

## MANDATORY CONNECTIONS TO PUBLIC SEWER

**Section I. Title/Purpose.** This Ordinance is entitled “Mandatory Connections to Public Sewer Ordinance.” The purpose of this ordinance is as follows:

To promote the safety, health and general welfare by regulating the connection to sanitary sewer systems in the Town of Shelby.

**Section II. Adoption of Ordinance.** The Shelby Town Board is the hiring authority and Shelby Sanitary District No. 2 shall administer this Ordinance. The Shelby Town Board shall perpetrate the levying of fines in accordance with this Ordinance and hereby adopts the following:

A. Connection to Public Sewer Required. The owner of every parcel of real estate in the Town of Shelby on which there is an existing structure from which sewage is to be disposed shall connect said structure to the public sewer within one year from the date that a public sewer becomes available to said premises by connection to the mains lying in a street, alley, or dedicated easement abutting said premises. If any person fails to comply for more than ten (10) days after notice is given in writing, the Shelby Town Board may cause the connection to be made, and the expense there of shall be assessed as a special tax against the property. The Shelby Town Board shall designate an authority to inspect all new or current lateral connections.

B. Septic Tanks, Etc. Not to Be Connected to Public Sewer. No septic tank, cesspool, dry well, or other device or contrivance designed to receive, treat, or dispose of sewage shall be connected to or discharged into a public sewer in the Town of Shelby.

C. Public Nuisance Prohibited. Nothing contained in this Ordinance shall be deemed to permit or condone the use of a defective or inadequate outdoor toilet, privy, septic tank, cesspool or dry well on any premises in the Town of Shelby if such use constitutes a public nuisance or is detrimental to health, and if such condition occurs, on a premise which can be connected to a public sewer lying in a street alley or dedicated easement abutting said premise, the owner of such premises shall be required to connect to the public sewer even though one year has not elapsed since a sewer became available thereto.

D. Intent and Object. This article regulates the use of public and private sewer and drains, discharge of septage and the discharge of waters and wastes into the public sewerage systems within the Town of Shelby. It provides for the explains the method used for levying and collecting wastewater service charges sets uniform requirements for discharges into the wastewater collection system and enables the Town Sanitary District to comply with administrative provisions and other discharge criteria that are required or authorized by the state, federal law or the City of La Crosse. Its intent is to derive the maximum public benefit by regulating the characteristics of wastewater discharge into town sanitary district sewerage system and comply with Wis. NR 210.23 CMOM program requirements. No Solid or viscous pollutants, such as fats, oils, and greases shall be discharged into the sewage collection system in amounts that will cause or contribute to obstruction to the flow in the sewer. (NR 211.10 (2)(c)).

1. No clear water (sump pump, roof and foundation drain) connections to the sanitary sewer system is permitted. The Town of Shelby shall have legal authority to inspect residences for sump pumps or drains that contribute excess clearwater to the sewer system.

2. Pretreatment or Industrial Control regulates the discharge of high flow and/or high strength wastes into the collection system. Concentration levels exceeding normal domestic waste shall be regulated by either user's fee/surcharges, permits or a pretreatment program limiting such discharges and flows. (Chapter Wisconsin State Legislature NR 210.19 Sewage Treatment Works, Sub-Chapter IV Overflows, Sewage Collection Systems WIS. NR 210.19).

3. No Person, Contractor, Private Home Owner, or other person will be permitted to do any plumbing or pipe fitting work in connection with the sewer system without first receiving permission in writing from the Town Sanitary District. All services connections to the sewer main shall comply with the state plumbing code.

**Section V. Enforcement and Penalties.**

A. Damages. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure or equipment that is part of the wastewater facility.

B. Written notice of violation. Any person connected to the wastewater facilities found to be violating a provision of this article shall be served by the Town Sanitary District 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. The enforcement responses incorporated into such enforcement guidelines document are listed in order of severity as follows:

1. Informal notice (IN) shall be achieved through a telephone call, inspection visit, informal meeting, or letter. Using any of these methods, an authorized agent of the District may discuss with the user the noncompliance and its timely correction.
2. Notice of violations (NOV) will be issued by the Town of Shelby or its authorized agent for noncompliance based on the criteria contained in this article, the user's violation and the applicable permit or ordinance section(s) violation. The NOV will require a response from the user within 15 days to establish the reasons for the noncompliance and to provide a written plan for the satisfactory and expeditious correction of the noncompliance.
3. Compliance order (CO) of the wastewater utility Superintendent or authorized Agent and the Town Sanitary District will issue an administrative order based on the criteria contained in this article or the user's discharge permit. Such CO may contain requirements and deadlines for specific action by the user, compliance schedules, or require termination of sewer or water services, but may require elimination of a specific noncomplying discharge. 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 \$200.00, together with the costs of prosecution. Each day in which any violation is continued beyond the aforesaid notice time limit shall be deemed a separate offense.
4. Damage recovery. The Town Sanitary District shall have the right of recovery from all persons, any expenses incurred by said system for the repair or replacement of any part of the wastewater facilities damaged in any manner by any person by the performance of any work under their control, or by any negligent acts.

**Section VI. Severability.** The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town Board would have

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passed the provisions of this Ordinance irrespective of whether one or more provisions may be declared invalid. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provisions to other persons or circumstances shall not be affected.

**Section VII. Effective Date.** This Ordinance shall take effect upon passage and publication. The provisions of this Ordinance shall prevail over any previous Ordinances of the Town of Shelby that are or may be in conflict therewith.

Date passed: March 13th,2017

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Tim Candahl, Town Chair

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Tim Ehler, Town Supervisor

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Joyce Wichelt, Town Supervisor

ATTEST:

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Michelle Kind, Town Clerk