

## **CHAPTER 15      SANITATION CODE**

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15.01 DEFINITIONS.

(1) AMMONIA NITROGEN (NH<sub>3</sub>-N) - One of the oxidation states of nitrogen, in which nitrogen is combined with hydrogen in molecular form as NH<sub>3</sub> or in ionized form as NH<sub>4</sub><sup>+</sup>. Quantitative determinations of Ammonia Nitrogen shall be made in accordance with procedures set forth in "Standard Methods".

(2) APPROVING AUTHORITY shall mean the Board of Public Works of the Common Council of the City of Sparta, or its duly authorized deputy, agent or representative.

(3) BIOCHEMICAL OXYGEN DEMAND (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees Centigrade, expressed as milligrams per liter. Quantitative determination of BOD shall be made in accordance with procedures set forth in "Standard Methods".

(4) 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 pipe inside the walls of the building and conveys it to the building sewer, beginning approximately five (5) feet (1.5 meters) outside the inner face of the building wall.

(5) BUILDING SEWER shall mean the extension from the building drain to the public sewer or other place of disposal, also called house connection or lateral.

Except as provided in this Ordinance, building sewers shall not be subject to the jurisdiction of the City of Sparta and the City of Sparta shall not be responsible for the construction and/or maintenance of such sewers. "Building sewer" is also called "house connection, lateral or private sewer".

(6) COMBINED SEWER shall mean any sewer intended to serve as a sanitary sewer and a storm sewer.

(7) COMMERCIAL USER shall mean any user whose premises are used primarily for the conduct of a profit-oriented enterprise in the fields of construction, wholesale or retail trade, finance, insurance, real estate or services, and who discharges primarily normal domestic sewage.

(8) COMPOSITE SAMPLE (24 hours) shall be the combination of individual samples taken at intervals of not more than one hour.

(9) COMPATIBLE POLLUTANT means biochemical oxygen demand, suspended solids, nitrogen, pH, or fecal coliform bacteria, plus additional pollutants identified in the WPDES permit for the publicly owned treatment works

## SANITATION CODE 15.01(9)

receiving the pollutants if such works was designed to treat such additional pollutants, and in part does remove pollutants to a substantial degree.

(10) CHLORINE REQUIREMENT shall mean the amount of chlorine, in milligrams per liter, which must be added to sewage to produce a specified residual chlorine content in accordance with procedures set forth in "Standard Methods".

(11) DWELLING UNIT means a structure, or that part of a structure, which is used or intended to be used as a home, residence or sleeping place by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.

(12) EASEMENT shall mean an acquired legal right for the specific use of land owned by others.

(13) FIXED CHARGE shall mean the portion of the sewerage service charge based upon the number of dwelling units, the number of customer meters/connections to the wastewater works and the size of the customer's water meters. Fixed charges shall recover the cost of debt retirement and associated reserves and depreciation associated with the construction, erection, modification or rehabilitation of the wastewater works. Fixed charges also include operation costs for customer billing and treatment costs relating to infiltration and inflow.

(14) FLOATABLE OIL is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.

(15) FLOW PROPORTIONAL SAMPLE - A sample taken that is proportional to the volume of flow during the sampling period.

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

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

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(18) INCOMPATIBLE POLLUTANT means any pollutant which is not a compatible pollutant.

(19) INDUSTRIAL USER shall mean any user whose premises are used primarily for the conduct of a profit-oriented enterprise in the fields of manufacturing, dairy products processing, meat processing, other food and drink products, painting or finishing operations, transportation, communications or utilities, mining, agriculture, forestry or fishing.

(20) INDUSTRIAL WASTE - Any trade or process waste as distinct from segregated domestic wastes or wastes from sanitary conveniences.

(21) INTERCEPTING SEWER - A sewer whose primary purpose is to convey sewage from a collection system or systems to a wastewater treatment plant. Size of the sewer is not a factor.

(22) MILLIGRAMS PER LITER - Shall be a weight-to-weight ratio; the milligrams per liter value (mg/l) multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

(23) NATURAL OUTLET shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface water or groundwaters.

(24) NORMAL DOMESTIC SEWAGE shall mean sanitary sewage resulting from the range of normal domestic activities, in which BOD 5, SS, total kjeldahl nitrogen and phosphorus concentrations do not exceed normal concentration of:

- (a) A five day, 20 degree C, BOD of not more than 270 mg/l.
- (b) A suspended solids content of not more than 252 mg/l.
- (c) A total kjeldahl nitrogen content of not more than 25 mg/l.
- (d) A phosphorus content of not more than 3.67 mg/l.

(25) ORGANIC NITROGEN - That portion of nitrogen present in organic compounds which includes various forms of proteins and their degradation products of amino acids and polypeptides. Oxidation of organic nitrogen frees the available nitrogen to ammonia nitrogen. Quantitative determination of organic nitrogen shall be made in accordance with procedures set forth in "standard methods".

## SANITATION CODE 15.01 (26)

- (26) PERSON shall mean any and all persons including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency, or other entity.
- (27) pH shall mean the logarithm of the reciprocal of the hydrogen ion concentration. Neutral water, for example, has a pH value of 7 and a hydrogen concentration of  $10^{-7}$ .
- (28) PHOSPHORUS (P) shall mean total phosphorus in wastewater, which may be present in any of three principle forms: orthophosphates, polyphosphates, and organic phosphates. Quantitative determination of total phosphorus should be made in accordance with procedures set forth in "Standard Methods".
- (29) PRETREATMENT shall mean an arrangement of devices and structures, for the preliminary treatment or processing of wastewater required to render such wastes acceptable for admission to the public sewers.
- (30) PRIVATE SEWER shall mean any sewer outside of a public right of way or public easement. Except as provided in this Ordinance, a private sewer shall not be subject to the jurisdiction of the City of Sparta and the City of Sparta shall not be responsible for the construction and/or maintenance of such sewer.
- (31) PUBLIC AUTHORITY shall mean any user whose premises are used for the conduct of the legislative, judicial, administrative, or regulatory activities of federal, state, local or international units of government; government-owned educational facilities; government-owned health facilities; or government-owned recreational facilities. This does not include government-owned or operated business establishments. It is assumed that Public Authority users have normal domestic strength wastewater unless sampling data or other information demonstrates that greater than normal domestic strength wastewater is discharged.
- (32) PUBLIC SEWER shall mean any sewer provided by or subject to the jurisdiction of the City of Sparta. It shall also include sewers within or outside the City of Sparta boundaries that serve one or more persons and ultimately discharge into the City of Sparta sanitary sewer system, even though sewers may not have been constructed with City of Sparta funds. Public sewer shall not include private sewers or building sewers.
- (33) SANITARY SEWAGE shall mean a combination of water carried from residences, business buildings, institutions and industrial plants (other than industrial wastes from such plants), together with such ground, surface and storm waters as may be present.

## SANITATION CODE 15.01 (34)

(34) SANITARY SEWER shall mean a sewer that carries sanitary and industrial water-carried wastes from residents, commercial buildings, industrial plants, and institutions, together with minor quantities of ground, storm and surface water that are not admitted intentionally.

(35) SEGREGATED DOMESTIC WASTES may be defined as wastes from nonresidential sources resulting from normal domestic activities. These activities are distinguished from industrial, trade, and/or process discharge wastes.

(36) SEWAGE is the spent water of a community. The preferred term is "wastewater", Sec. 15.01(48).

(37) SEWAGE SYSTEM shall mean the composite network of underground conduits carrying wastewater and appurtenances incidental thereto (i.e. manholes, lift stations, service lateral).

(38) SEWER shall mean a pipe or conduit that carries wastewater or drainage water.

(39) "SHALL" is mandatory; "MAY" is permissive.

(40) SLUG shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation and shall adversely affect the system and/or performance of the wastewater treatment works.

(41) STANDARD METHODS shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes" published jointly by the American Public Health Association, the American Water Works Association, and the Federation of Sewage and Industrial Wastes Associations.

(42) STORM DRAIN (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

(43) STORM WATER RUNOFF shall mean that portion of the rainfall that is drained into the sewers.

(44) SUSPENDED SOLIDS (SS) shall mean solids that either float on the surface of, or are in suspension in water, wastewater, or other liquid, and that are removable by laboratory filtering as prescribed in "Standard Methods" and are referred to as nonfilterable residue.

## SANITATION CODE 15.01(45)

(45) TOXIC DISCHARGES means discharge containing a substance or mixture of substances which, through sufficient exposure, or ingestion, inhalation, or assimilation by an organism, either directly from the environment or indirectly by ingestion through the food chain, will, on the basis of information available cause death, disease, behavioral or immunological abnormalities, cancer, genetic mutations, or developmental or physiological malfunctions, including malfunctions in reproduction or physical deformations, in such organisms or their offspring.

(46) TOTAL KJELDAHL NITROGEN (TKN) - The sum total of ammonia nitrogen and organic nitrogen. Quantitative determination of total kjeldahl nitrogen shall be made in accordance with procedures set forth in "standard methods".

(47) 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 and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

(48) USER CLASSES are categories of users having similar flows and water characteristics; that is, levels of biochemical oxygen demand, suspended solids, phosphorus, ammonia nitrogen, etc. For the purposes of this ordinance, there shall be four user classes: residential, commercial, industrial, and public authority.

(49) VARIABLE CHARGE is the portion of the sewerage service charge based on the volume strength of wastewater discharged to the wastewater works. The variable charge shall include the charge for normal strength wastewater and a surcharge if any of the parameters in the discharge exceed those of normal strength wastewater. Variable charges shall recover OM&R costs except customer billing and treatment costs relating to infiltration and inflow, which are recovered in the fixed charge.

(50) WASTEWATER shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.

(51) WASTEWATER FACILITIES shall mean the treatment works defined in Sec. 15.01(50) below exclusive of interceptor sewers, and wastewater collection systems.

## SANITATION CODE 15.01(52)

(52) WASTEWATER TREATMENT WORKS shall mean an arrangement of devices and structures for the storage, treatment, recycling, and reclamation of wastewater, liquid industrial wastes, and sludge. These systems include interceptor sewers, outfall sewers, wastewater collection systems, individual systems, pumping, power and other equipment and their appurtenances; any works that are an integral part of the treatment process or are used for ultimate disposal of residues from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal or industrial wastes.

(53) WATERCOURSE shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

(54) WPDES PERMIT - Permit issued under the Wisconsin Pollutant Discharge Elimination System, Chapter NR 210, Wisconsin Administrative Code.

### 15.02 - USE OF THE PUBLIC SEWERS

(1) SANITARY SEWERS. No person(s) shall discharge or cause to be discharged any unpolluted waters as storm water, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer except storm water runoff from limited areas, which storm water may be polluted at times, may be discharged to the sanitary sewer by permission of the Approving Authority.

(2) USER CONNECTIONS. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the City of Sparta 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 City of Sparta is (are) hereby required at the owner(s) expense to install suitable toilet facilities, therein, and connect such facilities directly to the proper public sewer in accordance with the provisions of this Ordinance within three (3) months after the date of official notice from the Approving Authority to do so. (Amended #537, 1999)

(3) STORM SEWERS. Storm water other than that exempted under Section 15.02(1) and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the Approving Authority and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the Approving Authority, to a storm sewer or natural outlet.

(4) PROHIBITIONS AND LIMITATIONS. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer.

SANITATION CODE 15.02(4)(a)

(a) Any gasoline, benzene, naphtha, fuel oil, 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 waste 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.

(c) Any waters 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 structures, equipment, and personnel of the wastewater 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 wastewater facilities such as, but not limited to, ashes, sand, mud, straw, shavings, metals, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(e) The following described substances, materials, waters, or waste shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, or will not otherwise endanger lives, limb, public property, or constitute a nuisance. The Approving Authority may set limitations lower than the limitations established in the regulations below if in its opinion such more severe limitations are necessary to meet the above objectives. In forming its opinion as to the 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 plant, degree of treatability of the waste in the wastewater treatment plant, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewater's discharged to the sanitary sewer which shall not be violated without approval of the Approving Authority are as follows:

1. Wastewater having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).

SANITATION CODE 15.02(4)(e)2.

2. Wastewater containing more than 250 milligrams per liter of petroleum oil, non-biodegradable cutting oils, fats, grease or product of mineral oil origin. This limitation will be specifically reviewed during evaluation of wastewater treatment processes and may be further limited by the Approving Authority.
3. Any 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 garbage originates from consumption on the premises or when served by caterers. The installation and operation of any commercial grinder equipped with a motor of one horsepower or greater shall be subject to the review and approval of the Approving Authority and a permit shall be obtained prior to the installation of any such commercial garbage grinder unit. The fee for this permit shall be \$2.00.
4. Any waters or wastes containing iron, chromium, copper, zinc, mercury, lead, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Approving Authority for such materials.
5. Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Approving Authority.
6. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Approving Authority in compliance with applicable state or federal regulations.
7. Quantities of flow, concentrations, or both which constitute a "slug" as defined herein, or which exceeds agreed capacity limitations provided for by contract between a user and the city.
8. Water or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amendable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements or other agencies having jurisdiction over discharge to the receiving waters.

SANITATION CODE 15.02(4)(e)9.

9. Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

10. Materials which exert or cause:

a. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment plant.

b. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

c. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium sulfate).

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

No wastewater, regardless of character, shall be discharged to the sewage system in such a manner as to interfere with the designed operation of the collection systems or treatment facilities, or to cause the treatment works to exceed the limits presented by the WPDES permit.

(5) SPECIAL ARRANGEMENTS. No statement contained in this Article shall be construed as prohibiting any special agreement between the City and any person 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 no 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 City without recompense by the person provided that all rates set forth in this Ordinance are recognized and adhered to.

(6) NEW CONNECTIONS. New connections to the sewage system shall not be permitted if there is insufficient capacity in the treatment works to adequately transport and/or treat, as required by the WPDES Permit the additional wastewater anticipated to be received from such connections.

15.03 CONTROL OF HIGH STRENGTH OR TOXIC WASTES DIRECT TO PUBLIC SEWERS

(1) SUBMISSION OF BASIC DATA. Within three (3) months after passage of this Ordinance, establishments discharging industrial wastes to a public sewer shall prepare and file with the Approving Authority a report that shall include pertinent data relating to the quantity and characteristics of the wastes discharged to the wastewater works. Such information shall be provided as per Chapter NR 101 of the Wisconsin Administrative Code.

Similarly, each establishment desiring to make a new connection to public sewer for the purpose of discharging industrial wastes shall prepare and file with the Approving Authority a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.

(2) EXTENSION OF TIME. When it can be demonstrated that circumstances exist which would create an unreasonable burden on the establishment to comply with the time schedule imposed by Section 15.03(1), a request for extension of time may be presented for consideration of the Approving Authority.

(3) HIGH STRENGTH OR TOXIC DISCHARGES. If any waters or wastes are discharged, or proposed to be discharged, to the public sewers, which contain substances or possess characteristics in excess of normal domestic sewage as defined in Section 15.01, or which in the judgment of the Approving Authority.

- (a) May be acutely or chronically toxic to aquatic life and wild and domestic animals.
- (b) May adversely affect humans and cause increased risk of cancer in humans.
- (c) May impart undesirable tastes or odors to surface waters or aquatic organisms ingested by humans.
- (d) May prevent present or prospective future use of surface waters for public and private water supplies.
- (e) May prevent propagation of fish and aquatic life and wild and domestic animal life.
- (f) May create severe limitations for current and future methods of sludge recycling/disposal.
- (g) May have deleterious effects upon the sewage works, processes or equipment.

SANITATION CODE 15.03(3)(h)

(h) May cause additional requirements or limitations to become part of the City's discharge permit.

(i) Or may otherwise create a hazard to life, health or constitute a public nuisance.

The Approving Authority may:

(a) Reject the wastes

(b) Require pretreatment to an acceptable limit 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 taxes or sewer charges under the provisions of Section 13.32(5).

(4) CONTROL MANHOLES. Each user discharging high strength or toxic wastes into a public sewer may be required by the Approving Authority to construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of his wastes, including domestic sewage. Within three (3) months after written notification from the Approving Authority, the selected users shall complete construction of the control manholes or access points.

Control manholes or access facilities shall be located and built in a manner acceptable to the Approving Authority. If measuring devices are to be permanently installed they shall be of a type acceptable to the Approving Authority.

Control manholes, access facilities, and related equipment shall be installed by the establishment discharging the waste, at its expense, and shall be maintained by it so as to be in safe condition, accessible, and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the Approving Authority prior to the beginning of construction.

Alternatively, the Approving Authority may choose to install the control manholes, access facilities, and related equipment at the establishment discharging the waste. Expenses incurred for this service, however, are the responsibility of the establishment discharging the waste.

SANITATION CODE 15.03(5)

(5) METERING AND SAMPLING OF HIGH STRENGTH OR TOXIC WASTE.

(a) General. Users designated by the Approving Authority with high levels of flow or with high strength discharge may be required to have monitoring facilities. Approving Authority shall make a determination as to when metering of high levels of flow are needed as well as what frequency of sampling of high strength wastewater is needed. Metering and sampling devices shall be installed, owned and maintained by the discharger subject to the approval of the Approving Authority. Access to the sampling and metering location shall be granted to the Approving Authority or its duly authorized representative at all times. Within three (3) months after written notification from the Approving Authority, the selected users shall complete the installation of metering and sampling devices.

Alternatively, the Approving Authority may choose to install or maintain the metering and sampling devices at the establishment discharging the waste. Expenses incurred for this service, however, are the responsibility of the establishment discharging the waste.

(b) Metering. Devices for measuring the volume of wastewater discharged may be required by the Approving Authority if the volume cannot otherwise be determined from the metered water consumption records.

(c) Sampling. Industrial wastes discharged into the public sewers shall be subject to periodic inspections and a determination of character and concentration of said wastes. Sampling shall be conducted in such a manner as to be representative of the composition of the waste. Every care shall be exercised in collection of samples to insure their preservation in a state comparable to that at the time the sample was taken. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the Approving Authority. The use of flow proportional composite sampling is preferred.

Expenses incurred for sampling the wastes, including the laboratory analytical tests, are the responsibility of the establishment discharging the wastes.

(d) Maintenance. A maintenance schedule must be accepted by the Approving Authority. All maintenance and equipment repair shall be performed within a reasonable time as determined by the Approving Authority. Failure to perform maintenance within a reasonable time shall be subject to the same forfeiture and procedural provisions as applied to violation under this sewer use ordinance. Prior to completion of satisfactory repairs, and for any preceding period during which the

SANITATION CODE 15.03(5)(d)

Approving Authority determines there existed a malfunction, error or bias in the metering and sampling, the volume and strength of the wastewater for that period discharged by the discharger shall be based on historical data and a reasonable engineering estimate of flow and strength, taking account of material known production variations, all as determined by the Approving Authority in consultation with the discharger. If prolonged periods of breakdown are anticipated, approved interim measuring and sampling needs shall be provided, and used to determine the volume and strength of wastewater.

Following approval and installation of permanent or temporary metering or sampling equipment, such equipment shall not be removed without the consent of the Approving Authority.

(6) **ANALYSIS.** All measurements, tests, and analyses of the characteristics of wastes 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 by the American Public Health Association. Sampling methods, location times, durations, and frequencies are to be determined on an individual basis subject to approval by the Approving Authority.

Determination of the character and concentration of the industrial wastes shall be made by the establishment discharging them, or its agent, as designated and required by the Approving Authority. The Approving Authority may also make its own analyses on the wastes and these determinations shall be binding as a basis for charges.

(7) **PRETREATMENT.** Where required, if in the opinion of the Approving Authority, to modify or eliminate wastes that are harmful to the structures, processes or operation of the wastewater treatment works, the person shall provide at his expense such preliminary treatment or processing facilities as may be determined required to render his wastes acceptable for admission to the public sewers.

(8) **SUBMISSION OF INFORMATION.** Plans, specifications, any other pertinent information relating to proposed flow equalizations, pretreatment or processing facilities shall be submitted for review of the Approving Authority prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

(9) **GREASE AND/OR SAND INTERCEPTORS.** Grease, oil, and sand interceptors shall be provided when, in the opinion of the Approving Authority, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 15.02(4)(e), or any

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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 Approving Authority, and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors the owner(s) 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 hauling of the collected materials not performed by owner(s) personnel must be performed by currently licensed waste disposal firms.

### 15.04 RIGHT OF ENTRY, SAFETY, AND IDENTIFICATION

(1) RIGHT OF ENTRY. The City Engineer, Plant Superintendent, or other duly authorized employee of the City of Sparta bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, testing, all in accordance with the provisions of this Ordinance and state laws. The City Engineer, Plant Superintendent, or other duly authorized employee of the City of Sparta shall have no authority to inquire into any process beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastewater treatment.

(2) SAFETY. While performing the necessary work on private premises referred to in Section 15.04(1), the duly authorized City of Sparta employees shall observe all safety rules applicable to the premises established by the owner or occupant and the City of Sparta shall indemnify the owner against loss or damage to its property by the City of Sparta employees and against the liability claims and demands for personal injury or property damage asserted against the owner and growing out of gauging and sampling operation of the City of Sparta employees; except as such may be caused by negligence or failure of the owner to maintain safe conditions as required in Section 15.03(4). City shall report to the owner or occupant any unsafe conditions.

(3) IDENTIFICATION, RIGHT TO ENTER EASEMENTS. The City Engineer, Plant Superintendent and other duly authorized employees of the City of Sparta bearing proper credentials and identification shall be permitted to enter all private properties through which the City of Sparta holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurements, sampling, repair and maintenance of any portion of the sewage works lying within said easement, all subject to the terms, if any, of the agreement.

15.05 SEWER CONSTRUCTION (BUILDING SEWERS)

(1) WORK AUTHORIZED. 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 permit from the Approving Authority. The fee for this permit shall be \$20 and shall be paid prior to the issuance of the permit.

No contractor, plumber, pipe fitter or other person shall be permitted to do work on any public sewer or building sewer without first receiving a license from the State of Wisconsin and posting a \$1,500 bond with the Approving Authority, except in cases where State law permits building owners to their own work without being licensed. Said bond shall be released upon satisfactory inspection of the work in accordance with Section 15.05(8).

Prior to commencement of the work, the permittee shall notify the City of Sparta at least 48 hours before beginning excavations.

(2) COST OF SEWER CONNECTION. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the Owner. The Owner shall indemnify the City of Sparta from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. Upon completion of the building sewer, the Owner shall be responsible for all maintenance costs.

(3) USE OF OLD BUILDING SEWERS. Old building sewers may be used in connection with new buildings only when they are found on examination and test by the Approving Authority, to meet all requirements for this Ordinance.

(4) MATERIALS AND METHODS OF CONSTRUCTION. The size, slope, alignment, materials of construction of 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 Wisconsin Administrative Code, the State Department of Natural Resources, the building and plumbing code, and other rules and regulations of the City of Sparta. In the absence of code provisions or an amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.

(5) BUILDING SEWER GRADE. 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.

## SANITATION CODE 15.05(6)

(6) **STORM AND GROUNDWATER DRAINS.** No person shall make connections of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which is connected directly or indirectly to a public sanitary sewer.

All existing downspouts or groundwater drains, etc. connected directly or indirectly to a public sanitary sewer must be disconnected no later than 60 days from the date of an official written notice by the Approving Authority. Exceptions to the above shall be made only by the Approving Authority in writing.

(7) **CONFORMANCE TO PLUMBING CODES.** The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the City of Sparta or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Approving Authority before installation.

All connections to existing sewer mains shall be made with a saddle "T" or "Y" fitting set upon a carefully cut opening centered in the upper quadrant of the main sewer pipe and securely strapped on with corrosion-resistant straps or rods, or with solvent-welded joints in the case of plastic pipe.

(8) **INSPECTION OF CONNECTION.** The applicant for the building sewer permit shall notify the Approving Authority when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Approving Authority. The cost of one inspection is included in the permit fee. Additional inspections, if required, shall be at the expense of the applicant.

(9) **BARRICADES: RESTORATION.** All excavations for the building sewer installation shall be adequately guarded 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 City of Sparta.

### 15.06 SEPTIC TANK AND HOLDING TANK DISPOSAL

(1) **NO PERSON** in the business of gathering and disposing of septic tank sludge or holding tank sewage shall transfer such material into any portion of the City of Sparta treatment works unless a permit for disposal has been first obtained from the City. Written application for this permit shall be made to the City and shall state the name and address of the applicant; the number of its disposal units; and the make, model, and license number of each unit. Permits shall be nontransferrable except in the case of replacement of the disposal unit

## SANITATION CODE 15.06(1)

for which a permit shall have been originally licensed. The permit may be obtained upon payment of a fee of \$100.00 per calendar year for each licensed hauler or contractor. The time and place of disposal will be designated by the City. The City may impose such conditions as it deems necessary on any permit granted.

Charges for disposal shall be established in accordance with the City of Sparta User Charge System. Bills shall be mailed on a monthly basis and if payments are not received in 30 days thereof, disposal privileges shall be suspended.

Any person or party disposing of septic tank or holding sludge agrees to carry public liability insurance in an amount not less than One Hundred Thousand Dollars (\$100,000) to protect any and all persons or property from injury and/or damage caused in any way or manner by an act, or failure to act, by any of his employees. The person(s) shall furnish a certificate certifying such insurance to be in full force and effect.

All materials discharged to the treatment works shall be of domestic origin only and septic tank wastes shall be segregated from holding tank wastes. The discharger shall also certify that he will comply with the provisions of any and all applicable provisions of the City and will not deposit or drain any gasoline, oil, acid, alkali, grease, rags, waste, volatile or inflammable liquids, or other deleterious substances into any manhole nor allow any earth, sand, or other solid material to pass into any part of the treatment works.

The person(s) or party disposing waste shall furnish bond to the City of Sparta in the amount of \$1,000.00 to guarantee performance. Said performance bond shall be delivered to the City prior to the issuance of the permit hereunder.

Any disposal of septic tank or holding tank wastes by any person or corporation who has not paid the license fee in full or who discharges such wastes without notifying the City or at times other than as designated by the City Hall be in violation of this Ordinance and be subject to the penalty provisions of Section 15.08.

Violation of any of these provisions shall render the discharger subject to immediate suspension and/or revocation of his disposal privileges and may make him liable to the penalty provision of this Ordinance as outlined in Section 15.08. The City of Sparta also retains the right to suspend or revoke any disposal privileges upon 30 days notice if, in the opinion of the Approving Authority, the acceptance of such wastewater would cause the treatment works to violate the provisions of its WPDES permit due to the volume or character of the wastes. Upon such suspension or revocation, the Approving Authority shall refund a proportionate share of the permit fee.

## SANITATION CODE 15.07

### 15.07 DAMAGE OR TAMPERING WITH SEWAGE FACILITIES

(1) WILLFUL, NEGLIGENT OR MALICIOUS DAMAGE. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage facilities. Any persons violating this provision shall be subject to immediate arrest under a charge of disorderly conduct.

(2) LIABILITY TO DISCHARGER FOR LOSSES. Any person who intentionally, negligently or accidentally violates any provisions of this Ordinance shall become liable to the City of Sparta or any downstream user, for any expense, loss or damage occasioned by reason of such violation which the City or any downstream user may suffer as a result thereof. This section shall be applicable whether or not a written notice of the violation was given as provided in Section 15.08(1) and without consideration for any penalties which may be imposed for a violation of this Ordinance.

### 15.08 VIOLATIONS AND PENALTIES

(1) WRITTEN NOTICE OF VIOLATION. Any person found to be violating any provision of this Ordinance shall be served by the City of Sparta 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.

(2) ACCIDENTAL DISCHARGE. Any person found to be responsible for accidentally allowing a prohibited discharge or a discharge in excess of the limitations and restrictions as defined in Section 15.02(4) to the sewer system which causes damage to the treatment facility and/or receiving body of water shall, in addition to a fine, pay the amount to cover damage, both values to be established by the Approving Authority. Any accidental wastewater discharges which violate Section 15.02(4) shall be reported immediately upon discharge. The City shall address any potential fines within 15 days after the end of the month in which the violation is reported or detected, whichever is later.

(3) ACCIDENTAL DISCHARGE PENALTIES. The City may levy a minimum fine of \$500.00 for an accidental discharge that is reported immediately or a minimum of \$1500.00 fine for an unreported accidental discharge.

(4) CONTINUED VIOLATIONS. Except as provided for in Section 15.08(3), any person, partnership or corporation, or any officer, agent or employee thereof, who shall continue any violation beyond the aforesaid notice time limit provided shall, upon conviction thereof, forfeit not less than \$1,000 nor more than \$2,000 together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the Monroe County Jail for a

## SANITATION CODE 15.08(4)

period not to exceed 30 days. Each day in which any violation is continued beyond the aforesaid notice time limit shall be deemed a separate offense.

(5) LIABILITY TO THE CITY FOR LOSSES. Any person violating any provision of this Ordinance shall become liable to the City of Sparta for any expense, loss, or damage occasioned by reason of such violation which the City may suffer as a result thereof.

### 15.09 APPEALS.

(1) PROCEDURES. Any user, permit applicant, or permit holder affected by any decision, action, or determination, including cease and desist orders, made by the Approving Authority interpreting or implementing the provisions of this Ordinance or in any permit issued herein, may file with the Approving Authority a written request for reconsideration within ten (10) days setting forth in detail the facts supporting the user's request for reconsideration.

The Approving Authority shall render a decision on the request for reconsideration to the user, permit applicant or permit holder in writing within 15 days of receipt of request. If the ruling on the request for reconsideration made by the Approving Authority is unsatisfactory, the person requesting reconsideration may, within 10 days after notification of the Approving Authority's action, file a written appeal with the City Clerk.

A fee of \$100 shall accompany any appeal for a ruling by the Common Council of the City of Sparta. This fee may be refunded if the appeal is sustained in favor of the appellant.

The written appeal shall be heard by the City Council within 45 days from the date of filing. The City Council shall make a final ruling on the appeal within 60 days from the date of filing.

### 15.10 SANITATION SUPERINTENDENT.

(1) HOW APPOINTED. See Section 1.03(8) and Section 1.26 of this Municipal Code.

(2) DUTIES.

(a) The Sanitation Superintendent shall have the following duties:

1. Be responsible for the function of all phases of the Department of Sanitation for efficient and economical purposes.

## SANITATION CODE 15.10(2)

2. Keep a complete record showing the costs of materials and labor used for each phase of the Department
3. Make all necessary chemical analyses at the sewage plant and fill out and complete all monthly reports to the State.
4. Order necessary materials and repair parts used in the Department, subject to the approval of the Sanitation Committee on any sum exceeding \$200.
5. Keep informed on the latest methods and practices being used in the Department, and put the most economical methods thereof into practical use.
6. Assist, whenever possible, in assistant's jobs when such assistants are absent or unable to work.

(b) The Sanitation Superintendent shall keep a daily record of all transactions of his office and file a monthly and yearly report covering the same with the City Council. The yearly report shall be filed on or before February 1 and shall contain such recommendations relating to the operation of the Department and the ordinances pertaining thereto as he shall deem advisable.

15.11 DISPOSITION OF REVENUE. The amounts received from collection of the charges shall be credited to a sanitation sewage account which shows all receipts and expenditures of the sewage system. When appropriated by the Council, the credits to the account shall be available for payment for operations, maintenance, repairs and depreciation of the sewage system. Any surplus in the account shall be available for payment of principal and interest of bonds or notes issued and outstanding or which may be issued to provide funds for the sewage system or parts thereof, and all or part of the expenses for additions, improvements and other necessary disbursements or indebtedness. The Council may, by resolution, pledge such surplus or any part thereof for any such purpose.

## SEWER USE CHARGE SYSTEM

### 15.21 - ADDITIONAL DEFINITIONS

(1) OPERATION, MAINTENANCE AND REPLACEMENT (O,M&R) COSTS shall include all costs associated with the operation and maintenance of the wastewater works as well as the costs associated with periodic equipment replacement necessary for maintaining the design capacity and performance of the wastewater treatment facilities.

## SANITATION CODE 15.21(2)

(2) **REPLACEMENT FUND.** The replacement fund shall be a separate account in which an annual budgeted amount shall be accumulated for purposes of defraying replacement costs as they arise. The replacement fund shall be used exclusively to defray replacement costs as defined in (1) above, during the useful life of the wastewater treatment facilities. At the end of such useful life, or at the time of any significant expansion or upgrade of the wastewater facilities, the fund may be used for any proper purpose related to providing wastewater treatment service pursuant to Section 66.076, Wis. Stats., as amended or renumbered from time to time.

(3) **RESIDENTIAL USER** shall mean any user whose premises are used primarily as a domicile for one or more persons and discharges only domestic wastes.

(4) **SERVICE LIFE.** The term "service life" refers to the expected life of individual pieces of equipment. In many instances, the service life of a piece of equipment will be shorter than the useful life of the overall treatment plant.

(5) **SEWER SERVICE CHARGE** shall mean a charge levied on users of the wastewater collection and treatment facilities for capital-related expenses as well as operation and maintenance and replacement costs of said facilities.

(6) **SIGNIFICANT CONTRIBUTORS** shall be those users of the wastewater works whose discharges exceed, in one or more parameters (flow, BOD, TSS, TKN & P), five percent (5%) of the design value for that particular parameter, on such average or peak basis as the Approving Authority deems appropriate.

(7) **SURCHARGE.** Any user of the wastewater works whose discharge exceeds in one or more parameters (BOD, TSS, TKN, P) the concentration of normal domestic wastewater for that parameter shall be subject to a surcharge. The amount of such surcharges shall reflect the costs incurred by the City in removing the high strength BOD, suspended solids, TKN, or P from the wastewater. (Amended #537, 1999)

(8) **UNMETERED USER** shall mean a user who does not have a meter, installed and maintained by the City of Sparta, on his public or private water supply.

(9) **USER CHARGE SYSTEM** is the methodology for collecting operation, maintenance, replacement and capital costs equitable from each user of the wastewater collection and treatment facilities.

## SANITATION CODE 15.21(10)

(10) USEFUL LIFE. The term "useful life" refers to the expected life of the treatment plant if individual pieces of equipment are replaced as necessary.

(11) VOLUME CHARGE is a sewer use charge based upon normal strength wastewater quantities.

(12) WASTEWATER TREATMENT FACILITIES shall mean the wastewater treatment works defined in 15.01 (52), excluding wastewater collection and transportation systems which deliver wastewater to the treatment plant.

### 15.22 - BASIS FOR VARIABLE CHARGES

(1) SEWER USERS SERVED BY WATER UTILITY WATER METERS. For each lot, parcel of land, building or premises having a connection with the wastewater system and being served with water solely by the water utility, the quantity of wastewater for billing purposes shall be measured by the water utility water meter used upon the premises.

In which case a user feels that a significant amount of water metered does not reach the sanitary sewer that user can, at their own expense, through the Approving Authority, install a second water meter and/or service that would monitor the flow of water used for lawn and garden watering, non-contract cooling water or other similar purposes. Charges for sewer use would be made based on the difference between the two meter readings if only a second meter is installed, and on actual water metered for sewer use if a second meter and service are installed.

Requests for usage adjustments, or a second meter or service, must be made in writing to the Approving Authority. Charges for this service shall be made in accordance with (2) below.

(2) SEWER USERS SERVED BY PRIVATE WELLS. Sewer users served by private wells shall be required to do the following:

Any person discharging sewage into the public sanitary sewer system procures any part, or all of this water sources from other than the water utility, all or part of which is discharged into the public sanitary sewer system, the person shall be required to have water meters installed for the purpose of determining the volume of water obtained from each of these other sources. Where sewage meters are already installed, the water meters will not be required. The water meters shall be furnished by the Water Department and installed under its supervision, all costs being at the expense of the person requiring the meter.

SANITATION CODE 15.22(2)

The Water Department shall charge for each meter a rental charge set by the utility to compensate for the cost of furnishing and servicing the meter. The rental charge shall be billed at the time the sewer charge is billed. The rental charge for water meters follows.

<u>Meter Size</u>	<u>Rental Charge</u>
All meters	\$2.50/quarter plus an installation charge

(3) MEASUREMENT OF FLOW FROM HIGH STRENGTH OR TOXIC WASTE DISCHARGES. The volume of flow used for computing the variable charge shall be the metered water consumption of the user as shown in the records of meter readings maintained by the water utility, except as noted in (4) below.

Provisions for deductions: In the event that an establishment discharging industrial waste into the public sewers produces evidence satisfactory to the Approving Authority that more than 20 percent of the total annual volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the Approving Authority and the person. Satisfactory evidence shall be evidence obtained by approved metering.

(4) METERING AND SAMPLING OF HIGH STRENGTH WASTE. Devices for measuring the volume of waste discharged may be required by the Approving Authority if this volume cannot otherwise be determined from the metered water consumption records. Users designated by the Approving Authority with high levels of flow or with high strength discharges may be required to have monitoring facilities. The Approving Authority shall make a determination as to when metering of high levels of flow are needed as well as what frequency of sampling of high strength wastewaters is needed.

(5) FREE SERVICE. No user shall receive free service or pay a sewerage service charge less than the user's proportional share of all costs as defined in 15.24.

(6) OUTSIDE SERVICE. All users within the sewer service area shall be treated equally as to operation, maintenance and replacement sewer use charges regardless of their location with respect to the corporate limits. All users located outside of the corporate limits will be charged 150% of the sewerage service charges. Total service charges may be adjusted to reflect variations in capital costs for outside users.

15.23 - BILLING PRACTICE

(1) BILLING PERIOD. All sewerage service charges for customers whose water meter is read on a quarterly basis shall be billed on a quarterly basis. All sewerage service charges for significant contributors and for those customers whose water meter is read on a monthly basis shall be billed on a monthly basis.

(2) PAYMENT. Sewerage service charges shall be payable twenty (20) days after the billing date, to the City of Sparta Treasurer.

(3) PENALTIES. Charges levied in accordance with this Ordinance shall be a debt due to the City of Sparta. If the debt is not paid within twenty (20) days after it is due and payable, it shall be deemed delinquent. A penalty of 10% shall be added to all bills not paid by the date fixed for payment.

Charges and penalties shall constitute a lien under the property services, and be recorded on the tax roll of the City of Sparta. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

15.24 - AMOUNT OF USER CHARGES

(1) SEWERAGE SERVICE CHARGES. There is hereby levied and assessed upon each lot, parcel of land, building, premises or unit having a connection with the wastewater treatment works, a sewerage service charge, based upon the quantity of wastewater discharged, pursuant to Section 66.076, Wis. Stats., as amended or renumbered from time to time. Such sewerage service charges shall be billed to the person, firm, corporation or other entity owning, using or occupying the property served. The sewerage service charges shall consist of a fixed charge, a wastewater treatment plant debt service charge, and a variable charge as set forth in the following sections.

(2) FIXED CHARGE

(a) The fixed charge shall be a minimum charge for all users based upon the number of dwelling units, the number of customer meters/connections to the wastewater treatment works, and the size of the customer's water meters. This charge includes billing and administration costs, inflow/infiltration treatment costs, collection system depreciation, insurance costs and collection system debt costs.

SANITATION CODE 15.24(2)(b)

(b) Schedule of Fixed Charges (Amended #802, 2/16/10)

<u>Meter Size</u>	<u>Monthly Charge</u>	<u>Quarterly Charge</u>
Dwelling Unit	\$5.00	\$15.00
5/8"	5.00	15.00
3/4" (residential)	5.00	15.00
3/4" (non-residential)	7.01	21.03
1"	11.03	33.09
1 1/2"	21.05	63.15
2"	33.07	99.21
3"	61.15	183.45
4"	101.25	303.75

(3) Section 15.24(3) of the Code of City Ordinances is hereby deleted (#802, 2/16/10).

(4) VARIABLE CHARGE.

(a) Users will be billed on the volume and strength of wastewater discharged to the wastewater treatment works. Normal domestic wastewater, defined as wastewater with concentrations of BOD of 270 milligrams or less per liter, suspended solids of 252 milligrams or less per liter total kjeldahl nitrogen of 25 milligrams or less per liter and total phosphorus of 3.67 milligrams or less per liter will be billed upon a volume charge based upon the quantity of flow determined pursuant to 15.22 above. Users discharging wastewater into the wastewater treatment works shall be subject to surcharges, in addition to the volume charge, if their wastewater has a concentration greater than the domestic concentration specified in the preceding sentence. The amount of such surcharges shall reflect the costs incurred by the City in removing the high strength BOD, suspended solids, total kjeldahl nitrogen or phosphorus from the wastewater.

(b) Normal Domestic Sewage (Amended #802, 2/16/10)

Volume Charge (Metered User) - \$2.61/1,000 Gallons or \$1.95/100 cubic

(c) Sewage of Greater than Normal Strength (Amended #802, 2/16/10)

Charges to users discharging wastewater of greater than normal strength of wastewater which is 270 mg/l BOD 5, 252 mg/l TSS, 25 mg/l TKN and 3.67 mg/l P. The following rates will be used in calculating the surcharges.

SANITATION CODE 15.24(4)(c)

<u>Parameter</u>	<u>Cost</u>
BOD	0.254/lb.
SS	0.199/lb.
TKN	1.075/lb.
P	4.25/lb.

Charges to users discharging wastewater of greater than normal strength shall be computed in accordance with the formula presented below:

$$C = \$2.61 \times V + (\$0.254 \times .00834 \times V \times B) + (0.199 \times .00834 \times V \times S) + (1.075 \times .00834 \times V \times N) + (4.25 \times .00834 \times V \times P)$$

Where: C = Charge to sewer user for operation, maintenance and replacement costs for treatment works.

V = Wastewater volume in 1,000 gallons

B = Concentration of BOD from a user above the normal strength of 270 mg/l.

S = Concentration of suspended solids from a user above the normal strength of 252 mg/l.

N = Concentration of total kjeldahl nitrogen from a user above the normal strength of 25 mg/l.

P = Concentration of total phosphorus from a user above the normal strength of 3.67mg/l.

\$2.61 = Charge for that portion of the waste equal to normal strength wastewater. Includes cost for treating 270 mg/l BOD 5, 252 mg/l TSS, 25 mg/l TKN and 3.67 mg/l P. .00834 = Conversion Factor (mg/l to lbs.)

.7480 = Conversion Factor (1,000 gallons to 100 cubic feet)

(5) HOLDING TANK WASTE DISPOSAL CHARGES. (a) Charges to licensed dischargers shall be computed and assessed on the following basis:

Flow -	\$.466	=	\$0.466
BOD -	\$0.254 x 845 mg/l x .00834	=	\$1.790
SS -	\$0.199 x 715 mg/l x .00834	=	\$1.187
TKN -	\$1.075 x 90 mg/l x .00834	=	\$0.807
P -	\$4.25 x 13 x .00834	=	\$0.461
Dumping Charge per 1000 gallons		=	\$4.16

TOTAL \$8.87/1000 gallons (Am. #802, 2/16/10)

(6) SEPTIC TANK WASTE DISPOSAL CHARGES. (a) Charges to licensed dischargers shall be computed and assessed on the following basis:

Flow -	\$.466/1000	=	\$ 0.466
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SANITATION CODE 15.24(6)

BOD - \$0.254 x 8500 mg/l x .00834	= \$18.006
SS - \$0.18 x 13600 mg/l x .00834	= \$22.571
TKN - \$1.075 x 500 mg/l x .00834	= \$ 4.483
P - \$4.25 x 73 x .00834	= \$2.587
Dumping Charge per 1000 gallons	= \$ 4.16

TOTAL \$52.27/1000 gallons (Am. #802, 2/16/10)

(7) SPECIAL ASSESSMENTS. Not included in the foregoing sewerage service charges are the costs associated with providing local collecting facilities to users, which the City may assess, by special assessment, in whole or in part, to the property benefited thereby.

15.25 - AUDIT

(1) The City of Sparta shall conduct an annual audit, the purpose of which will be to maintain accurate accounting records for the revenues and expenditures of the wastewater treatment facility and to demonstrate the continued proportionality and sufficiency of the user charges relative to changes in system operation, maintenance and replacement costs.

Change must be based on Engineering Code, rather than public policy.

15.26 - SIGNIFICANT CONTRIBUTORS

(1) GENERAL. Significant contributors shall be those users of the wastewater works whose discharges exceed, in one or more parameters (flow, BOD, TSS, TKN, P), five (5%) percent of the design value for that particular parameter, on such average or peak basis as the Approving Authority determines is appropriate.

(a) Significant contributors will be requested to advise the City of their best estimate of the level of usage of the wastewater treatment facilities that they expect to utilize through the remaining useful life of the wastewater treatment facility. The city may allocate a portion of capacity in the wastewater treatment facilities to specific significant contributors, particularly in the case of new construction, expansion or renovation of such facilities. Significant contributors will then pay capital costs associated with such allocated capacity.

(b) Significant contributors will be encouraged to contract with the City as to the amount of such allocated capacity and as to the payment of associated capital costs. In exchange for a contractual commitment to pay such capital costs, the City may protect the contracting significant

## SANITATION CODE 15.26(1)(b)

contributors from capital cost increases that might otherwise result from changes in the number of dischargers over whom capital costs might be spread.

(c) Significant contributors who have provided projected usage levels to the City prior to a project of construction, expansion or renovation, shall, in the absence of contract provisions to the contrary, have their fixed charge computed on the basis of actual or projected usage levels. The city shall in any such allocation process treat all significant contributors in a manner that is not unreasonable or unjustly discriminatory. The city may change the amount of allocated capacity from the projections provided by the significant contributors, provided any opportunity for such change is made available to all significant contributors.

(d) Section 15.26(1)(d) of the Code of City Ordinances is hereby deleted (#802, 2/16/10).

(e) Phosphorus (P) monitoring is required by the Approving Authority in anticipation of future phosphorus limitations. Frequency of monitoring to be determined by the Approving Authority on a case-by-case basis.

(f) Significant contributors who connect to the system after any specific construction, expansion or renovation project may only be allocated capacity in that project to the extent the Approving Authority deems such capacity is available. In no event may capacity allocated to a significant contributor under a wastewater service contract with the City be changed in any way without compliance with the terms of the contract. Significant contributors who do not have a contractual commitment to pay specific treatment plant debt service charges may have their allocated capacities and associated fixed charges reduced on a prospective basis if, in the judgment of the Approving Authority, the re-allocated portion of the capacity should be made available to another user.

## 15.27 - VALIDITY

(1) REPEAL OF CONFLICTING ORDINANCE. All ordinances or parts of ordinances or regulations or parts of regulations in conflict with this Ordinance are hereby repealed.

(2) INVALIDATION CLAUSE. Invalidity of any section, clause, sentence, or provision in the Ordinance shall not affect the validity of any other section, clause, sentence, provision or this Ordinance which can be given effect without such invalid part or parts.

SANITATION CODE 15.27(1)(3)

(3) AMENDMENT. The Common Council of the City of Sparta, through its duly qualified officers, reserves the right to amend this Ordinance in part or in whole wherever it may deem necessary, but such right will be exercised only upon notice and proper hearing on the proposed amendment.

15.28 - ENACTING CLAUSE

(1) DATE OF EFFECT. This Ordinance shall take effect and be in force beginning August 15, 1994.