each applicant.

If the municipal Wastewater Treatment Facility cannot accept all the proposed septage disposal, then the priority list described in sub. D shall be used.

All approvals for septage disposal shall have conditions that any time the municipal Wastewater Treatment Facility has operational problems, maintenance problems, or threat of WPDES Permit violations that are indirectly or directly related to septage disposal, the Village may immediately restrict septage disposal until such time as corrective action or mitigative measures have been executed.

- F. Septage Disposal Location. Septage shall only be discharged to New Auburn's Wastewater Treatment Facility by Village-Approved and State of Wisconsin Licensed Disposers and only at locations, times and conditions as specified by the Village of New Auburn. Septage discharges to Village specified manholes may, under special circumstances, be allowed provided discharged rates are restricted as necessary to facilitate mixing, prevent a backup in the receiving sanitary sewer

collection main and prevent a slug load to the municipal Wastewater Treatment Facility. Discharges will be limited to normal working hours and require prior written approval from the Village and documentation of the discharge must be submitted to the designated Village Official following discharge.

G. Documentation of Discharge. Forms for documentation of discharge will be furnished by the Village Clerk and will include the following:

- 1) Name, address and telephone number of hauling company
- 2) License number of disposer
- 3) Name of driver
- 4) Type of septage
- 5) Quantity of septage
- 6) Estimated quality of septage
- 7) Location, date, time and feed rate of discharge into municipal sewerage system
- 8) Source of septage
- 9) Name and location of septage generator
- 10) Other information

H. Control of Septage. If any septage is discharged or proposed to be discharged into the municipal Sewage Collection System, which contain substances or possess any characteristics enumerated in Section 4, (Prohibited Discharges), and which, in the judgment of the Village, may have deleterious effects upon the Wastewater Treatment Facility, processes, equipment, or receiving waters or which otherwise create any hazard to life, health, or constitute a public nuisance, the Village may:

- 1) Reject the septage
- 2) Require pretreatment to an acceptable condition for discharge into the municipal sewers
- 3) Require control over quantities and rates of discharge
- 4) Require payment to cover the added cost of handling and treating septage not covered by existing sewer users fees as detailed in Section 20

I. Testing & Analysis of Septage. All measurements, tests, and analyses of the characteristics of septage shall be determined in accordance with “**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**”, (1987, 40 CFR 136). Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Village.

If the Village requires testing and analysis of the septage, the laboratory and testing facilities shall be approved by the Village and all fees and testing expenses shall be paid by the Licensed Disposer.

J. Disposal Fee. Refer to Section 20 for the disposal fee rates for septage.

K. Violations. Any Licensed Disposer discharging septage to the municipal Wastewater Treatment Facility or Village Sewerage Collection System, found to be violating a provision of the Ordinance or of any condition(s) of the Village issued approval for Septage disposal, may have their approval immediately

revoked. This revocation shall be done in writing and state the reason for revoking the Septage Disposal Approval.

SECTION 18. AUDIT. The Village of New Auburn shall conduct an Annual Audit, the purpose of which shall be to maintain the proportionality between users and user classes of the user charge system and to ensure that adequate revenues are available relative to increasing operation, maintenance and replacement costs. The Village shall conduct an annual audit of the separate Industrial Cost Recovery Account, if and when it is applicable, to ensure that proportionate and adequate payments are being made by industries to the Village.

SECTION 19. VALIDITY.

- A. Repeal of Conflicting Ordinances. All Ordinances, Resolutions, Orders or parts thereof heretofore adopted, enacted or entered which are in conflict with this Ordinance are hereby repealed.
- B. 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.
- C. Amendments. The Village of New Auburn, through its duly qualified governing body, may amend this Ordinance in part or in whole whenever said body may deem it necessary.

SECTION 20. USER CHARGE SYSTEM.

It shall be the policy of the Village of New Auburn to obtain sufficient revenues through a User Charge to pay the cost of the annual debt retirement, operation & maintenance expenses, replacement account and related costs incurred to successfully manage the municipal Sanitary

Sewer Utility. The User Charge System (UCS) shall assure that each user of the Sanitary Sewer Facilities pay a proportionate share of all costs necessary to operate the utility. These charges are to be reviewed annually and all excess revenues shall be applied to the fund for replacement costs. The initial User Charge System shall be as set forth on the attached Resolution, which may be changed from time to time by the Village Board, with the then current Resolution to be included in the Appendix L.

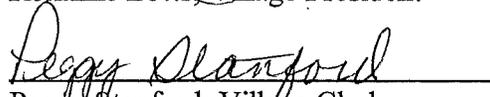
The current WPDES Permit is also attached hereto. Future permits shall be set forth in this Appendix L for reference by the Village Board and the public.

Adopted October 23, 2003 (Date)



Roxanne Lotts, Village President

Attest:



Peggy Stanford, Village Clerk

RESOLUTION OF THE VILLAGE BOARD
OF THE VILLAGE OF NEW AUBURN
DETERMINING SEWER SERVICE CHARGES

WHEREAS, the Village of New Auburn has adopted a Sewer Use Ordinance and Sewer Charge System, which provides at Section 10 (D) that Sewer Debt Service Charges are to be reviewed annually; and

WHEREAS, charges have been incurred for debts for capital improvements for the Sewer Utility; and

NOW THEREFORE, being that the Village of New Auburn must adopt an equitable Sewer User Charge System as described by the Sewer Use Ordinance and being that at this time all users discharge wastewater similar in strength, but varying in quantity, the following rates are adopted and take precedence over any and all pre-existing agreements:

<u>METERED SERVICES:</u>	PER QUARTER
1. Minimum Charge	\$31.51
2. Debt Retirement Charge	49.14
3. Treatment Charge (per 1,000 Gallons)	10.11

<u>UNMETERED SERVICE:</u>	
1. Minimum Charge	\$31.51
2. Debt Retirement Charge	49.14
3. Flat Rate User Charge: (Based on 12,000 gal per Quarter)	<u>121.32</u>
Total	\$201.96

<u>SEPTAGE DISPOSAL FEE:</u>	
Minimum Holding Tank Waste Charge.....	\$36.38 Fee/1,000 gal.
Minimum Septic Tank Waste Charge.....	\$105.26 Fee/1,000 gal.

<u>SURCHARGES:</u>	
A. Any User Discharging Wastewater with:	
BOD is excess of 275 mg/l	\$1.10/lb
SS in excess of 275 mg/l.....	\$0.22/lb
B. Industrial Cost Recovery.....	N/A
C. User outside of Village Limits (Fee + 25%).....	125%

ANNUAL REVIEW:

These charges are to be reviewed at least annually with the current Resolution to be included in Appendix L of the Ordinances.

This resolution shall take effect on July 1, 2020, billable in October 2020.

Adopted the 14th day of May, 2020.

LSI
Brad Lotts, Village President

Attest: LSI
Peggy Stanford, Village Clerk