

**TOWN OF VIENNA
ORDINANCE 01-05-15
SEWER CONNECTIONS**

SEWER CONNECTIONS

Sec. 1. Mandatory hook-up.

Sec. 2. Septic tanks prohibited.

Sec. 3. No holding tank wastes allowed.

Sec. 4. Chemical toilets for construction and recreational sites.

Sec. 5. Application for connection permit.

Sec. 6. Connection charge.

Sec. 7. Excavations.

Sec. 8. Tapping the mains.

Sec. 9. Installation of building sewers (house laterals).

Sec. 1. Mandatory hook-up.

- (a) *Purpose.* This section ordains that the failure to connect to the sewer system is contrary to the minimum health standards of the Town and fails to ensure preservation of public health, comfort, and safety.
- (b) *Time for connection.* Within the DeForest/Vienna ETZ area, the owner of each parcel of land adjacent to a sewer main on which there exists a building usable for human habitation or in a block through which such system is extended, shall connect to such system within 365 days of the date sewer service becomes available to the property.
- (c) *Failure to connect; connection; recovery of costs.* Upon failure to do so, the Town may cause such connection to be made and bill the property owner for such costs. If such costs are not paid within 30 days, such notice shall be assessed as a special tax lien against the property, pursuant to Wis. Stats. § 281.45.
- (d) *Installment payment option.* The owner may, within 30 days after the completion of the work, file a written option with the Town stating that he or she cannot pay such amount in one sum and ask that the sum be levied in five or fewer equal annual installments. The amount shall be so collected with interest at the rate of two percent per annum above the Town's most recent borrowing rate, not to exceed 15 percent per annum, from the completion of the work, the unpaid balance being a special tax lien, pursuant to Wis. Stats. § 281.45.
- (e) *Alternative penalties; lien for unpaid penalties.* In lieu of the above, the Town, at its option, may impose a penalty for the period that the violation continues after ten days' written notice to any owner failing to make a connection to the sewer system of a fine in the amount of \$250.00. Upon failure to make such payment, said charge shall be assessed as a special tax lien against the property, pursuant to Wis. Stats. § 281.45.

State law reference— Unpaid house connections charges become lien, Wis. Stats. § 281.45.

Sec. 2. Septic tanks prohibited.

- (a) The use of septic tanks, holding tanks or any private sewage disposal system within the service area of a Town Utility District/ETZ area shall be prohibited; provided, however, the Town may permit, on a temporary basis, the use of a septic system or holding tank due to a finding of special or unique circumstances.

- (b) All unused and noncomplying septic tank and drain fields must be abandoned pursuant to applicable State law and rules.

Sec. 3. No holding tank wastes allowed.

Wastes from holding tanks must be delivered to an approved sewerage treatment facility for treatment.

Sec. 4. Chemical toilets for construction and recreational sites.

Chemical toilets may be used for construction and recreational sites providing no access to public sewer is available and they are serviced by a disposer licensed by the State.

Sec. 5. Application for connection permit.

- (a) *Must be filed by licensed plumber.* The application shall be filed by a master plumber licensed by the State.
- (b) *Industrial building application to be made to MMSD.* Application for industrial buildings must also be made to the MMSD serving the Utility District (if applicable).
- (c) *Application.* Every person or business connecting property to the sewer system shall apply in writing to the Town/Village where the connection is available. Application forms will be furnished by the Town/Village.
- (d) *Owner consent required.* If the applicant is not the owner of the premises, the written consent of the owner must accompany the application.
- (e) *Permit fee.* A permit fee in an amount established by the applicable service provider shall accompany the application. No permit for sewer service will be approved until all applicable fees are paid.
- (f) *Issuance; conditions.* Upon approval of the application, the applicable service provider shall issue a permit granting the right to make the connection, specifying any special conditions that must be met prior to connection.
- (g) *Installation not to begin before permit is issued.* No work of laying the building sewer shall be commenced or continued without the required permit being on the premises and in the possession of the licensed master plumber or one employed by him.
- (h) *Building permit may not be issued until application for sewer connection permit has been filed.* No building permit will be issued by the Town for the construction of a structure within the boundaries of an urban service area until an approved application for sewer service is received by the Town.
- (i) *Permit denial.* If it appears that the service applied for will not provide adequate service for the contemplated use, the applicable service provider may reject the application.

Sec. 6. Connection charge.

Persons attaching to a public sewer shall have the building sewer, or the lateral, installed at their own expense. Such persons shall be required to pay connection charges of the Town/Village. Connection charges may incorporate connection fees of both the Town/Village and the MMSD as provided in this article. New connections shall only be authorized if there is sufficient downstream waste capacity in the collection system.

Sec. 7. Excavations.

- (a) *Road crossings; settling main or service trenches.* Trenches in unpaved streets shall be refilled with compacted native material or by method specified by the Town/Village. Trenches in paved streets shall be refilled with compacted sand or gravel. There will be six-inch-deep concrete bridging placed

over the excavation and two-inch bituminous mixture (hot mix) placed over the concrete to match street grade in the main traveled portion of the road.

- (b) *Building sewer (lateral) installation.* No sewer lateral shall be laid in any trench having cinders, rubbish, rock or gravel fill, or any other material which may cause injury to or disintegration of the service pipe, unless adequate means of protection are provided by compacted sand filling or other such insulation as may be approved by the Town/Village. Service pipes passing through curb or retaining walls shall be adequately safeguarded by provision of a channel space or pipe casing, not less than twice the diameter of the service connection. The space between the service pipe and channel or pipe casing shall be filled and lightly caulked with oakum, mastic cement or other resilient material, and made impervious to moisture.
- (c) *Excavations within a right-of-way.* When an obstruction in a sewer line, or other reason, requires that excavations be made within a public right-of-way, the Town/Village involved shall undertake the repair. The property owner shall be responsible for the cost of such excavations and repairs. In the event of the failure of the property owner to pay for such work within the time for payment established by the district commissioners, such charges shall be added to the sewer bill and be treated as a delinquent sewer bill for purposes of collection.

Sec. 8. Tapping the mains.

Connections to the sewer system other than building sewer connections shall be done in accordance with the MMSD Ordinance.

Sec. 9. Installation of building sewers (house laterals).

All building sewers (laterals on private property will be installed in accordance with the building and technical codes adopted by the Town/Village. All laterals shall be inspected by the Town Building/Plumbing Inspector. The building sewer or private interceptor main sewer shall be inspected upon completion of placement of the pipe and before backfilling and tested before or after backfilling.

The foregoing ordinance was duly adopted at a regular meeting of the Town Board of the Town of Vienna on January 5, 2015

Lonnie Breggeman, Chairperson

Dave Ripp, Supervisor I

Jeff Freppon, Supervisor II

Gary Endres, Supervisor III

Ron Rupp, Supervisor IV

I hereby certify that a summary of the foregoing ordinance relating to sewer connections within the Town of Vienna was published as a Class 1 notice under ch. 985, Wis. Stats., on the 15th day of January, 2015.

Dated: January 15, 2015

Shawn Haney, Clerk