

# Ordinance 101

AN ORDINANCE RELATING TO AND REGULATING THE USE OF SEWERS IN PORT WING  
SANITARY DISTRICT NO. 1, ESTABLISHING RULES AND REGULATIONS FOR THE  
ADMINISTRATION OF THE SEWER SYSTEM, AND MATTERS RELATING THERETO.

The Town Board of the Town of Port Wing do ordain as follows:

1.01 General Operation. There is hereby established a municipal sanitary sewer system for the Town of Port Wing which shall be operated as public utilities for convenience and from which revenues will be derived, subject to the provisions of this chapter.

1.02 Applications, Permits and Fees. No person, firm, or corporation shall make any type of connection to the municipal sanitary sewer system except upon making an application therefor and receiving a permit issued by the Town for such purposes. At the time of taking such application, there shall be paid to the Town Treasurer the following fees for the following purposes:

- A. The applicant shall pay for service to property to which service lines have not been previously run from the street laterals to the property line an amount not less than the cost of making the necessary connections, taps and installation of pipe and appurtenances to provide service to the property and the necessary street repairs.
- B. In addition, the applicant shall pay any sewer connection charge established by action of the Town of Port Wing and/or the Sanitary Sewer District No. 1.
- C. In addition, the applicant, in those cases where a special assessment has not been levied for street laterals, or service connections, or where property has been subdivided in such a way as to create a new lot wherein a special assessment had not been previously levied, shall agree to pay in cash or to be specially assessed for the street laterals, or service connections.
- D. All applicants shall pay to the Town Treasurer a connection charge of \$400.<sup>1000</sup> All properties owners whose property abuts a sanitary sewer main or lateral wherein sewer service is available shall be deemed to have made application for service upon the adoption of this Ordinance and are required hereunder to be connected to the main or lateral by November 1, ~~1958~~ 1983. *Amended Aug. 2, 1981*

1.03 Connections to Sanitary Sewer System Required. All new buildings constructed within the Town of Port Wing on property adjacent to a sanitary sewer main or in a platted block through which the sanitary sewer system extends, shall connect to the water and sewer systems.

1.04 Sewer Construction Requirements.

- A. Materials. All pipe shall be Cast Iron Soil Pipe, (A.S.T.M. Standard Specification A-74-62); Vitrified Glazed Clay Sewer Pipe, (A.S.T.M. Standard Specification C-13-57T); Asbestos Cement Building Sewer Pipe, conforming to specifications of "Transite" Asbestos Cement Sewer Pipe; Polyvinyl Chloride Pipe, Type I, Grade I (A.S.T.M. Standard Specification D-1784); or E.S. Solid Wall Pipe, Type I or IV, (A.S.T.M. Standard Specification D-1788-62T). All pipe used shall be at least four-inch diameter pipe, except that when Vitrified Glazed Clay Sewer Pipe is used, it shall be at least six-inch diameter pipe.

B. Wisconsin Plumbing Code and Bayfield County Sanitary Code Incorporated by Reference. There is hereby adopted and incorporated by reference, the "Wisconsin Plumbing Code" as amended and Bayfield County Sanitary Code. All sanitary sewer construction and material shall be in accordance with the provisions of said Plumbing Code, except as follows: All references to bituminized fiber pipe in said code be deleted.

C. Joints and Connections.

(1) Cast Iron Soil Pipe.

Joints for Cast Iron Pipe shall be made by first inserting a roll of hemp or jute and thoroughly caulking it into place; this shall be followed by pure molten lead well-caulked not less than one inch deep, or by driving into place an approved mechanical joint.

(2) Vitrified Glazed Clay Sewer Pipe.

In joining Vitrified Glazed Clay Sewer Pipe, the spigot of one pipe shall be carefully centered in the bell of the next pipe. Joints shall be formed by means of a hot poured compound using a preparation of "JC 60" or equal; and applied according to the manufacturer's recommendations. Jointing compound shall be completely resistant to any acid or alkaline condition found in ordinary sewage and shall be immune to attack by any chemicals found in natural soils or by any soil bacteria. Care shall be exercised in placing the runner or snake to assure non-leakage during pouring and it shall not be removed until the compound is sufficiently cooled to be permanently set. Joints may also be formed by means of a cold troweling material using a preparation of "Kalkite", "sewerite", "Elastic-77" or their equal. Pipes before pouring, shall be dry and clean. The jointing material shall be heated until it has become quite thin, thus causing it to pour freely and smoothly. The compound shall be poured continuously until the joint is completely filled, leaving no air bubble in the solidified mass.

The use of clay pipe joints conforming to A.S.T.M. Specification Designation C425-58T, Types I and III, for joints with materials having resilient properties, will be permitted.

(3) Extra Strength Unglazed Clay Pipe.

The use of Extra Strength Unglazed Clay Pipe conforming to A.S.T.M. Designation C278-60T will be permitted in this construction.

(4) Asbestos Cement Sewer Pipe Joints for Asbestos Cement Sewer Pipe shall be made by use of the manufacturer's joint, which shall include an asbestos cement sleeve, together with rubber rings which shall form a tight and flexible joint.

D. Grades. Unless otherwise authorized, all house sewers shall have a grade of not less than 1/8 inch per foot. A grade of 1/4 inch per foot should be used wherever practical. The person to whom the permit is issued shall check grades before construction proceeds. Wherever possible, the connecting sewer shall join the building at an elevation which is below the basement floor of such building.

- E. Alignment. No connecting sewer shall contain bends or a combination of bends which at any point shall be greater than forty-five degrees, and no more than two bends, regardless of angle, shall be permitted in any single sewer connection, except where cleanouts are constructed at such points and in manner as directed by the public utilities inspector. No connecting sewer shall be laid parallel to any bearing wall or footing unless further distance than three feet from any such bearing wall or footing. No connecting sewer shall be laid within twenty feet of any existing well, except in manner specifically approved by the public utilities inspector.
- F. Trenching and Backfilling. All excavations shall be open-trench work unless otherwise authorized by the public utilities inspector. The foundation in the trench shall be formed in such manner as to prevent any subsequent settling of the pipes. If the foundation is good firm earth, the earth shall be pared or molded to give a full support to the lower third of each pipe. Bell holes shall be dug to provide ample space for pouring joints. Care must be exercised in backfilling below the centerline of the pipe in order to give it proper support. Backfilling shall be placed in layers and solidly tamped or packed up to one foot above the pipe. Backfilling shall not be done until the section to be backfilled has been inspected and approved by the public utilities inspector. All excavation work must be done in such a manner as to protect workmen from cave-ins.
- G. Use of Old House Sewers. Old house sewers or portions thereof may be approved for use by the public utilities inspector. The public utilities inspector may request that the old sewer be excavated for the purpose of facilitating inspection. No cesspool or septic tank shall be connected to any sewer connections. If any portion of a house sewer is laid across or over any existing cesspool or septic tank, such cesspool or septic tank shall first be pumped clean and filled with earth to the surrounding ground level. Where a connecting sewer is laid across or over any existing cesspool or septic tank, only Cast Iron Soil Pipe, conforming to the A.S.T.M. Standard Specification A-74-42, shall be used for that portion of the connecting sewer which is laid across or over the existing cesspool or septic tank.
- H. Existing Septic Tanks to be Filled. Upon applying for a permit to connect to the municipal sanitary sewer system, the applicant shall agree when applicable to pump out the contents of any cesspool or septic tank then located on this property and to refill same with non-combustible and non-deteriorating fill to the lot level. The owner or his agent shall have such septic tank and/or cesspool completely pumped and filled at the time said sewer connection is completed.
- I. Connections at "Y" Only. Every connecting sewer shall be connected to the municipal sewer system at the "Y" or sewer connection, stubs designated for the property served by the connection, except where otherwise expressly authorized by the public utilities inspector which authorization shall be in writing. Connections so authorized by the public utilities inspector shall be made only under his direct supervision and in such manner as he may direct.
- J. Tunneling, Tunneling for distances of not more than six feet is permissible in yards, courts or driveways of any building site.

1.05 Types of Wastes Prohibited.

A. It is unlawful to discharge any of the following described waters or wastes into the municipal sanitary sewer system:

(1) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit.

(2) Any water or waste containing more than 100 parts per million by weight of fat, oil or grease.

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

(4) Any garbage that has not been properly shredded.

(5) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or other solid or viscous substance capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works.

(6) Any waters or wastes having a pH lower than 6.0 or higher than 9.0 or having any other property to corrode or abrade, cause materials to be deposited or attached to the walls of sewers, or having any other property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.

(7) Any waters or waste containing a toxic, poisonous or radioactive substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the sewage treatment plant.

(8) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

(9) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(10) Grease, oil and sand interceptors shall be provided when, in the opinion of the public utilities inspector, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any inflammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private dwelling units which discharge only normal wastes therefrom. Such grease and oil interceptors shall be of substantial construction, water-tight and equipped with easily removable covers which, when bolted in place, shall be gas-tight and water-tight. All grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

- B. It shall be unlawful to discharge into the municipal sanitary sewer system any industrial wastes unless the prior approval of the public utilities inspector is obtained. The public utilities inspector shall approve the discharge of industrial wastes when, in his opinion, the proposed wastes will not be of an unusual amount or character.
- C. The admission into the public sewers of any waters or wastes having (a) a 5-day Biochemical Oxygen Demand greater than 300 parts per million by weight, or (b) containing more than 350 parts per million by weight of suspended solids, or (c) having an average daily flow greater than 2% of the average daily sewage flow of the Town, shall be subject to the review and approval of the public utilities inspector.

The owner shall provide, at the expense of himself, such preliminary treatment as may be necessary to (a) reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or (b) control the quantities and rates of discharge of such wastes or waters.

Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Town Board. No construction of such facilities shall be commenced until proper approvals are obtained in writing.

- D. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation, by the owner at his expense.
- E. The owner of any property served by a building sewer carrying industrial wastes shall install a suitable control manhole 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 public utilities inspector. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.
- F. All measurement tests and analyses of the characteristics of waters and wastes to which reference is made shall be determined in accordance with methods employed by the Wisconsin Department of Health, and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.
- G. It shall be unlawful to discharge or cause to be discharged into the municipal sewer system, either directly or indirectly, any roof, storm, surface or ground water of any type or kind, or water discharged from any air conditioning unit or system.

1.06 Tampering with Municipal Sewer System Prohibited. No person shall maliciously, willfully or negligently damage, destroy, uncover, deface or tamper with any part of the municipal sewer system.

Municipal sewer system Prohibited. No person shall maliciously, willfully or negligently damage, destroy, uncover, deface or tamper with any part of the municipal sewer system.

1.07 Entry Upon Private Property. The public utilities inspector of the

Town of Port Wing and other duly authorized employees of the Town of Port Wing bearing proper credentials and identification, shall at reasonable times be permitted to enter upon all properties connected to the municipal sanitary sewer system for the purpose of inspection, observation, measurement, sampling and testing in connection with the operation of the municipal sanitary sewer system.

- 1.08 Maintenance of Sewer. Each property owner shall be responsible at all times for the sewer line from his building to the sanitary sewer main lines in the street and shall have the obligation to keep said connection in good repair, to the end that there shall be no interference or obstruction to the sewer system as a whole, nor shall there be any violation of this chapter, the relevant Ordinances of Port Wing and the laws of the State of Wisconsin. The public utilities inspector is authorized to make such inspections of the sewer connections as he may deem necessary to accomplish this purpose, and the property owner shall be responsible for carrying out such instructions as the public utilities inspector deems necessary to accomplish this purpose.

In the event it is determined that said interference or obstruction occurred in the owner's sewer line (from building to street connection) then there shall be a \$5.00 inspection charge levied by the Town.

1.09 Installation and Excavation.

- A. All installation work or repair of connections to the municipal sanitary sewer system, including grades, bends and backfilling shall be performed under the direction and supervision of the public utilities inspector. No work shall be covered or back-filled until directed by said inspector. All work and excavations shall be protected by barricades and warning markers and lights reasonable and suitable to the purpose. The Town shall be held harmless of any claim or loss as might otherwise arise for damage, loss or injury caused by or arising by reason of such work being performed; and the applicant causing such work to be done shall give undertaking to the Town with respect thereto. No excavation of any permanent type street shall be permitted except by special permission from the Town.
- B. Actual connections to the municipal water and sanitary sewer systems and building plumbing shall be performed by a duly-licensed plumber; excavations and installation of water and sewer pipes but not the actual connections, may be performed by an excavating contractor authorized to do business in the Town of Port Wing. Nothing in the ordinance shall be construed as to prohibit an individual owner from obtaining a permit and installing everything, except the building plumbing connections, by his own labor provided, however, that said construction is conducted under the regulations of this ordinance and the requirements of the public utilities department.

- 1.10 Limitation of Liability. The Town shall not be held liable at any time for a structural malfunction of the sanitary sewer system either under its control or under the control of the Sanitary Sewer District No. 1.
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- 1.11 Billing Regulations. The Town Board shall have the authority to prescribe the rates to be charged for water and sewer service to the customer from time to time and may prescribe the date of billing, a discount for the payment of any bill within reasonable length of time, and such further rules and regulations relative to the use and operation of such systems as it may deem necessary from time to time.
- 1.12 Rates and Charges. Rates and charges for the use and service of the sanitary sewer systems to consumers shall become due and payable quarterly on a calendar schedule prepared by the Town Clerk. Said rates and charges and any surcharges shall be established by resolution of the Town Board.
- 1.13 Liens for Delinquency. In the event a sewer bill is unpaid at the end of the calendar quarter or the billing period under which the billing is sent out, the bill shall be considered delinquent and the service may be discontinued as provided in Section 71.153 and the Town Board may cause the charges noted in such billing to become a lien against the property by certifying to the County the amount of said delinquent bill in accordance with Wisconsin Statutes.
- 1.14 Liability for Repairs. After the initial connection has been made to the curb box or the sewer line the applicant, owner, or the occupant or user of such premises shall be liable for all repairs required to any sanitary sewer line necessary for connection of the premises to the street main including any repairs necessary to the curb stop box and any necessary street repairs, it shall be the responsibility of the applicant, owner, occupant or user to maintain the stop box at such height as will insure that it remains above the finished grade of the land or property.
- 1.15 Storm Water Not Permitted In Sanitary Sewer System. It shall be unlawful for any owner, occupant or user of any premises to direct into or allow any storm water or surface water to drain into the sanitary sewer system of the Town of Port Wing.
- 1.16 Right to Enter Land. The Town of Port Wing by any authorized employee or agent shall have the right to enter and be admitted to any lands and property in the Town for the purpose of inspection of materials, plumbing work, and fixing fixtures of all kinds used by or in connection with the sewer systems.
- 1.17 Implied Consent to Rule, Regulations and Rates. Every person applying for sewer service and every owner of property for which any such application is made shall be deemed upon making such application, to consent to all rules, regulations and rates set forth in this ordinance, and such further rules, regulations and rates as may thereafter be set forth and adopted by the Town Board by resolution or ordinance.

- 1.18. Separability of Sections. If any portion of this ordinance shall be held invalid, the invalidity of such portion shall not affect the validity of the other portions of this ordinance which shall continue in full force and effect.
- 1.19 Repeal. Any ordinance or part thereof that is inconsistent with any of the provisions of this ordinance are hereby repealed.
- 1.20 Penalty Provisions. Any person who shall do or commit any act that is forbidden by the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$100 or to be imprisoned in the County Jail or County Workhouse for a period not to exceed ninety (90) days.
- Any excavating contractor that is found guilty of violating any of the provisions of this ordinance shall in addition to fine or imprisonment have his license revoked and a new license shall not be issued for a period of at least one (1) year from date of conviction.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT AFTER ITS PASSAGE AND PUBLICATION.

TOWN OF PORT WING  
BAYFIELD COUNTY, WISCONSIN  
PORT WING, WIS. 54865

ORDINANCE

12-84-1

The Town Board of Port Wing does pursuant to the authority granted in Section 60.29 (6) of the Wisconsin Statutes, hereby declare the following property to be the limits of the unincorporated village of the Town of Port Wing:

All in Township Fifty (50) North, Range Eight (8) West:

The South One-half of Section Twenty-nine (29), including all of Blocks Five (5) through Twenty (20), both inclusive, Original Plat of Port Wing and all of the First Addition to Port Wing (Blocks Twenty-one (21) through Thirty-two (32), both inclusive);

and the Southwest One-quarter of Section Twenty-eight (28), including all of Okerstrom and Heydlauff's Addition to Port Wing (Blocks One (2) through Sixteen (16), both inclusive); and

The Southeast One-quarter of the Northeast One-quarter (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section Twenty-nine (29), including Blocks One (1) through Four (4), both inclusive, of the Original Plat of Port Wing; and

The West One-half of the northwest One-quarter (W $\frac{1}{2}$  NW $\frac{1}{4}$ ) of Section Thirty-three (33); and

The East One-half of the Northeast One-quarter (E $\frac{1}{2}$  NE $\frac{1}{4}$ ) of Section Thirty-two (32).

This Ordinance to be in effect on and after it's date of publication.

Dated this 10<sup>th</sup> day of December, 1984.

William R. Soderberg, Chairman

Eric E. Johnson  
Eric E. Johnson, Supervisor

Posted this 31<sup>st</sup> day of December,  
1984.

Signed:

Clover M. Johnson  
Clover M. Johnson, Clerk

Clifford E. Hoagland  
Clifford E. Hoagland, Supervisor