

SEWER USE ORDINANCE  
HUBBARD SANITARY DISTRICT NO. 2  
OF THE  
TOWN OF HUBBARD  
DODGE COUNTY  
WISCONSIN

STRAND ASSOCIATES, INC.  
CONSULTING ENGINEERS  
MADISON, WISCONSIN 53715  
SEPTEMBER, 1990

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## ORDINANCE

### AN ORDINANCE ESTABLISHING A SYSTEM OF CHARGES AND REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS, PRIVATE SEWAGE DISPOSAL, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, AND THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM:

Be it ordained and enacted by the Commissioners of the Hubbard Sanitary District No. 2 of the Town of Hubbard, Dodge County of the State of Wisconsin, as follows:

#### ARTICLE I

##### Definitions

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

- Section 1. "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20° C., expressed in milligrams per liter.
- Section 2. "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 walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.
- Section 3. "Building Inspector" shall mean the building inspector authorized to make building inspections or his authorized agent, or representative.

- Section 4. "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.
- Section 5. "Commercial User" shall mean all private establishments such as restaurants, hotels, multiple family residences, retail and wholesale stores, filling stations and industries with a daily wastewater flow of less than 25,000 gallons per day; all private, nonprofit entities such as churches, schools, hospitals and charitable organizations with a daily wastewater flow less than 25,000 gallons per day; and public facilities such as boat landings and university facilities with a daily wastewater flow less than 25,000 gallons per day.
- Section 6. "Commission" shall mean the duly acting governing body of the Hubbard Sanitary District No. 2 of the Town of Dodge.
- Section 7. "Connection Permit" shall mean a permit issued by the District after proper application and payment of the required permit fee which allows connection of a Building Sewer to the Public Sewer.
- Section 8. "Contribution-In-Aid-Of-Construction" shall mean a lump sum payment due upon the availability of sewer and issuance of a Connection Permit, but no later than a date to be set by the Commission.
- Section 9. "Debt Service" shall mean costs to the Sanitary District for the retirement of debts incurred in the provision of wastewater collection and treatment facilities including both principal and interest.
- Section 10. "District" shall mean Hubbard Sanitary District No. 2 of the Town of Hubbard, Dodge County, Wisconsin.
- Section 11. "Floatable Oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater

does not interfere with the collection system.

Section 12. "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of meat, fish, fowl, fruits, vegetables and condemned food.

Section 13. "Industrial User" shall mean: (a) Any non-governmental, non-residential user of a publicly owned treatment works which discharges more than the equivalent of 25,000 gallons per day (gpd) of sanitary waste and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:

Division A. Agriculture, Forestry, and Fishing.

Division B. Mining.

Division D. Manufacturing.

Division E. Transportation, Communications, Electric, Gas and Sanitary Services.

Division I. Services.

(1) In determining the amount of a user's discharge, the District will exclude domestic waste or discharges from sanitary conveniences.

(2) After applying the sanitary waste exclusion in subparagraph (1) of this paragraph, discharges in the above divisions that have a volume exceeding 25,000 gpd or the weight of biochemical oxygen demand (BOD) or suspended solids (SS) equivalent to that weight found in 25,000 gpd of sanitary waste are considered

industrial users. Sanitary waste, for purposes of this calculation of equivalency, shall be wastes of Normal Concentration as defined in this Ordinance.

(b) Any non-governmental user who discharges wastewater to the District's sewers, which wastewater contains toxic pollutants or poisonous solids, liquids, or gases in sufficient quantity either singly or by interaction with other waste, to contaminate the sludge of the municipal sewer systems, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the treatment works.

Section 14. "Industrial Wastes" shall mean wastes discharged by "Industrial Users".

Section 15. "May" is permissive (see "Shall", below).

Section 16. "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

Section 17. "Normal Concentration" shall mean:

- (a) 5-day 20° C., BOD of not more than 300 mg/L.
- (b) A suspended solids content of not more than 350 mg/L.

Section 18. "Normal Wastewater/Normal Sewage" shall mean wastewater or other wastes in which BOD or suspended solids concentrations do not exceed normal concentrations.

Section 19. "Operation and Maintenance Costs" shall mean the day-to-day expenses of the sewage works including cost of equipment, materials, energy, and manpower necessary for continued operation and maintenance of the system. Included shall be all expenses of preventative maintenance, repair costs and non-lapsing depreciation (replacement) expenses necessary for continuous operation of the system within its design limits.

- Section 20. "Person" shall mean any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.
- Section 21. "pH" shall mean the logarithm (base 10) of the reciprocal of the hydrogen ion concentration expressed in moles per liter as determined by "Standard Methods".
- Section 22. "Properly Ground Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
- Section 23. "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- Section 24. "Quarter" shall mean any three consecutive months as determined by the Sanitary District.
- Section 25. "Replacement" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance during the service life of the treatment works for which such works were designed and constructed.
- Section 26. "Residential Equivalent Unit" shall mean the unit of measurement which consists of the amount of Normal Sewage contributed to the system from a single-family residences (including bathhouses intended for habitation) in an average amount not to exceed 200 gallons per day. Residential Equivalent Unit shall be the proportional unit of measurement used in this Ordinance when establishing the distribution of costs for operation and maintenance of the collection and treatment systems.

- Section 27. "Residential User" shall mean all single family dwelling units whose main purpose is to provide housing for individual family units.
- Section 28. "Revenue Account" shall mean an account in which all receipts and disbursements of the Commission shall be recorded. Revenues in the account shall be apportioned to the Sewer System Operation and Maintenance Fund; Sewer System Replacement Fund and Sewer System Bond Fund.
- Section 29. "Sanitary Sewer" shall mean a sewer which carries sewage and to which storm surface, and groundwaters are not intentionally admitted.
- Section 30. "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.
- Section 31. "Sewage Treatment Plant" or "Wastewater Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- Section 32. "Sewage Utility or Utility" shall mean the Hubbard Sanitary District.
- Section 33. "Sewage Works" shall mean all facilities for collecting, pumping treating and disposing of sewage.
- Section 34. "Sewer" shall mean a pipe or conduit for carrying sewage.
- Section 35. "Sewer User Charge" shall mean a monthly charge assessed to all users of the system to pay for all Operation and Maintenance Costs. Such charge shall be payable as determined by the Commission in accordance with the terms of this Ordinance.



- Section 36. "Shall" is mandatory; "May" is permissive.
- Section 37. "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.
- Section 38. "Storm Sewer" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- Section 39. "Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.
- Section 40. "Watercourse" shall mean a natural or artificial channel for the passage of water.

## ARTICLE II

## CONTRIBUTION-IN-AID-OF-CONSTRUCTION

## Section 1.

- (a) Contribution-In-Aid-of-Construction (CAC): There is hereby levied and assessed upon each lot or parcel of land currently within the District and upon land subsequently attached to the District, a Contribution In Aid Of Construction charge (CAC). Such CAC charge shall be payable as herein provided and shall be on the basis of one CAC charge for each building connected to the Public Sewer. Said CAC charges shall be assessed and collected as determined by the Commission.
- (b) Existing and Future Buildings: For the purposes of this Ordinance, buildings in the District shall be classified as existing buildings or future buildings. Existing buildings shall be those in existence and buildings for which a building permit has been issued and construction started as of midnight, May 1, 1990. Future buildings shall be those not in existences of midnight, May 1, 1990.
- (c) Building Use: All buildings in the District shall be further classified as single family residential or commercial. Single family residential shall include only those buildings intended for habitation by a single family unit. Commercial buildings shall include all buildings in the District other than single family residential, including multiple use buildings. Commercial buildings shall be divided into the following classes:

Class A - Is a building which requires a six inch lateral sewer under this Ordinance, has an average daily sewage flow up to 500 gallons, is located in a commercially zoned or developed area and may contribute a waste which contains pollutants not a part of Normal Sewage.

Class B - Is a building which requires a six inch lateral sewer under this Ordinance, has an average daily sewage flow averaging over 500 gallons, but less than 1,000 gallons, is located in a commercially zoned or developed area, may be located on a large lot, may contribute a waste which contains pollutants not part of Normal Sewage, and may contribute waste in such additional volumes that sewer sizes could be influenced.

Class C - Is a building which requires a six inch lateral sewer under this Ordinance, has a daily sewage flow averaging over 1,000 gallons at least fifteen days per calendar month, is located on a large lot and may require a metering and monitoring manhole under the State of Wisconsin Plumbing Code. This Class requires special consideration upon application for a Connection Permit taking into account such things as location, lot size, anticipated sewage flows, and waste characteristics.

The Commission upon application for a Connection Permit shall, in consultation with the District's Engineer, determine the building use and classification and shall set a CAC charge in accordance with that use and the schedule of charges in effect at the time.

(d) Payments:

(1) Payment of the CAC charge for all existing buildings is due upon issuance of a Connection Permit but not later than November 1, 1990. An installment payment plan may be used if requested with payment over a ten year period at an annual interest rate of 9 percent on the unpaid balance. If payment in full is not received by November 1, 1990, the Commission shall institute installment payment procedures against all such unpaid accounts.

(2) Payment for the CAC charge for future buildings on lots which had a sewer lateral installed during the original construction shall be paid in full at the time of

application for a lateral installation, or shall be paid in full when a Connection Permit is issued at the rate in effect at that time.

(3) Payment of the CAC charge for future buildings on lots which do not have a sewer lateral installed shall be made in full upon issuance of a Connection Permit. When applying for a connection permit on a lot or parcel which does not have a lateral installed, the applicant shall make a deposit to cover the estimated total cost of such lateral installation. Upon completion of the lateral installation, final installation costs shall be determined and the difference between the deposit and actual cost shall be adjusted with the applicant.

- (e) Schedule of Charges: The following schedule establishes current CAC charges for the various uses as listed and as described elsewhere in this ordinance:

BUILDING DESCRIPTION

CAC CHARGE

EXISTING BUILDINGS

Single Family Residence

\$5,000

Commercial -

Class A

To be Determined  
by Commission

Class B

Class C

FUTURE BUILDINGS ON LOTS NOT REQUIRING  
FUTURE SEWER MAIN EXTENSIONS

Single Family Residence \$6,500

Commercial -

Class A To be determined by  
Commission

Class B

Class C

FUTURE BUILDINGS ON LOTS REQUIRING  
FUTURE SEWER MAIN EXTENSIONS

Single Family Residence \$3,500

Commercial -

Class A To be determined by  
Commission

Class B

Class C

The above indicated charges against future buildings will increase annually at the rate of \$250 starting on January 1, 1992. Any category of building not listed above shall be assigned a CAC charge by the Commission upon application and after recommendation by the District's Engineer. The Commission may, at any time hereafter, review and consider the above charges and, in unusual circumstances or upon proper evidence, make justifiable changes. The Commission shall set special charges for large commercial service or industrial users not defined above.

Use of Contribution-in-Aid-of-Construction for Future Connections: Monies received for future Contributions-in-Aid-of-Construction shall be applied wither to reduce the total outstanding debt of the District by early retirement of

bonds, or deposited into a bond redemption fund. Interest on funds in this redemption fund should be applied to reducing the Debt Service Charge.

ARTICLE III  
Sewer User Charges

Section 1.

(a) Sewer User Charge: There is hereby levied and assessed upon each lot or parcel of land with a building having a lateral available to discharge normal sewage to the Public Sewer System, a sewer user charge based upon rates established by the Commission. Such sewer user charge shall be payable as herein provided and shall be on the basis of one unit for each single family residential equivalent. Said residential equivalent charges shall be assessed and collected as determined by the Commission. The wastewater service charges taxed or levied pursuant to this Ordinance shall be collected as determined by the Commission. The Commission shall make and enforce such bylaws and regulations as may be deemed necessary for the safe, economical and efficient operation, management and protection of the Sanitary District sewer system, the wastewater treatment plant and Sanitary District personnel.

(b) Assignment of Residential Equivalent Units: On or before August 1 of every year the Commission may review and recompute the assignment of residential equivalent units to all users connected to the system. Said assignment of the total residential equivalent units shall be divided into the projected annual budget adopted prior to November 1 of every year, to arrive at the annual charge per residential equivalent unit in accordance with the methods provided in Appendix A.

(c) Budget and Sewer User Charge Approval: Upon completion of preparation of the annual budget and determination of the annual sewer user charge per residential equivalent unit, the Commission shall, when in Session and following appropriate hearings, review and approve the annual budget, shall set the annual sewer user charge to be charged for each residential equivalent unit, shall set a tax rate so that the budget will be balanced and shall record such action in the official minutes.

(d) Payments:

(1) Sewer User Charges shall be assessed annually for the year or portion of year and shall be payable monthly.

Assessment of sewer user charges shall commence with the next full month following connection to the sewer but in any event, not later than six months following notice by the District that connections can be made:

(2) In the event of late payment after payment is due, a late charge of three percent per month of the total amount due shall be added to the sewer user charge and shall be collectible with the normal sewer user charge.

(3) In the event service is provided for less than a calendar year, the sewer service charge may be prorated.

(4) In the event service is discontinued to a temporarily unoccupied building, and upon application and approval by the Commission, the sewer user charge assessed during such discontinuance may be reduced from the normal charge had the building remained occupied and in use. Such discount shall be credited against the following years charge.

e) Disposition of Revenue: The amounts received from collection of the charges authorized by this Ordinance with the exception of the replacement fund shall be credited to a sewer revenue account which shall show all receipts and expenditures of the District. When appropriated and authorized by the District, credits to said account shall be available for payment of the costs of operation, maintenance, repairs of the sewer system. Any surplus in the account shall be applied to the following year's operation and maintenance costs for that user class from which the surplus originated.



(f) Replacement Fund: Annual income from the Wastewater Service Charges which constitutes funds required for "Replacement" shall be separately accounted for and shall not be utilized for any purposes other than replacement.

(g) Residential Unit Equivalents: The Sanitary District shall determine the residential equivalent units for each user of the wastewater collection and treatment facilities. Assigned values shall be reviewed periodically for equity and to adjust for changes in use. User charge equivalents shall be assigned on the basis of the following table:

TABLE OF RESIDENTIAL UNIT  
EQUIVALENTS

<u>Classification</u>	<u>Equivalents Units</u>
Single Family Residence (including mobile home)	1.0
Multiple Family Residences	
First two units	2.0
Each additional unit over first two	1.0
Service Station (without car wash)	1.5
Automobile Sales and Service (without car wash)	3.5
Automobile Service Centers (without car wash or gasoline service)	1.5
Taverns - Up to 50 seat capacity	2.5
Up to 115 seat capacity	5.0
Over 115 seat capacity	Upon Application
Restaurants - Up to 25 seat capacity	2.9
Over 25 seat capacity	Upon Application
Boathouses - with Plumbing	1.0
<u>Classification</u>	<u>Equivalents Units</u>
General Sales and Service (Up to 2,000 SF of floor area)	1.5
Government Buildings	1.5
Office Buildings - (Up to 10 employees)	1.5
Retail Stores, Shops, Banks, Warehouses - (Up to 10 employees)	1.5
Car Washes	Upon Application
Laundromats	Upon Application
Churches	1.5
Schools	Upon Application

Any category of user not listed shall be assigned equivalent units by the Commission upon application and after recommendation by the District's Engineer. The Commission may review and consider the above residential

equivalent units at least annually and shall, upon proper evidence, make justifiable changes in the units. The Commission shall, when evidence warrants, require the installation of meters and monitoring devices, at the cost of the property owner, to assure the establishment of equitable commercial and industrial residential equivalent units.

(h) Special Rates: The rates set forth above for sewage service shall be for all types of service for collection of normal sewage. The Commission may at any time hereafter set special rates for large commercial service or industrial users.

(i) Notification: Users shall be notified annually of the portion of user charges attributable to wastewater treatment services.

## Section 2.

(a) Industrial and Commercial Charges for Other Than Normal Sewage: Charges for sewage other than Normal Sewage shall be based on Flow, B.O.D., Suspended Solids, and such other constituents which affect the cost of collection and treatment. Charges shall be made in accordance with rates established by the Commission on a case by case basis.

(b) All persons discharging wastes into the public sewers may be subject to a surcharge, in addition to any other service charge, if their sewage has a concentration greater than "normal" concentrations. (See Definition.) The volume of Flow used for computing waste surcharges shall be the metered water consumption, subject to adjustments as otherwise herein provides, or the actual volume of waste as determined by a waste metering and monitoring installation.

The amount of surcharge shall reflect the cost incurred by the District in removing B.O.D., Suspended Solids, and other constituents.

In addition to the above surcharges, the District's costs of sampling and analyzing industrial wastes shall be charged to the applicable industry as provided in Article VII, Section 10.

Where industrial wastes are of such a strength or magnitude or are delivered over such a period of time that the above surcharges do not reflect the cost of treatment to the District, the District reserves the right to establish a special charge for handling the waste. The depreciation portion of the charge shall be based on the design capacity required for the particular waste. In no event shall the charges be less than those charges determined by applying the above surcharge.

### Section 3.

Industrial Waste Pretreatment: In the event the District provides pretreatment of industrial wastes, the entire cost of such pretreatment shall be charged to the person or entity producing the industrial wastes. The costs shall include but are not limited to capital expenditures, operation and maintenance expenses, labor, chemicals, heat and power.

### Section 4.

Contract Basis: Nothing in this Ordinance shall prohibit the District from providing sewage services to persons outside the corporate limits of the District under mutually agreeable conditions.

### Section 5.

(a) Remedies For Failure to Pay User Charges: Each sewer user charge levied by, or pursuant to this Ordinance, is hereby made a lien upon the corresponding lot, land, or premises served by a connection to the sanitary sewer system of the District and if the same is not paid within the period allotted for such payment, said charge shall constitute a lien on the property served and be inserted in the Town tax roll as provided in Section 66.076(7) of the Wisconsin Statutes in the same manner as water rates are taxed and collected under the provisions of Section 66.069(1) or 66.071(1)(e) of the Wisconsin Statutes as same has been, and from time to time may be amended or recreated, so far as applicable.

(b) The delinquent sewer user charges, including interest on any delinquencies, taxed or levied pursuant to this Ordinance shall be collected by the Town Treasurer at the time and place indicated on the annual real estate tax bill.

#### Section 6.

Designation of Depository: The funds received from said sewage service charges shall be deposited at regular intervals in the depository elected by the Commission. Said funds shall be available for payment of the cost and expense of the management, maintenance, depreciation and repair of the sewage works and to provide funds for the retirement of debt as it matures and interest thereon.

#### Section 7.

Annual Audit: An audit of the Utility's financial standing shall be made annually on a calendar year basis. This audit will be used to review the adequacy of the then existing rates and said rates shall be adjusted if necessary to provide sufficient revenues to adequately finance the Utility's operation in accordance with the intent of the rate structure.

The annual audit and review shall also be used to insure that each recipient of sewage service (or class) is charged in proportion to the cost of providing said recipient (or user class) with sewage service.

#### Section 8.

Late Payment Charge: All charges under this Ordinance which are not paid within 20 days of the billing date are subject to a late payment charge of three percent of the net billing, such charges shall be placed in the operation, maintenance and replacement account.

Section 9.

Calculation of Sewer Service Charges: Sewer service charges are to be calculated using the methodology outlined in Appendix 'A'. This methodology provides user charge rates in accordance with this Ordinance.

Section 10.

Sewer Service Charge Rates:

Debt Service Charge Rate	\$ 2.60/month per RUE
User Charge Rate	
Fixed O & M	\$27.40/month per RUE
Sewer Service Charge Rate	\$30.00/month per RUE

## ARTICLE IV

## Use of Public Sewers Required

## Section 1.

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the District, or in any area under the jurisdiction of said District, any human or animal excrement, garbage, or other objectionable waste.

## Section 2.

It shall be unlawful to discharge to any natural outlet within the District, or in any area under the jurisdiction of said District, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance.

## Section 3.

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

## Section 4.

The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the District and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the District, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Ordinance, within six(6) months after notice is published or given that the sewer main is operational and connections can be made.

**Section 5.**

It shall be unlawful to discharge any holding tank or septic tank waste into the sewage works.



## ARTICLE V

## Private Sewage Disposal

## Section 1.

Where a public sanitary sewer is not available under the provision of Article IV, Section 4, any existing building sewer shall be connected to a private sewage disposal system complying with the provisions of this Article.

## Section 2.

Before commencement of the construction of a private sewage disposal system or additions to an existing private sewage disposal system, the owner shall first obtain a sanitary sewer permit from the Office of the Dodge County Zoning Administrator, County Court House Building, Juneau, Wisconsin as provided for in Chapter 144 of the Wisconsin Statutes.

## Section 3.

The type, capacity, location and layout of a private sewage disposal system shall comply with all requirements of the Laws of the State of Wisconsin.

## Section 4.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the District.



**Section 5.**

No statement contained in this Article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

**Section 6.**

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 4 of Article IV, the building sewer shall be connected to said sewer within six (6) months and the private sewage disposal system shall be cleaned of sludge and filled with sand, gravel, or similar material and abandoned.

## ARTICLE VI

## Building Sewers and Connections

## Section 1.

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written connection permit from the District.

Section 2. There shall be two (2) classes of building sewer connection permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the District. The Connection Permit Application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgement of the District. A connection permit and inspection fee of \$35 for a residential or commercial building sewer and \$35 for an industrial sewer connection permit shall be paid to the District at the time the application is filed.

## Section 3.

All costs and expense incident to the installation and connection of the building sewer shall be borne by the property owner. The property owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

## Section 4.

A separate and independent building sewer shall be provided for every building intended for human habitation or occupancy.

## Section 5.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the District, to meet all requirements of this Ordinance.

## Section 6.

The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, backfilling the trench, and connecting to the District lateral shall all conform to the requirements of the State of Wisconsin or other applicable rules and regulations pertinent to the installation. Service laterals for single family residences shall be four (4) inch minimum. All other service laterals shall be six (6) inch minimum.

## Section 7.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer at the owner's expense.

## Section 8.

Roof-leaders, surface drains, groundwater drains, foundations drains, and other clear water drains shall not be connected to a building sewer which discharges into a sanitary sewer or private sewage treatment facility. All such connections existing at the time of passage of this Ordinance shall thereafter be illegal. If storm water or clear water is being discharged into a sanitary sewer, the District shall give the offending person fifteen (15) days notice to disconnect. Failure to disconnect after such notice shall authorize the District to cause disconnection of service lateral and assessment of the costs of such disconnection against the

property involved. The District may, in the alternative, institute action for violation of this subsection.

#### Section 9.

The connection of the building sewer into the public sewer shall conform to the requirements of the State of Wisconsin building and plumbing code or other applicable rules and regulations.

#### Section 10.

The applicant for the building sewer connection permit shall notify the District when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the District representative.

#### Section 11.

All excavations for building sewer installation shall be adequately guarded by the property owner with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District at the property owner's expense.

#### Section 12.

Before any permit is issued, the person or contractor who is to perform the work shall file with the District Clerk a certificate of insurance for general liability in the amount of three hundred thousand dollars (\$300,000), with sufficient sureties, indemnifying the District and its officers and agents and holding them harmless against all damages, injuries and costs, arising out of the work to be performed including restoration and replacement of the premises to as good a condition as they were in before such work was commenced and guaranteeing the faithful performance of all work with proper care and skill. Such insurance shall remain in force until the final expiration of the permit except that on

expiration it shall remain in full force as to all penalties, claims and demands that have accrued thereunder prior to expiration.

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## ARTICLE VII

## Use of the Public Sewers

## Section 1.

No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

## Section 2.

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designed as storm sewers, or to a natural outlet approved by the District. Industrial cooling water or unpolluted process waters may be discharged, on approval of the District, to a storm sewer or natural outlet.

## Section 3.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:

(a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(b) Any waters or wastes containing toxic 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 the receiving waters of the wastewater treatment plant.

(c) Any waters or wastes having a pH lower than 5.5, or higher than 10 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, sanitary napkins, disposable diapers, etc., either whole or ground by garbage grinders.

#### Section 4.

No persons shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the District that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming an opinion as to the acceptability of these wastes, the District will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

(a) Any liquid or vapor having a temperature higher than one hundred fifty (150° F). (65° C.).

(b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32° F) and one hundred fifty (150° F).

(c) Any garbage that has not been properly ground. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the District.

(d) Any waters or wastes containing strong acid iron pickling wastes, or concentrated plating solutions whether neutralized or not.

(e) Any waters or wastes containing iron, chromium, cadmium, nickel, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment plant exceeds the limits established by the Commission for such materials.

(f) Any waters or wastes containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the District as necessary, after treatment of the composite sewage, to meet the requirements of the State, Federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

(g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulations.

(h) Any waters or wastes having a pH in excess of 9.5.

(i) Materials which exert or cause:

(1) Unusual concentrations of inert suspended solids (such as but not limited to, Fullers earth, lime slurries, lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).



(2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

(3) B.O.D., chemical oxygen demand, phosphorus, nitrogen, or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment facility.

(4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

(j) Waters 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 degree that the wastewater treatment plant effluent cannot meet the requirements of the agencies having jurisdiction over discharge to the receiving waters.

#### Section 5.

If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 4 of this Article, and which in the judgement of the District, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the District shall:

(a) Reject the wastes.

(b) Require pre-treatment to an acceptable condition for discharge to the public sewers.

(c) Require control over the quantities and rates of discharge, and/or

(d) Require payment to cover the added cost of handling and treating the wastes not covered by existing sewage service charges or charges under the provision of Section 13 of this Article.

If the District permits the pre-treatment of equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the District's Engineer and subject to the requirements of all applicable codes, ordinances, and laws.

#### Section 6.

Grease, oil and sand interceptors shall be provided as required by the State Plumbing Code for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the District and shall be located as to be readily and easily accessible for cleaning and inspection.

#### Section 7:

Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

#### Section 8.

When required by the District, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the District's Engineer. The manhole shall be installed by the property owner

at his expense, and shall be maintained by him so as to be safe and accessible at all times.

#### Section 9.

Waste Meters. Devices for metering the volume of waste discharged may be required by the District if these volumes cannot otherwise be determined by estimating or by the use of water meters. Metering devices for determining the volume of waste shall be purchased, installed, owned and maintained by the property owner. The type of meter and metering arrangement shall be approved by the District's Engineer before installation and it shall be installed in accordance with approved methods. Following approval and installation, such meters may not be removed without the consent of the District.

#### Section 10.

Waste Sampling. Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration. A determination shall be made as often as deemed necessary by the District. Where samples are taken often enough to produce meaningful averages, charges will be determined based on the average values determined during the billing period after due allowances for values not believed to be representative. Any person may request the District to make new tests, such tests to be at the expense of the person discharging the waste as hereinafter stated, and such tests to be a minimum of 24 hours duration unless otherwise approved. If the District is satisfied that such test was made when the plant was operating under normal conditions, the results of these tests shall be used in computing the subsequent billing in the manner previously described. All costs in connection with waste sampling and analyses shall be paid for by the applicable industry in addition to their normal sewage service charge.

## Section 11.

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property.

## Section 12.

Accidental Discharges. The accidental discharge of any prohibited waste into any sewer shall be reported to the District by the person responsible for the discharge, or by the owner or occupant of the premises where the discharge occurs, immediately upon obtaining knowledge of the fact of such discharge so that steps may be taken to minimize its effect on the treatment plant.

## Section 13.

No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the District and any customer where such agreement is in accordance with this Ordinance and the rate structure herein.

## ARTICLE VIII

## Protection From Damage

## Section 1.

Sectic 1

No unauthorized person shall maliciously, willfully, or intentionally break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to arrest and all prosecution pursuant to Wisconsin Statutes Sec. 943.01.

Sect 1

## ARTICLE IX

## Powers and Authority of Inspectors

## Section 1.

Duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this Ordinance. Duly authorized employees shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

## Section 2.

While performing the necessary work on private properties referred to in Article IX, Section 1 above, the duly authorized employees or agents of the District shall observe all safety rules applicable to the premises established by the Owner or Company and the Owner or Company shall be held harmless for injury or death to the District Employees and the District shall indemnify the Owner or Company against loss or damage to its property by District Employees and against liability claims and demands for personal injury or property damage asserted against the Owner or Company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the Owner or Company to maintain safe conditions as required in Article VII, Section 8.

## Section 3.

Duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purposes of,

but not limited to, inspection, observation measurement, sampling, repair, and maintenance of any portion of the sewage works laying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Sect

Sect

Exhibit

## ARTICLE X

## Future Sewer Main Extension

## Section 1.

All future sanitary sewer extensions, whether required by annexations to the District, by future subdivisions or for existing land parcels, shall be designed, planned, constructed and installed by the District in accordance with adopted policy as included in Appendix B.

## Section 2.

All costs including, without limitation by enumeration, construction, rights of way, land, engineering, inspection, legal, administrative, fees, interest and other items of cost in connection with future sewer main extensions shall be paid for by the District and shall be charged to the individual(s) or firm requesting such sanitary sewer main.

## Section 3.

If greater than eight (8) inch diameter sewers are required to handle the contemplated sewage flows from the design tributary area, the cost of such larger sewers shall be prorated in proportion to the ratio which the total area of the proposed subdivision or land being serviced by said sewer main is to the total design tributary area to be served by such larger sewer. The excess cost shall either be borne by the District or assessed against the total design tributary area as the Commission shall determine.



#### Section 4.

All public sewage pumping stations required for the provision of proper sanitary sewer service shall be designed, constructed and maintained by the District. The total capital cost for installation of sewage pumping stations shall be prorated over the design tributary area and shall be assessed to benefiting property, as the Commission shall determine after due consideration of the evidence and facts.

#### Section 5.

All requests for extension of future sewer mains shall be in writing to the Commission. Such requests shall include a topographic map with two (2) foot contour interval delineating the area where sewer main is being requested, shall include lot lines, proposed streets and street grades, and such other information as the District's Engineer may require.

#### Section 6.

Property owners requesting the installation of sewer mains shall provide all perpetual easements and rights of way considered necessary by the Commission for the installation of the system requested at no cost to the District. Perpetual easements and rights-of-way shall be in the name of the District.

#### Section 7.

When application is made to the Commission for future sewer main extension, the Commission shall attempt to reach agreement with the individual(s) or firm requesting such extension on the method of payment for the extension pursuant to procedures as adopted by the Commission from time to time. If no payment method can be mutually agreed upon, the Commission may refuse to design and construct such extension. If a future sewer main extension is deemed in the best public interest by the Commission, it may assess the costs of such extensions against benefiting

property owners in accordance with Section 60.309 of the Wisconsin Statutes.

Section 8.

The Commission shall, as the need requires, establish standards, design criteria, procedures and miscellaneous requirements for the installation of future sewer mains. All fees determined to be payable by the Commission shall be collected at the times and places so set by the Commission.

## ARTICLES XI

### Penalties

#### Section 1.

Any person found to be violating any provision of this Ordinance except Article VIII shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

#### Section 2.

Any person who shall continue any violation beyond the time limit provided for in Article XI, Section 1, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in the amount not exceeding \$500.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

#### Section 3.

Any person violating any of the provisions of this Ordinance shall become liable to the District and others, as their interests may appear, for any expense, loss, or damage occasioned the District or others by reason of such violation, including any costs in connection with repairing damages to the sewage works or any downstream user or facilities damaged as a result of a prohibited discharge or any other violation of this Ordinance.

## ARTICLE XII

### Validity

#### Section 1.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

#### Section 2.

The invalidity of any section, clause, sentence, or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

ARTICLE XIII  
Ordinance in Force

Section 1.

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

Section 2.

Passed and adopted by the Commission of the Hubbard Sanitary District No. 2 of the Town of Hubbard, Dodge County, State of Wisconsin, on the \_\_ day of \_\_\_\_\_, by the following vote:

Ayes \_\_\_\_\_

Nays \_\_\_\_\_

Approved this \_\_\_\_\_ day of \_\_\_\_\_.

Signed:

\_\_\_\_\_  
Milton Spearbraker  
Commission President

Attest:

\_\_\_\_\_  
Mary Jane Cahill  
Commission Secretary

## APPENDIX A

### I. INTRODUCTION

#### A. Purpose

The purpose of the sewer service charge system is to establish a revenue system that enables the District to generate the monies needed to own, operate and maintain the wastewater collection system and to pay the Commission charges for treatment. The sewer service charge system shall comply with guidelines established in the Sewer Use and Service Charge Ordinance.

#### B. Basis of Charges

The charges shall be based on residential unit equivalents (RUE) where one residential unit equivalent is equal to the average discharge for single family dwelling unit. The residential unit equivalents for all users other than single family residential shall be compared to the single family dwelling. Flow and BOD and shall be considered when determining equivalent units.

### II. ANNUAL REVENUE REQUIREMENTS

#### A. Annual Operation and Maintenance Costs

Billing and Collection	\$ 1,000
Insurance	2,000
Labor	12,000
Power	1,000
Professional Services	5,000
Commission Expenses	2,000
Miscellaneous Expenses	2,000
Wastewater Treatment	<u>23,700</u>
 TOTAL OPERATION AND MAINTENANCE	 \$48,700

B. Annual Replacement Costs

A replacement fund to replace equipment shall be established. Table A-1 summarizes the annual contributions.

C. Annual Debt Service

Table A-2 summarizes the total annual debt service. These values are based on the Bond Anticipation Notes borrowing and are an estimate of the annual debt service.

III. AD VALOREM TAXES

The Sanitary District will fund in part the annual revenue requirements through an ad valorem tax. The Sanitary District will recover the general obligation bond borrowing costs through an ad valorem tax. This is included as the debt service costs (property taxes).

IV. SEWER SERVICE CHARGES

A. Residential Unit Equivalent

RUE

Residential Class

Single Family Residences

161

Boathouse

1

B. Debt Service Rate

$$\text{Rd} = \frac{(\text{Annual Debt Service} - \text{Ad Valorem Tax} - \text{Bond Reserve Interest} - \text{Bond Redemption Fund Interest})}{\text{Total RUE}}$$

$$= (\$42,300 - \$37,200 - \$0) / 162 = \$31.20/\text{Year}$$

$$\quad \quad \quad \$ 2.60/\text{Month}$$

C. User Charge Rate

$$\begin{aligned} Ru &= (O \& M + \text{Replacement}) / \text{Total RUE} \\ &= (\$42,700 + \$4,500) / 162 = \$/Year \\ &= \$27.40/\text{Month} \end{aligned}$$

D. Quarterly Service Charge Rate

$$Rs = Rd + Ru = \$2.60 + \$27.40 = \$30.00/\text{RUE}/\text{Month}$$



TABLE A-1  
REPLACEMENT FUND<sup>1</sup>  
TOWN OF HUBBARD SANITARY DISTRICT NO. 2

<u>Year</u>	<u>Annual Contribution</u>
1	\$4,500
2	4,500
3	4,500
4	4,500
5	4,500
6	4,500
7	4,500
8	4,500
9	4,500
10	4,500
11	4,500
12	4,500
13	4,500
14	4,500
15	4,500
16	4,500
17	4,500
18	4,500
19	4,500
20	4,500

<sup>1</sup> Replacement fund contains monies to replace the following items:

1. Grinder Pumps (102)
2. Main Station Pumps (2)

APPENDIX A-2  
ANNUAL DEBT SERVICE REQUIREMENTS  
TOWN OF HUBBARD SANITARY DISTRICT NO. 2

<u>Year</u>	<u>Annual Contribution</u>
1	\$42,300
2	42,300
3	42,300
4	42,300
5	42,300
6	42,300
7	42,300
8	42,300
9	42,300
10	42,300

J. Manufacturers, Suppliers

I. Emergency Information

## APPENDIX B

POLICY #1-90 OF POLICIES AND PROCEDURES OF THE HUBBARD SANITARY DISTRICT NO. 2 OF THE TOWN OF HUBBARD, DODGE COUNTY, STATE OF WISCONSIN RELATING TO FUTURE MAIN EXTENSIONS.

POLICY

The policy of the Commission, as established in its Sewer Ordinance, that all design, planning and construction of future sewer main extensions be done by the District is affirmed. This affirmation is based on a recognition of the Commission's responsibilities in taking into consideration the best interest of the public and all of the potential users of the sewer system. The Commission must develop and maintain a system which is compatible within all of its existing or potential parts. Comprehensive basic engineering and planning data and thorough records will become increasingly important as the District develops and expands. All future sewer main extensions will be owned and maintained by the District. The Commission has the powers and the responsibility to insure that all of the public affected be treated fairly, and it is for that reason that the planning, design, construction and installation of all future sewer extensions be done by the District.

PROCEDURES

1. Any person requesting an extension of a future sewer main shall make such a request on application forms to be provided by the District. The application shall be accompanied by the following:

A. A preliminary plat substantially in compliance with the requirements of Wis. Stat. Chapter 236 and reasonably anticipated to be approved by the appropriate governmental authorities, or its equivalent in approvable form. It may be desirable from the

2. U  
Dist developer's standpoint to submit a preliminary sketch plan of the proposed development prior to proceeding with the preliminary plat. This will require permit early comment by the Sanitary District and could result in cost savings to the developer.

3. Shall be  
adv

B. A topographic map of the area affected with two (2) foot contour interval.

C. An application fee based on the number of lots to be serviced by the extension in accordance with the following schedule.

- |                                |                      |
|--------------------------------|----------------------|
| 1. 25 or less lots or parcels. | \$1,000              |
| 2. 26-50 lots or parcels       | \$2,000              |
| 3. 51 or more lots or parcels  | As Set By Commission |

3. D  
Dist  
app  
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Dist  
121  
D. The agreement of the applicant to pay all costs for the preliminary design of the sewer main extension including engineering, legal, administrative, soil borings, survey, testing, or any other costs incurred in obtaining information required by the District's Engineer and in the preliminary design of the sewer main extension regardless of whether or not is ever constructed. The application fee shall be a credit against the total costs for the preliminary design, and the balance shall be due and payable in full at the time of submission of the preliminary design to the applicant.

E. A complete and accurate legal description of the entire area to be included in the design and the names and addresses of all owners of any parcel within the confines of the area effected.

F. An area map reasonably locating the proposed service are in relationship to the sanitary district and adjoining landowners.

G. A statement of the proposed uses and zoning of the premise.

H. Such other information as may be required.

2. Upon receipt of a copy of the application and accompanying materials, the District's Engineer shall proceed to gather whatever further information may be required for preliminary design. The District's Engineers shall bill the Commission separately for such services as to each application and the Commission shall pay for said services out of the application fee of applicant or shall advance the costs as the appropriate case might be.

A. Upon completion of the preliminary design, the plans shall be submitted to the Commission together with recommendations as to considerations to be made by the Commission, problems to be encountered, and feasibility of the extension.

B. The engineer shall compute and include in his recommendations to the Commissioners the anticipated total costs of the project, which costs shall include a computation for the CAC Charge for each lot abased on the then current CAC Charges.

3. Upon receipt of the preliminary plans, report and recommendations of the District Engineer, the Commission shall prepare a proposed contract with the applicant which shall set for the rights and obligation of the Commission and the applicant based on the recommendations of the District Engineer and the District's Attorney, and which proposed contract shall specifically include the following:

A. The agreement of the applicant to pay all costs determined allocable to applicant by the Commission. It is anticipated that there may be extensions which will be for the benefit of more property than that included in applicant's application and that some of the costs would therefore be borne by other persons or the Commission. The estimated total cost to applicant as determined by the District's Engineer shall be inserted, which amount shall be increased or reduced when actual costs are finally determined.

B. The agreement of applicant to provide, without cost to the Commission, on forms acceptable to the Commission, all easements or other land rights required for the construction of the extension on lands owned by applicant.

C. The agreement of applicant to execute appropriate documents granting the Commission a lien against all lots in the affected area to guarantee payment of the costs of the sewer extension.

D. Payment of an initial deposit and agreement for payment of further deposits required by the Commission and the balance due as set forth herein.

E. Upon execution of the contract and payment of the preliminary deposit the District shall proceed with whatever procedures may be necessary under Wisconsin Statutes to procure any land rights required which cannot be provided by applicant, to prepare final plans and specifications, to advertise for bids, to obtain bids, to award the construction contracts, and to construct the sewer extension.

F. The Commission shall keep accurate and complete records of payments of all monies relating to the project which costs shall be paid out of the required deposits until said sums have been exhausted.

G. When the required deposits have been exhausted the District shall advance monies for the completion of the project as said costs become due and payable and District's interest costs shall be added to the total cost of the project.

H. When the District notifies applicant that the sewer main is operational and connections can be made, the District shall compute the actual total costs of the project and shall give notice thereof to applicant. Deposits paid by applicant shall be subtracted from the total costs to determine the actual balance due.

I. Thereafter, applicant shall pay interest accrued at the agreed upon rate plus  $1/5$ th of the unpaid balance at the end of each calendar year. A credit shall be given to applicant for any amounts paid during the year by virtue of applicant's sale of lots as set forth in these procedures.

J. The total number of lots in the project shall be divided by two and the result shall be rounded to the next whole number. The difference between the total project cost and the deposits shall next be ascertained and the result shall be divided by the whole number as determined in the proceeding sentence. The result shall be the amount payable as each lot is sold. Said payment shall be a credit against the annual payments of interest and principal required. Upon receipt of each such payment the District shall execute a release of its lien as to the parcel conveyed.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.