

## TITLE 5

### Public Utilities

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	Protecting Public Water System	ORDINANCE NO. 4-X-1.17-89
	Private Well Abandonment	ORDINANCE NO. 4-X-4-89
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## CHAPTER 1

### Public and Private Sewers and Drains

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## ARTICLE A

### Definitions

#### **SEC. 5-1-1 DEFINITIONS**

**APPROVING AUTHORITY** shall mean the Village Board of the Village of Norwalk, Monroe County, Wisconsin, or its duly authorized committee, agent or representative.

**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."

**BUILDING DRAIN** shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer.

**BUILDING SEWER** shall mean the extension from the building drain to the public sewer or other place of disposal beginning outside the inner face of the building wall.

**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 Method."

**COMPATIBLE POLLUTANTS** shall mean biochemical oxygen demand, suspended solids, phosphorus, pH, or fecal coliform bacteria, plus additional pollutants identified in the WPDES permit for the publicly owned treatment works receiving the pollutants if such works were designed to treat such additional pollutants to a substantial degree.

**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. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

**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.

**GROUND GRABAGE** 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 to public sewers with not particle greater than one-half (1/2) in any dimension.

**INCOMPATIBLE POLLUTANTS** shall mean wastewater with pollutants that will adversely affect or disrupt the quality of wastewater treatment if discharged to a wastewater treatment facility.

**INDUSTRIAL WASTE** shall mean the wastewater from industrial process, trade, or business, as distinct from sanitary sewage, including cooling water and the discharge from sewage pretreatment facilities.

**NATURAL OUTLET** shall mean any outlet, including storm sewers and combined sewer overflows, into a water course, pond, ditch, lake, or other body of surface water or ground waters.

**PARTS PER MILLION** shall be a weight-to-weight ratio; the parts per million value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

**PERSON** shall mean any and all persons, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, government agency, or other entity.

**pH** shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of  $10 \times 10^{-7}$ .

**PUBLIC SEWER** shall mean any sewer provided by or subject to the jurisdiction of the Village of Norwalk. It shall also include sewers within or outside the corporate boundaries that serve one or

more persons and ultimately discharge into the City sanitary sewer system, even though those sewers may not have been constructed with Village funds.

**SANITARY SEWAGE** shall mean a combination of liquid and water-carried wastes discharged from toilets and/or sanitary plumbing facilities, together with such ground, surface, and storm water as may be present.

**SANITARY SEWER** shall mean a sewer that carries liquid and water-carried wastes from residences, commercial building, industrial plants, and institutions, together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

**SEWAGE** is the spent water of a community. The preferred term is “wastewater.”

**SEWER SERVICE CHARGE** is a service charge levied on users of the wastewater collection and treatment facilities for payment of use-related capital expenses as well as the operation and maintenance costs, including replacement of said facilities.

“**SHALL**” is mandatory: “**MAY**” is permissible.

**SHOCK LOADING** shall mean any discharge of water or wastewater which, in concentrations of any given constituent or in quantity of flow, exceeds the given quantities for the durations listed in the table below:

5 times average daily (24 hour) concentration or flow 10 minutes

4 times average daily (24 hour) concentration or flow 20 minutes

3 times average daily (24 hour) concentration or flow 30 minutes

2 times average daily (24 hour) concentration or flow 60 minutes

1.5 times average daily (24 hour) concentration or flow 180 minutes

**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 Water Pollution Control Federation.

**STROM DRAIN** (sometimes termed “storm sewer”) shall mean a drain or sewer for conveying water, ground water, subsurface water or unpolluted water from any source.

**STORMWATER RUNOFF** shall mean that portion of the rainfall that is drained into the sewers.

**SUSPENDED SOLIDS** shall mean solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in “Standard Methods for Examination of Water and Wastewater” and is referred to as nonfilterable residue.

**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.

**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.

**WASTEMATER FACILITIES** shall mean the structures, equipment, and processes required to collect, transport, and treat domestic and industrial wastes and dispose of the effluent.

**WASTEWATER TREATMENT WORKS** shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with waste treatment.

**WATERCOURSE** shall mean a natural or artificial channel for the passage of water, either continuously or intermittently.

**WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT** is a document issued by the Wisconsin State Department of Natural Resources which established effluent limitations and monitoring requirements for the municipal wastewater treatment facility.

## **ARTICLE B**

### **Management, Operation and Control**

#### **SEC. 5-1-2 SEWER SYSTEM MANAGEMENT.**

The management, operation, and control of the sewer system for the Village of Norwalk is vested in the Village President of said Village. All records, minutes and all written proceedings thereof shall be kept by the Clerk of the Village of Norwalk. The Treasurer of the Village of Norwalk shall keep all the financial records.

#### **SEC. 5-1-3 CONSTRUCTION.**

The sewer utility of the Village of Norwalk shall have the authority to construct sewer lines for public use, and shall have the authority to lay sewer pipes in and through the alleys, streets, and public grounds of the Village of Norwalk: and generally, to do all such work as may be found necessary or convenient in the management of the sewer system. The Village of Norwalk shall have authority by themselves, their officers, agents, and servants, to enter upon any land for the purpose of making examination or supervise in the performance of their duties under this Ordinance, without liability therefore; and the Village Board shall have authority to purchase and acquire for the Village of Norwalk all real and personal property which may be necessary for construction of the sewer system, or for any repair, remodeling, or additions thereto.

#### **SEC. 5-1-4 MAINTENANCE OF SERVICES.**

Every property owner that is connected with the Village sewer system shall maintain free of defective conditions his or their service lateral from the sewer main to an throughout the premises, including any controls or appurtenances, at the expense of the owner or occupant of the property. The sewer utility shall maintain the remainder of the public sewer system within the limits of the Village of Norwalk.

#### **SEC. 5-1-5 CONDEMNATION OF REAL ESTATE.**

Whenever any real estate, or any easement therein, or use thereof shall, in the judgment of the Village of Norwalk, be necessary to the sewer system, and whenever, for any cause, an agreement for the purchase thereof cannot be made with the owner thereof, the Village of Norwalk may proceed with all necessary steps to take such real estate easement or use by condemnation in accordance with the Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if Federal Funds are used.

#### **SEC. 5-1-6 TITLE TO REAL ESTATE AND PERSONALTY.**

All property, real, personal and mixed, acquired for the construction of the sewer system, and all plans, specifications, diagrams, papers, books and records connected therewith said sewer system, and all buildings, machinery, and fixtures pertaining thereto, shall be the property of said Village of Norwalk.

#### **SEC. 5-1-7 THROUGH 5-1-9 RESERVED.**

## ARTICLE C

### User Rules and Regulations

#### **SEC. 5-1-10 GENERAL USER RULES AND REGULATIONS.**

- a) The rules, regulations, and sewer rates of the Village of Norwalk hereinafter set forth shall be considered a part of the contract with every person, company or corporation who is connected to the sewer system of the Village of Norwalk and every such person, company, or corporation by connecting with the sewer system shall be considered as expressing his or their assent to be bound thereby. Whenever any of said rules and regulations, or such others as the village of Norwalk may hereafter adopt, are violated, the service shall be shut off from the building or place of such violation (even where two or more parties are receiving service through the same connection) and shall not be re-established except by order of the Village of Norwalk, and on payment of all arrears, the expenses and established charges of shutting off and putting on, and such terms as the Village of Norwalk may determine, and a satisfactory understanding with the party that no further cause for complaint shall arise. In case of such violation, the Village of Norwalk, furthermore, may declare any payment made for the service by the party or parties committing such violation to be forfeited, and the same shall thereupon be forfeited. The right is reserved to the Village of Norwalk to change the said rules, regulations, and sewer rates from time to time as they may deem advisable; and to make special rates and contracts in all proper cases.
- b) The following rules and regulation in this Article for the government of licensed plumbers, sewer users and others, are hereby adopted and established.

#### **SEC. 1-5-11 PLUMBERS; RULES AND REGULATIONS.**

No plumber, pipe fitter, or other person will be permitted to do any plumbing or pipe fitting work in connection with the sewer system without first receiving a license from the State of Wisconsin.

#### **SEC. 5-1-12 USERS; GENERAL RULES AND REGULATIONS.**

- a) MANDATORY HOOK-UP.
  - 1) 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 90 days of notice in writing from the Village. Upon failure to so do, the Village may cause such connection to be made and bill the property owner for such costs. If such costs are not paid within thirty (30) days, such notice shall be assessed as a special tax lien against the property. However, the owner may, within thirty (30) days after the completion of the work, file a written request with the Village Clerk that there be levied in not to exceed five (5) equal installments and that the amount shall be so collected with interest at the rate of \_\_\_\_\_% per annum from the completion of the work, the unpaid valance being a special tax lien, all pursuant to Section 144.06 Wisconsin Statutes.
  - 2) In lieu of the above, the Village, at its option, may impose a forfeiture for the period that the violation continues. After ten (10) days written notice to any owner failing to make a connection to the sewer system, the Village may impose a forfeiture of an amount equal to 150% of the minimum sewer service billing, payable semi-annually, for the period in which the failure to connect continues. Upon failure to make such payment, said charge

shall be assessed as a special tax lien against the property, all pursuant to Section 144.06 Wisconsin Statutes.

- 3) This Section ordains that the failure to connect to the sewer system is contrary to the minimum health standards of said Village.
- b) **SEPTIC TANKS PROHIBITED.** The maintenance and use of septic tanks and other private sewage disposal systems within the area of the Village of Norwalk serviced by its sewer system are hereby declared to be a public nuisance and health hazard. From and after passage of this Ordinance use of septic tanks, cesspools, privies, or any private sewage disposal system within the area of the Village serviced by the sewerage systems shall be prohibited.
- c) **APPLICATION FOR SERVICE.**
  - 1) Every person connecting with the sewer system shall file an application in writing to the Village of Norwalk in such form as is prescribed for that purpose. Blanks for such applications will be furnished at the office of the Clerk-Treasurer of the Village of Norwalk. The application must state fully and truly all the use which will be allowed except upon further application and permission regularly obtained from said Village of Norwalk. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. Persons connected to the sewer system of the Village of Norwalk are referred to herein as "Users."
  - 2) The application may be for service to more than one building, or more than one unit of service through one service connection; and in such case, charges shall be made accordingly.
  - 3) If it appears that the service applied for will not provide adequate service for the contemplated use, or, if the additional wastewater will cause the capacity downstream facilities to be exceeded, the Village of Norwalk may reject the application. If the Village of Norwalk approves the application, it shall issue a permit for services as shown on the application.

#### **SEC.5-1-13 CONNECTION CHARGE.**

Persons attaching to a main of the Village of Norwalk Municipal Sewer Utility shall pay a connection charge of One Hundred and Fifty Dollars (\$150.00), plus that person shall have the lateral from the sewer main installed at his own expense.

Cross Reference: Section 5-1-23(g).

#### **SEC. 5-1-14 TAP PERMITS.**

After sewer connections have been introduced into any building or upon any premises, no plumber shall make any alterations, extensions, or attachments, unless the party ordering such tapping or other work shall exhibit the proper permit for the same from the Village of Norwalk.

#### **SEC. 5-1-15 USER TO KEEP IN REPAIR.**

All users shall keep their own service pipes in good repair and protected from frost, at their own risk and expense, and shall prevent any unnecessary overburdening of the sewer system.

#### **SEC. 5-1-16 USER USE ONLY.**

No user shall allow others or other services to connect to the sewer system through his lateral.

### **SEC. 5-1-17 VACATING OF PREMISES AND DISCONTINUANCE OF SERVICE.**

Whenever premises served by the system are to be vacated, or whenever any person desires to discontinue service from the system, the Village must be notified in writing. The owner of the premises shall be liable for any damages to the property of the system other than through the fault of the system or its employees, representatives, or agents.

### **SEC. 5-1-18 USER TO PERMIT INSPECTION.**

Every user shall permit the Village or its duly authorized agent, at all reasonable hours of the day, to enter their premises or building to examine the pipes and fixtures and the manner in which the drains and sewer connections operate; and they must, at all times, frankly and without concealment, answer all questions put to them relative to its use, all in accordance with this Chapter and Section 196.71 Wisconsin Statutes.

### **SEC. 5-1-19 UTILITY RESPONSIBILITY.**

It is expressly stipulated that no claim shall be made against the Village of Norwalk or acting representative by reason of the breaking, clogging, stoppage, or freezing of any service pipes, nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary. The right is hereby reserved to cut off the service at any time for the purpose of repairs or any other necessary purpose, and permit granted or regulation to the contrary notwithstanding. Whenever it shall be come necessary to shut off the sewer within any district of the said Village of Norwalk, the Village shall, if practicable, give notice to each and every user within said Village, of the time when such service will be so shut off.

### **SEC. 5-1-20 EXCAVATIONS.**

- a) In making excavations in streets or highways for laying service pipe or making repairs, the paving the earth removed must be deposited in a manner that will occasion the least inconvenience to the public.
- b) No person shall leave any such excavation made in any street or highway open at any time without barricades; and during the night, warning lights must be maintained at such excavations.
- c) In refilling the opening after the service pipes are laid, the earth must be laid in layers of not more than nine (9) inches in depth, and each layer thoroughly compacted to prevent settling. This work, together with the replacing of sidewalks, ballast and paving, must be done so as to make the street as good, at least, as before it was disturbed, and satisfactory to the Village of Norwalk. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.

### **SEC. 5-1-21 TAPPING THE MAINS.**

- a) Under no circumstances will the tapping of the mains or collection pipes be permitted without the special permission and approval of the Village of Norwalk. The kind and size of the connection with the pipe shall be that specified in the permits or order from said Village of Norwalk to insure that new sewers and connections to the sewer system are properly designed and constructed.
- b) Pipes should always be tapped on the top, and not within six inches (15 cm) of the joint, or within 24 inches (60 cm) of another lateral connection.



## **SEC. 5-1-22 INSTALLATION OF HOUSE LATERALS.**

- a) All service pipes (laterals) on private property will be installed in accordance with State of Wisconsin Administration Code Chapter H-62 "Design, Construction, Installation, Supervision and Inspection of Plumbing," specifically, Section H-62.01(4) "Building Sewers."
- b) Per Section H-62.04(5), all laterals will be inspected: "The building sewer and/or private interceptor main sewer shall be inspected upon completion of placement of the pipe and before backfilling and tested before or after backfilling."

## **SEC. 5-1-23 EXTENSIONS.**

The Village of Norwalk Municipal Sewer Utility may extend sewer mains to a new person(s) in accordance with the following charges and the following conditions, to-wit:

- a) When an extension main is required by the prospective user, said person shall make an application for each such an extension in writing to the Village Board of the Village of Norwalk by filing a written application for the same with the Village Clerk-Treasurer. After the filing of such an application, the Village Board shall first determine the logical location of the next manhole or manholes. Next the Board shall determine the length and locations of the extension, taking into consideration the future prospective demands for service, the capacity of downstream facilities, and the orderly development of the particular area. No extension shall be made for a distance less than to the next manhole. All sewer extensions shall be constructed in compliance with local and state laws, ordinances, and regulations.
- b) The person who requests the extension shall pay the entire cost of said extension including the manhole or manholes that are part of the extension. If more than one user is involved, the entire cost shall be divided among these users.
- c) After making the decision as the length and location of the extension and prior to the time of making the charge to the person(s), requesting the extension, the Village Board shall determine the benefits to be received by any parcel that can be served by said extension. In making a determination as to benefits received, said Board shall divide the area to be served into logical building lots. Such Board may consider the recommendations of the landowner in determining said building lots if the landowner, as a part of his application, accompanies said application with a proposed division of said land into lots for sale or use. In determining the amount to be paid by the original users if more than one user is involved, the division of the charge shall be made by considering each building lot owned by the original applicants as a separate user.
- d) Payments are to be considered contributions to construction. At such time as additional lots other than lots owned by the original contributors shall receive service from the sewer extension, such users shall be required to pay the Village their pro rata share of the entire extension cost as if said user had been one of the original contributors.
- e) When the Village receives a future contribution it shall, after receiving the money, pay said money to the previous contributors by paying to each of the previous contributors proportional amounts by counting each previous contributing lot as a separate contributor. The Village shall not make payments to a previous contributor if ten (10) years have expired from the date of the original contribution. Said money paid shall be retained by the Village.
- f) It is hereby provided that the right to contribution shall follow the land and not the contributor with the reimbursement. If a contributor owns more than one lot at the time of contribution, he shall be required to designate one of the lots as the lot entitled to contribution and the owner of such a lot at the time of any contribution shall receive the reimbursements for all of the lots owned by the original contributor at the time of the original contributor at the time of

the original contribution. Such lot designation shall be filed with the Village Clerk-Treasurer of the Village of Norwalk, Monroe county, Wisconsin, and may be filed in the Office of the Register of Deeds for Monroe County, Wisconsin. The owner of such designated lot may, by filing a corrective designation, change said designation to another lot owned by him as long as such new lot is one of the lots to be served by said extension. The total amount of reimbursement that any contributor may receive shall be the total payment made by him less the benefits conferred upon the lot or lots owned by him at the time of his contribution.

- g) In addition to the charge made as above provided to each lot, each user shall pay the full cost of the lateral from the main to his building and a \$150.00 connection charge.
- h) No sewer service extensions shall be provided to any residence, building, place of business, or other facility lying outside the corporate limits of the Village, except when the extension of such service has been in existence at the time of passage of this Chapter.

#### **SEC. 5-1-24 ADDITIONAL AUTHORITY.**

The Village Board may at any time establish specific connection and lateral charges for any main not covered by any other provisions in this chapter or when the Village has made an extension and the Village Board has failed to provide lateral or connection charges. It is further provided that the Village Board may amend or alter any connection or lateral charge after its establishment under the terms of this Chapter or previous Ordinances or Resolutions.

#### **SEC. 5-1-25 PROHIBITIONS AGAINST DISCHARGE.**

No person shall discharge or cause to be discharged any of the following described liquids or solid wastes to any sanitary sewer:

- a) Any storm water, surface water, groundwater, roof runoff or surface drainage or any other connections from inflow sources to the sanitary sewer.
- b) Any gasoline, benzene, naphtha, fuel oil, lubricating oil or other flammable or explosive liquid, solid or gas or other substances which by themselves or by interaction with other substances may cause fire or explosion hazards, or in any other way be injurious to persons, property, or the operation of the wastewater facilities.
- c) Any waters or waste containing toxic or poisonous substance in sufficient quantity, either singly or by interaction with other wastes, which will injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance in the receiving waters of the wastewater treatment plant, or interfere with the disposal of sludge.
- d) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel or the wastewater works.
- e) Any waters or wastes having a pH in excess of 9.
- f) 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, cinders, sand, mud, straw, shavings, metal, 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.
- g) Any discharge in to the sanitary sewerage system that is in violation of the requirements of the WPDES Permit and the modifications thereof.
- h) Wastewater having a temperature higher than 150 degrees Fahrenheit.

- i) Any water or wastes which may contain more than 100 parts per million by weight of oils, fat or grease.
- j) 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 the preparation of food in kitchens for the purpose of consumption of the premises or when served by caterers.
- k) Any waters or waste containing iron, chromium, copper, zinc, mercury, 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.
- l) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Approving Authority.
- m) 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.
- n) Quantities of flow, concentrations, or both which constitute a "Shock" as defined herein.
- o) Incompatible pollutants containing substances which are not amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- p) 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.
- q) Materials which exert or cause:
  - 1) Unusual BOD, chemical oxygen demand or chlorine requirements such as, but not limited to, when in such quantities as to constitute a significant load on the wastewater treatment plant.
  - 2) Unusual volume of flow concentration of wastes constituting "Shocks" as defined herein.
  - 3) 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).
  - 4) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

**SEC. 5-1-26 SEPTIC TANK AND HOLDING TANK DISPOSAL.**

No person in the business of gathering and disposing of septic tank sludge or holding tank sewage shall transfer such material into any disposal area or sewer manhole located within the Village of Norwalk.

**SEC. 5-1-27 SPECIAL AGREEMENTS.**

No statement contained in this article shall be construed as prohibiting any special agreement between the Village Board and any person whereby an industrial waste of unusual strength or character may be admitted to the wastewater treatment works, either before or after pretreatment, provided that there is no impairment of the functioning of the wastewater treatment works by reason of the admission of such wastes, and no extra costs are incurred by the Village without recompense by the person, provided that all rates and provisions set forth herein are complied with.

**SECS. 5-1-28 AND 5-1-29**

**RESERVED.**

**ARTICLE D**

**Sewer Use Charges**

**SEC. 5-1-30 DEFINITIONS**

The following terms shall have the following meanings under this Article:

- a) **NORMAL DOMESTIC STRENGTH WASTEWATER** shall mean wastewater with concentrations of BOD 5 and suspended solids no greater than 250 and 300 milligrams per liter (mg/l).
- b) **USERS CLASSES.** The various users of the sewer system shall be divided into the following classifications:
  - 1) **NORMAL USERS** shall be users whose contributions to the wastewater treatment works consist only of normal domestic strength wastewater originating from residences, offices, stores, or public buildings.
  - 2) **INDUSTRIAL USERS** shall be users whose contributions to the wastewater treatment works result from manufacturing, processing, or other industrial operation as distinct from domestic use.
- c) **USER CHARGE** shall be a charge levied on all users of the wastewater collection and treatment facilities for payment of the costs of operating and maintaining the facilities.

**SEC. 5-1-31 BASIS FOR USER CHARGE**

- a) Each user shall be charged for sewer service based on his user class and his water consumption as defined above. The billing shall be annually and included on the tax bill except for industrial special permit users
- b) The user charge shall be reviewed periodically by the water and sewer committee and adjusted by the Village Board. The user charges may be adjusted as required to cover the actual operating and maintenance costs incurred by the Village.
- c) The annual user charges are based on water consumption and are as follows:

<u>USER</u>	<u>WATER CONSUMPTION</u>	<u>RATE</u>
Normal Users	under 25,430 gal.	\$104
	25,430 gal. and above thousand gal.	\$4.09 per

User shall be billed quarterly with water billings.

New rate effective January 1, 1994

Residents outside the Village limits will pay 1.5 times the Normal User charge based on their water consumption.

Laundromat	\$465
Industrial User- Cheese Factory	By Permit

- d) Any users not fitting into the above categories shall have their user fee established by the Village Board based on their use of the system.

**SECS. 5-1-32 THROUGH 5-1-39**

**RESERVED**

## ARTICLE E

### Control of Industrial Wastes

#### **SEC. 5-1-40 INDUSTRIAL DISCHARGES.**

If any waters or wastes are discharged, or proposed to be discharged, to the public sewers, which contain substances or possess the characteristics enumerated in Section 5-1-25 or which, in the judgment of the Approving Authority, may have deleterious effects upon the wastewater treatment works, processes, equipment, or receiving waters, or which 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 condition for discharge to the public sewers.
- c) Require a control over the quantities and rates of discharge.
- 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 5-1-27.

#### **SEC. 5-1-41 DISCHARGE PERMITS.**

- a) PERMIT REQUIRED. Any Industrial User, as defined in Section 5-1-30 and any Significant Users, those contributing more than an average of 5,000 gallons per day to the sewerage system, shall be required to obtain a discharge permit from the Village. All existing Industrial or Significant Users connected to or discharging to the sewerage system must obtain a wastewater discharge permit within ninety (90) days from the time of passage of this Ordinance.
- b) PERMIT APPLICATION. Users seeking a Wastewater Discharge Permit shall complete and file an application with the Village Clerk-Treasurer. In support of the application, the user shall submit the following information:
  - c) Name and address of applicant.
    - 1) Volume of wastewater to be discharged.
    - 2) Time and duration of discharge.
    - 3) Peak flow rates and seasonal variations.
    - 4) Wastewater characteristics including, but not limited to those listed in Section 5-1-25 of this chapter
    - 5) Site plans specifically showing all sewers and appurtenances by size, location, and elevation.
    - 6) Any other information which the Village may deem to be necessary to evaluate the permit application.
- d) PERMIT CONDITIONS. Wastewater Discharge Permits shall be expressly subject to all provisions of this Chapter and all other regulations, user charges, and fees established by the Village. The conditions of the wastewater discharge permits shall be uniformly enforced in accordance with this Chapter and applicable State and Federal regulations. The Permit Conditions shall include, but not be limited to, the following:
  - 1) User charges and fees for wastewater treatment and capital costs at the wastewater treatment plant.
  - 2) The average and maximum allowable wastewater constituents and characteristics.
  - 3) Limits on the rate and time of discharge or requirements for flow regulation and equalization.

- 4) Requirements for installation of inspection and sampling facilities, and specifications for monitoring programs.
  - 5) Requirements for maintaining and submitting technical reports and plant records relating to wastewater discharges.
  - 6) Daily average and daily maximum discharge rates, or other appropriate conditions when pollutants subject to limitations and prohibitions are proposed or present in the user's wastewater discharge.
  - 7) Requirements for pretreatment of the wastewater.
  - 8) Compliance schedules.
  - 9) Other conditions to ensure compliance with this Chapter.
- e) **DURATION OF PERMITS.** Permits shall be issued for a specified time period not to exceed five (5) years. A permit may be issued for a period of less than one year, or may be stated to expire on a specific date. The terms and conditions of the permit may be subject to modification and change by the Village during the life of the permit. The user shall be informed of any proposed changes in his permit at least thirty days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.
- f) **TRANSFER OF A PERMIT.** Any user who violates the following conditions of his permit or of this Chapter, or of applicable State and Federal regulations, is subject to having his permit revoked. Violations subjecting a user to possible revocation of his permit include, but are not limited to, the following:
- 1) Failure of a user to accurately report the wastewater constituents and characteristics of his discharge;
  - 2) Failure of the user to report significant changes in operations, or wastewater constituents and characteristics;
  - 3) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or,
  - 4) Violation of conditions of the permit.
- g) **ENFORCEMENT PROCEDURES AND PENALTIES.** Wastewater Discharge Permits shall be enforced according to Article G of this Chapter. Penalties in addition to those in Article G may be specified in the Discharge Permit.

**SEC. 5-1-42 CONTROL MANHOLES.**

- a) Each user discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement, and sampling of his wastes, including domestic sewage.
- b) 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.
- c) Control manholes, access facilities, and related equipment shall be installed by the person discharging the waste, at his expense and shall be maintained by him 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.

#### **SEC. 5-1-43 MEASUREMENT OF FLOW.**

The volume of flow used for computing the sewer use charges shall be based upon the water consumption of the user as shown in the records of meter readings maintained by the Village water Utility unless other provisions are made.

#### **SEC. 5-1-44 PROVISION FOR DEDUCTIONS.**

In the event that a person discharging industrial waste into the public sewers produces evidence satisfactory to the Approving Authority that more than ten (10%) 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.

#### **SEC. 5-1-45 METERING OF 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. Metering devices for determining the volume of waste shall be installed, owned, and maintained by the person. Following approval and installation, such meters may not be removed without the consent of the Approving Authority.

#### **SEC. 5-1-46 WASTE SAMPLING.**

Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said wastes. The determinations shall be made by the industry as often as may be deemed necessary by the Approving Authority.

Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the Approving Authority.

Testing facilities shall be the responsibility of the person discharging the waste and shall be subject to the approval of the Approving Authority. Access to sampling locations shall be granted to the Approving Authority or its duly authorized representatives at all times. Every care shall be exercised in the collection of samples to insure their preservation in a state comparable to that at the time the sample is taken.

#### **SEC. 5-1-47 PRETREATMENT.**

Where required, 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 user shall provide at his expense such preliminary treatment or processing facilities as may be required to render his wastes acceptable for admission to the public sewers.

#### **SEC. 5-1-48 GREASE AND/OR SAND INTERCEPTORS.**

- a) Grease, oil, and sand interceptor 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 5-1-25, or any flammable wastes, sand, or other harmful ingredients.

- b) 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. Where installed, all grease, oil, and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times. 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 the owner(s) personnel must be performed by currently licensed waste disposal firms.

**SEC. 5-1-49 ANALYSES.**

- a) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the latest addition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association and "Guidelines Establishing Test Procedures for Analysis of Pollutants," (1978, 40 CFR 136). Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Approving Authority.
- b) Determination of the character and concentration to the industrial wastes shall be made by the user discharging them or his 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 used as a basis for charges. If the user discharging the waste contests the determination, the Approving Authority may elect to have an independent laboratory determine the character and concentration of the waste. Said independent laboratory shall be acceptable to both the Village and the user discharging the waste. All costs incurred by the independent laboratory in making the determination shall be assumed by the discharger.

**SEC. 5-1-50 SUBMISSION OF INFORMATION.**

Plans, specifications, and any other pertinent information relating to proposed flow equalization, 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.

**SEC. 5-1-51 EXTENSION OF TIME.**

When it can be demonstrated that circumstances exist which would create an unreasonable burden on the user to comply with the time schedule imposed herein, a request for extension of the time may be presented for consideration by the Approving Authority.

**SEC. 5-1-52 DISCHARGE OF CREAMERY WASTES.**

The Village shall permit wastes from the creamery to be admitted into the wastewater treatment system at the following levels:

36,000 gallons per day  
558 lbs. B.O.D.  
3,282 P.E.

**SEC. 5-1-53 THROUGH 5-1-59 REVSERVED.**



## **ARTICLE F**

### **PAYMENT OF CHARGES**

#### **SEC. 5-1-60 PAYMENT AND PENALTIES.**

Bills for Sewer Use Charges shall be mailed out annually on the first days of the months of June and December. All bills shall be paid by the 20<sup>th</sup> day of the month they were mailed out. A penalty of ten (10%) percent shall be added to all bills not paid by the date fixed for payments.

#### **SEC. 5-1-61 CHARGES A LIEN.**

All sewage charges and penalties for non-payment of the same shall be a lien upon the property served pursuant to Section 66.076(7), Wisconsin Statutes, and shall be collected in the manner therein provided. Any required notice may be given either by the Village Clerk-Treasurer or the department responsible for Sewer Services.

#### **SEC. 5-1-62 ADDITIONAL CHARGES.**

Additional charges shall be imposed upon each lot, parcel of land, building, or premises served by public sewer and wastewater facilities located outside the boundaries of the Approving Authority to equalize local capital costs. Such additional charges shall be added to the sewer bill for each billing period.

#### **SEC. 5-1-63 THROUGH 5-1-69 RESERVED.**

## ARTICLE G

### Violations and Penalties

#### **SEC. 5-1-70 WRITTEN NOTICE OF VIOLATION.**

Any person found to be violating a provision of this Chapter may be served by the Approving Authority 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.

#### **SEC. 5-1-71 ACCIDENTAL DISCHARGE.**

Any person found to be responsible for accidentally allowing a deleterious discharge into 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 damages, both values to be established by the Approving Authority.

#### **SEC. 5-1-72 CONTINUED VIOLATIONS.**

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 one hundred fifty (\$150.00) dollars, 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 period not to exceed thirty (30) days. Each day in which any violation is continued beyond the aforesaid notice time limit shall be deemed a separate offense.

#### **SEC. 5-1-73 LIABILITY TO VILLAGE FOR LOSSES.**

Any person violating any provisions of this chapter shall become liable to the Village for any expense, loss, or damage occasioned by reason of such violation which the Village may suffer as a result thereof.

#### **SEC. 5-1-74 DAMAGE RECOVERY.**

The Village shall have the right of recovery from all persons, any expense incurred by said Village for the repair or replacement of any sewer pipe damaged in any manner by any person by the performance of any work under their control, or by any negligent acts.

#### **SEC. 5-1-75 PENALTIES.**

Any person who shall violate any of the provisions of this chapter or rules or regulations of the Village of Norwalk; or who shall connect a service pipe without first having obtained a permit therefor; or who shall violate any provisions of the Wisconsin Statutes, Wisconsin Administrative Code, or any other materials which are incorporated by reference, shall upon conviction thereof forfeit not less than Ten (\$10.00) dollars nor more than Two Hundred (\$200.00) dollars and the costs of prosecution. This, however, shall not bar the Village from enforcing the connection duties set out in Section 5-1-12 for mandatory hookup.

## CHAPTER 2

### Water Utility

- 5-2-1 Water and Sewer Utility Committee
- 5-2-2 General Regulations
- 5-2-3 Penalty for Damage to System
- 5-2-4 Penalty for Obstructing Hydrants
- 5-2-5 New Connections
- 5-2-6 Charges to Consumers
- 5-2-7 Water Meters Required
- 5-2-8 Replacing Water Meters

#### **SEC. 5-2-1 WATER AND SEWER UTILITY COMMITTEE.**

According to the provisions of Section 2-2-4, the Village President shall appoint three members of the Village Board as water and sewer utility committee. Said committee shall have full jurisdiction of the said waterworks and see that the officers comply with their duties and report from time to time to the Village Board any repairs, additions or improvements they deem necessary.

#### **SEC. 5-2-2 GENERAL REGULATIONS.**

No person except the Village Engineer, Maintenance Superintendent, Village President, or members of the Village Board, the Fire Chief, shall take any water from any public or private fire hydrant, fire plug, street washer, draw cock, hose pipe or fountain except for fire purpose or for the use of the Fire Department in case of fire, nor shall in any way use or take any water for private use which is furnished by the waterworks unless such person shall first pay for the privilege and receive the usual permit from the Village Clerk so to do. No person authorized to open hydrants shall delegate his authority to another or let out or suffer any person to take the wrenches or other tools from him, or suffer the same to be taken from the fire engine or engine house of said Village, unless for purposes strictly connected with the Fire Department.

#### **SEC. 5-2-3 PENALTY FOR DAMAGE TO SYSTEM.**

Any person who defaces, marks, or in any way injures or meddles with fire hydrants, valves, or other parts of the waterworks of the Village of Norwalk, or attempts to work them without authority, shall be subject to the general penalty provisions of this Code.

#### **SEC. 5-2-4 PENALTY FOR OBSTRUCTING HYDRANTS.**

No person shall place any obstruction in front of or around a hydrant.

#### **SEC. 5-2-5 NEW CONNECTIONS.**

All new connections shall be charged pro rata rates from the first of the month in which the water is turned on to the next rent day. No rebate will be allowed for the partial use of water from cisterns, wells, etc.

**SEC. 5-2-6 CHARGES TO CONSUMERS.**

The following rates per annum are hereby established for the supply of water to consumers:

1 <sup>st</sup>	10,000	gallons	per 6-Mos.	\$6.00
Next	40,000	gallons	45	per M.
Next	50,000	gallons	35	per M.
Next	400,000	gallons	20	per M.
Next	500,000	gallons	11	per M.
All over	100,000	gallons	10	per M.

**SEC. 5-2-7 WATER METERS REQUIRED.**

All dwellings in the Village of Norwalk must be equipped with a water meter and that all water meters must be read semi-annually.

**SEC. 5-2-8 REPLACING WATER METERS.**

Proper care of installed water meters is the dwelling owner's responsibility. Any meter that has to be replaced due to freezing up or other weather conditions, or due to avoidable accident will be done at the dwelling owner's expense.

**ORDINANCE NO. 4-X-1. 17-89**

Protecting Public Water System From Contamination

TO PROVIDE A PROGRAM FOR PROTECTING THE PUBLIC WATER SYSTEM FROM CONTAMINATION DUE TO BACK-FLOW OF CONTAMENANTS THROUGH THE WATER SERVICE CONNECTION INTO THE PUBLIC WATER SYSTEM.

WHEREAS, Chapters NR 111 and ILHR 82, Wisconsin Administrative Code, require protection of the public water system from contaminants due to backflow of contaminants through the water service connection; and

WHEREAS, the Wisconsin Departments of Natural Resources and Industry, Labor and Human Relations require the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination of all potable water systems; now, therefore,

BE IT ORDAINED by the board of the village of Norwalk, state of Wisconsin:

SECTION 1. That a cross-connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the village of Norwalk water system, and the other, water from a private source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.

SECTION 2. That no person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of village of Norwalk may enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Norwalk Water Utility and by the Wisconsin Department of Natural Resources in accordance with Section NR 111.25(3), Wisconsin Administrative Code.

SECTION 3. That it shall be the duty of the Norwalk Water Utility to cause inspections to be made of all properties served by the public water system where cross connections with the public water system is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the Norwalk Water Utility and as approved by the Wisconsin Department on Natural Resources.

SECTION 4. That upon presentation of credentials, the representative of the Norwalk Water Utility shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of village of Norwalk for cross connections. If entry is refused, such representative shall obtain a special inspection warrant under SEC. 66.122, Wisconsin Statutes. On request the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.

SECTION 5. That the Norwalk Water Utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this ordinance exists, and to take

such other precautionary measures deemed necessary to eliminate any danger or contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in Section 6. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this ordinance.

SECTION 6. That if it is determined by the Norwalk Water Utility that a cross connection or an emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is filed with the clerk of the village of Norwalk and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes, within 10 days of such emergency discontinuance.

SECTION 7. That the village of Norwalk adopts by reference the State Plumbing Code of Wisconsin being Chapter ILHR 82, Wisconsin Administrative Code.

SECTION 8. That this ordinance does not supercede the State Plumbing Code and Village of Norwalk plumbing ordinance No. 4-X-1.17-86, but is supplementary to them.

SECTION 9. This ordinance shall take effect and be in force from and after the first day of November, 1989.

## PRIVATE WELL ABANDONMENT

ORDINANCE NO. 4-X-4-89

The board of the Village of Norwalk does hereby enact the following ordinance relating to the sealing and filling of private wells within the boundaries of this municipality.

**PURPOSE:** To prevent unused and/or improperly constructed wells from serving as a passage for contaminated surface or near-surface waters or other materials to reach the usable ground water. These wells must be properly filled and sealed.

**COVERAGE:** All private wells located on any premises which is served by the public water system of the village of Norwalk shall be properly filled by the Norwalk Water Utility at the expense of the owner of the private well(s). Only those wells for which a well operation permit has been granted by the village of Norwalk clerk may be exempted from this requirement: subject to conditions of maintenance and operation.

**WELL OPERATION PERMITS:** A permit may be granted to a well owner to operate a well for a period not to exceed 2 years if the following requirements are met. (Application shall be made on forms provided by the village of Norwalk Clerk.)

- A. The well and pump installation meet the requirements of Chapter NR 112, Wisconsin Administrative Code, and a well constructor's report is on file with the Department of Natural Resources, or certification of the acceptability of the well has been granted by the Private Water Supply Section of the Department of Natural Resources.
- B. The well has a history of producing safe water and presently produces bacteriologically safe water as evidenced by three samplings two weeks apart.
- C. The proposed use of the well can be justified as being necessary in addition to water provided by the public water system.
- D. No physical connection shall exist between the piping of the public water system and the private well.

**METHODS:** Wells to be abandoned shall be filled according to the procedures outlined in Chapter NR 112, Wisconsin Administrative Code. The pump and piping must be removed and the well checked for obstructions prior to plugging. Any obstruction or liner must be removed.

**REPORTS AND INSPECTION:** A well abandonment report must be submitted by the well owner to the Department of Natural Resources on forms provided by that agency (available at the Office of the Village of Norwalk Clerk). The report shall be submitted immediately upon completion of the filling of the well. The filling must be observed by a representative of this municipality.

**PENALTIES:** Any person, firm or other well owner violating any provision of this ordinance shall upon conviction be punished by a fine of not less than \$100.00 nor more than \$500.00 together with the cost of prosecution. Each 24-hour period during which a violation exists shall be deemed and constitute a separate offense.

This ordinance shall take effect upon passage of the board of the Village of Norwalk, this \_\_\_10<sup>th</sup>\_\_\_ day of \_\_\_October\_\_\_, \_\_\_1989\_\_\_.

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Water Committee, Trustee

Mary J Mingus Village Clerk

# WELLHEAD PROTECTION ORDINANCE WELLS #1 AND #2

## NORWALK, WISCONSIN

### I. PURPOSE AND AUTHORITY

The residents of the Village of Norwalk depend exclusively on groundwater for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of this Wellhead Protection Ordinance is to institute land use regulations and restrictions to protect the Village's municipal water supply and well fields, and to promote the public health, safety and general welfare of the residents of the Village of Norwalk.

Statutory authority for the Village to enact these regulations was established by the Wisconsin Legislature in 1983, Wisconsin Act 410 (effective May 11, 1984), which specifically added groundwater protection to the statutory authorization for municipal planning and zoning. Counties have this authority through Wisconsin Statutes 59.97(i)

### II. APPLICATION OF REGULATIONS

The regulations specified in this Wellhead Protection Ordinance shall apply only to lands within 312 feet (Zone A) or within 1,200 feet (Zone B) of Well #1 and #2.

### III. DEFINITIONS

- A. **AQUIFER:** A saturated, permeable geologic formation that contains and will yield significant quantities of water.
- B. **FIVE YEAR ZONE OF CONTRIBUTION (ZONE A):** The recharge area upgradient of the zone of influence, the outer boundary of which it is determined or estimated that groundwater and potential contaminants will take five years to reach a pumping well. The Five Year Zone of Contribution for Wells #1 & #2 is a radius of 312 feet.
- C. **ARBITRARY FIXED RADIUS (ZONE B):** An arbitrary protection zone established by the **WDNR** as providing an additional buffer for wells having calculated travel time distances less than 1,200 feet.
- D. **RECHARGE AREA:** Area in which water reaches the zone of contribution by surface infiltration and includes all areas or features that supply groundwater recharge to a well.
- E. **WELL FIELD:** A parcel of land used primarily for the purpose of locating wells to supply a municipal water system.

### IV. ZONE A WELLHEAD PROTECTION AREA

- A. **INTENT:** The primary portion of the Norwalk recharge area to be protected is Zone A, the land within a 312 foot radius of Wells #1 & #2, known as the 5 year time of travel, as shown in figure3. These lands are subject to the most stringent land use and development restrictions because of close proximity to the well and the corresponding high threat of contamination. Uses not listed as permitted or conditional uses are to be considered prohibited uses.
- B. **PERMITTED USES:** The following uses are permitted uses within Zone A:
  - (1) Parks and playgrounds, provided there are no on-site waste disposal or fuel storage tank facilities.
  - (2) Wildlife areas.



- (3) Non-motorized trails, such as biking, skiing, nature and fitness trails.
- (4) Sewered residential developments subject to conditions in Section V, C(3).
- (5) Unsewered (single family) residential development only on existing lots of record on the effective date of this Ordinance. On-site sewage disposal systems shall be located at least 400 ft. from the well. Sewage holding tanks shall be located at least 200 Feet from the well.

**C. CONDITIONAL USES:** The following uses are conditional uses within Zone A. Uses are not listed here or in (B) above are to be considered prohibited uses.

- (1) Commercial uses served by municipal sanitary sewer except those listed as prohibited in Section (D).

**D. PROHIBITED USES:** The following uses are prohibited uses within Zone A. These uses are prohibited based on the high probability that activities routinely associated with these uses (storage, use, and handling of potential pollutants) will cause groundwater contamination. Uses not listed are not considered permitted uses.

- (1) Underground storage tanks of any size.
- (2) Basement heating fuel storage tanks.
- (3) Septage and/or sludge spreading.
- (4) Animal waste facilities.
- (5) Animal confinement facilities.
- (6) Gas stations.
- (7) Vehicle repair establishments, including auto body repair.
- (8) Printing and duplicating businesses.
- (9) Bus or Truck terminals.
- (10) Repair shops.
- (11) Landfills or waste disposal facilities.
- (12) Wastewater treatment facilities (except industrial pretreatment facilities)
- (13) Wastewater land application sites.
- (14) Junk yards or auto salvage yards.
- (15) Bulk fertilizer and/or pesticide facilities.
- (16) Asphalt products manufacturing.
- (17) Dry cleaning businesses.
- (18) Salt storage.
- (19) Electroplating facilities.
- (20) Exterminating businesses.
- (21) Paint and coating manufacturing.
- (22) Hazardous and/or toxic materials storage.
- (23) Hazardous and/or toxic waste facilities.
- (24) Radioactive waste facilities.
- (25) Recycling facilities.
- (26) Cemeteries.
- (27) Quarries, gravel pits and stormwater drainage ponds.

## **V. ZONE B WELLHEAD PROTECTION AREA**

**A. INTENT:** A secondary portion of the Norwalk recharge area to be protected is the land which lies within an arbitrary protection zone upgradient from Well #1 & #2, a radius of 1,200 feet. Land use restrictions within Zone B are less restrictive than in the primary Zone A because of longer flow times and a greater potential for remediation, dilution and attenuation. Uses not listed as permitted or conditional uses are to be considered prohibited uses.

- B. PERMITTED USES:** The following uses are permitted on those lands within Zone B that do not overlap Zone A.
- (1) All uses listed as permitted uses in Zone A.
  - (2) Sewered residential uses.
  - (3) Above-ground petroleum product storage tanks up to 660 gallons.
  - (4) Basement heating fuel storage tanks.
  - (5) Commercial and/or industrial uses served by municipal sanitary sewer, except those listed as prohibited uses in Section E, Prohibited Uses.
  - (6) Unsewered (single family) residential uses.
- C. DESIGN STANDARDS:** The following standards and requirements shall apply to all uses permitted within Zone B:
- (1) Minimum lot size for unsewered residential uses shall be two acres, except for:
    - (a) existing lots of record on the effective date of this Ordinance and (b) developments which will be served by municipal sewer within five years of the approval of the development. In order to provide for efficiently serving these developments with municipal sewer, lots smaller than two acres can be approved, provided that sufficient land area will be maintained in an undeveloped state such that no more than one residence is allowed for each two acres of the overall development.
  - (2) All commercial and industrial uses are allowed a maximum of 50% of the lot area to be maintained in manicured lawn or grass. However, the area of the lot in manicured lawn or grass shall not exceed the area of impervious surfaces on the lot.
  - (3) All petroleum storage tanks shall provide leak proof secondary containment not less than 125% of the tank volume, except basement heating fuel storage tanks.
  - (4) Pesticide and fertilizer storage is permitted at the location of retail sales of these products, provided that the products are delivered in retail quantity containers and no repackaging and/or mixing is done on site.
  - (5) Pesticide and fertilizer storage is permitted at the location of agricultural use of these products.
- D. CONDITIONAL USES:** The following uses may be permitted on a case-by-case basis within Zone B, providing adequate groundwater protection and monitoring measures, as determined by the Ettrick Common Council, are instituted.
- (1) Nurseries for ornamental plants, green houses, and associated retail sales outlets.
  - (2) Pesticide and fertilizer storage and use associated with use in (1) above.
  - (3) Vehicle repair shops, except auto body repair shops.
  - (4) Recycling facilities.
  - (5) Underground storage tanks with leak detection devices and/or secondary containment.
- E. PROHIBITED USES:** The following uses are prohibited uses within Zone B. These uses are prohibited based on the high probability that activities routinely associated with these uses (storage, use and handling of potential pollutants) will cause groundwater contamination. Uses not listed are not considered permitted uses.
- Unsewered commercial and/or industrial development.  
Pesticide and/or fertilizer storage.  
Septage and/or sludge spreading.  
Animal waste facilities.  
Animal confinement facilities (except veterinary hospitals and clinics).  
Gas stations.

Auto Body repair shops.  
Printing and duplication businesses which use hazardous chemicals (as defined by the EPA) in their printing process.  
Bus or truck terminals.  
Landfills or waste disposal facilities.  
Wastewater treatment facilities.  
Wastewater land application sites.  
Auto salvage yards.  
Bulk fertilizer and/or pesticide facilities.  
Asphalt products manufacturing  
Dry cleaning businesses.  
Salt storage.  
Electroplating facilities.  
Exterminating businesses.  
Paint and coating manufacturing.  
Hazardous and/or toxic materials storage.  
Hazardous and/or toxic waste facilities.  
Radioactive waste facilities.  
Cemeteries.  
Quarries, Gravel pits and stormwater drainage ponds.

**VI. EXISTING USES**

Where any of the uses listed in € above exist within Zone A or B on the effective date of this Ordinance, Owners of these facilities will be allowed to upgrade the facilities provided that provisions are made to facilitate or enhance groundwater protection. Plans for the proposed upgrade must be approved by the Village Board and appropriate permit issued by the Village License Committee prior to any work being initiated. Expansion of the prohibited use will not be allowed.

**Approved: May 24, 2001**  
**Posted: \_\_\_ June 7, 2001 \_\_\_**

**Location Posted: Village clerk's office, Community State Bank, Lehner's Market, 71 Express, Norwalk Public Library**

**Notice in paper: \_\_\_ June 14, 2001 \_\_\_**

**Attested: \_\_\_\_\_ Barbara J Ornes \_\_\_\_\_**  
**Village Clerk/Treasurer**

**Picture of Wellhead Protection area inserted here.**

## CHAPTER 3

### MISCELLANEOUS PROVISIONS

- 5-3-1 Extension of Sewer and Water Service Beyond Village Limits
- 5-3-2 Procedures for Water Main, Sewer Main and Street Extensions
- 5-3-3 House Connections to Sewer and Water Mains
- 5-3-4 Payment for Sewer and Water Services; Non-Payment of sewer and Water Charges

#### **SEC. 5-3-1 EXTENSION OF SEWER AND WATER SERVICE BEYOND VILLAGE LIMITS.**

No sewer service or water service provided by the Village shall be extended to any residence, building, place of business, or other facility, lying outside the corporate limits of the Village, provided however that nothing in this section shall prohibit the extension of sewer service or water service or both to any residence, building or other facility lying outside the corporate limits of the Village, when the extension of such service has been in existence on the date of passage of this ordinance.

#### **SEC. 5-3-2 PROCEDURES FOR WATER MAIN, SEWER MAIN AND STREET EXTENSIONS.**

- a) The following procedures will be applicable to all sewer, water and street extensions within the Village limits. The procedure will be the same whether these extensions are asked for collectively or individually.
- b) The procedures are:
  - (1) **Procedure A:** When the property owner who wants the extension(s) owns the property on both sides of the said extension(s), the property owner shall pay 2/3 of the total cost of sewer main installation, water main installation, engineering of the extension, storm sewer installation and bringing the street up to grade with an eight or nine inch base of gravel. The Village shall pay the remaining of the total cost. Any future blacktopping of street curb and gutter shall be paid for entirely by the Village. The Village shall determine when this is necessary. The land in which the said extensions are to be installed would be deeded over to the Village.
  - (2) **Procedure B:** When the property owner who wants the extension does not own any or all of the land between where the present sewer and water main ends and his property and there is an existing street, the property owner shall pay 2/3 of the total cost of sewer main installation, water main installation, engineering of the extension, and storm sewer installation from the present sewer and water to his property. The Village would pay the remaining 1/3 of the total cost. Any property owner whose land adjoins the said extensions and wants or is required to hook up to sewer and water main will pay the Village a proportionate share of the original cost of the installation according to the 2/3-1/3 formula. The Village will then reimburse this amount to the property owner who bore the original cost of the extensions.
  - (3) **Procedure C:** When the property owner who wants the extensions does not own any or all of the land between the present sewer and water main's end and his property and there is not an existing street, said property owner shall pay 2/3 of the total cost of sewer main installation, water main installation, engineering of the extension, and storm sewer installation including bringing the street up to grade with an eight or nine inch base from the present sewer and water main to his property. Any property owner whose land adjoins the said extensions and wants or is required

to hook up the sewer and water main will pay the Village a proportionate share of the original cost of the installation according to the 2/3-1/3 formula. The Village will reimburse this amount to the property owner who bore the original cost of the extension.

- c) In all cases, a connection charge of \$150.00 payable to the Village due when water is turned on. The Village will supervise all installations. All projects are subject to the approval of the Village.

**SEC. 5-3-3 HOUSE CONNECTIONS TO SEWER AND WATER MAINS.**

Whenever public sewers and water mains are laid along and within any public street, alley or place in the Village of Norwalk and ready for use, it shall be the duty of the Health Officer of the said Village or of any person for that purpose appointed on behalf of the said Village to notify, in writing, all owners or their agents and occupants of all house, tenements or other buildings situated on lots or parcels of lands abutting upon such street, alley or place and accessible to such sewer and water main, to connect all bathtubs, cesspools, closets, lavatories, sinks and urinals, upon their respective lots or parcels of land with said sewer in a sanitary manner in accordance with the provisions of the state plumbing code within sixty (60) days after services of such notice, provided such notice shall be given between the first day of March and the first day of September next succeeding.

**SEC. 5-3-4 PAYMENT FOR SEWER AND WATER SERVICES; NON-PAYMENT OF SEWER AND WATER CHARGES**

## CHAPTER 4

### CABLE TELEVISION

#### 5-4-1 Transfer of Franchise

#### **SEC. 5-4-1 TRANSFER OF FRANCHISE.**

Effective July 12, 1983, the Village Board authorizes and approves the transfer of the CATV (cable television) franchise for the Village of Norwalk from NorCom Video, Inc. to NorCom Cable Investors, effective upon the acquisition of such system by NorCom Cable Investors.