

## ORDINANCE V24-12

### AN ORDINANCE REPEALING CHAPTER 30 OF THE VILLAGE OF HARRISON MUNICIPAL CODE AND ADOPTING NEW REVISED CHAPTER 30 OF VILLAGE OF HARRISON MUNICIPAL CODE

**WHEREAS**, the Village of Harrison (hereinafter the “Village”) has adopted a Code of Ordinances otherwise known as the “Harrison Village Code” (hereinafter the “Code”),

**WHEREAS**, Chapter 30 entitled “Utilities” currently exists under the Code,

**WHEREAS**, the current version of Chapter 30 of the Code was essentially copied from a previous code adopted by Waverly Sanitary District at such time that Waverly Sanitary District was dissolved and its operations were assumed by the Village,

**WHEREAS**, the Village Board of Trustees wishes to repeal existing Chapter 30 of the Code and replace it with an updated version of Chapter 30 to address outdated provisions, inconsistencies, nomenclature, and to otherwise improve Chapter 30 so that Harrison Utilities can be effectively administered by Village staff going forward.

**NOW THEREFORE BE IT RESOLVED**, the Village Board of the Village of Harrison, Wisconsin, does hereby ordain:

- 1) Existing Chapter 30 of the Code is hereby repealed.
- 2) A new version of Chapter 30, attached hereto as **Exhibit A** is hereby adopted and made a part of Code.
- 3) All official versions of the Code going forward shall omit the repealed version of Chapter 30, and shall include the newly adopted version of Chapter 30 attached hereto as **Exhibit A**.

#### **SEVERABILITY**

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**EFFECTIVE DATE**

This ordinance shall be in force and effect upon passage and publication or posting by the Village Clerk as required under Wis. Stat. § 66.0103 and 61.50(1).

Introduced, Approved, and Adopted by the Village Board of the Village of Harrison, Wisconsin, this 27<sup>th</sup> day of August, 2024.

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Allison Blackmer, Village President

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Attest: Vicki Tessen, Village Clerk

**CHAPTER 30  
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**SUBCHAPTER I**  
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**30-101**      **Harrison Utilities**

The Village of Harrison d/b/a Harrison Utilities (hereinafter “Harrison Utilities”) may provide public sewer service within the Harrison Utilities’ Sewer Service Area and public water service within the Harrison Utilities’ Water Service Area. The management, operation, and control of the sewer system and water system for Harrison Utilities is vested in the Village of Harrison Board of Trustees. The Assistant Village Manager, or his or her designee, shall have primary responsibility for the operations of and the decisions to be made by Harrison Utilities. All records, minutes and all written proceedings thereof shall be kept by the Village Clerk. The Harrison Utilities Office Manager and Village Treasurer shall keep all financial records.

**30-102**      **Harrison Utilities Service Area**

- (a)      *Harrison Utilities’ Sewer Service Area.* The service area for the Harrison Utilities’ sewer system shall be (i) all areas inside the Village not currently provided with sewer service from a different wastewater utility, and (ii) all areas outside the Village included in the Harrison Utilities’ sewer service area designated by the East Central Wisconsin Regional Planning Commission. Harrison Utilities may, but is not obligated to, extend sewer service to an unserved area within this Sewer Service Area. It is contemplated the Harrison Utilities’ Sewer Service Area will change and grow over time.
  
- (b)      *Harrison Utilities’ Water Service Area.* The service area for the Harrison Utilities water system shall be (i) all areas inside the Village not currently provided with water service from a different public water supplier, and (ii) all areas outside of the Village where Harrison Utilities is authorized by the Public Service Commission to provide water. Harrison Utilities may, but is not obligated to, extend water service to an

unserved area within this Water Service Area. It is contemplated that the Harrison Utilities' Water Service Area will change and expand over time.

**30-103      Definitions Applicable to Chapter 30**

The following definitions are applicable to this Chapter:

*Easement* shall mean an acquired legal right for the specific use of land owned by others.

*May* is permissive (see "shall").

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

*Shall* is mandatory (see "may").

*Village* shall mean the Village of Harrison.

*Village Fee Schedule* shall mean a schedule of fees adopted and updated by the Village from time to time.

**30-104      Authority to Acquire, Construct and Own Facilities**

- (a) *Construction.* Harrison Utilities shall have the power to construct sewer and water lines for public use, and shall have the power to lay sewer and water pipes in and through the alleys, streets, and public grounds of the Harrison Utilities service areas; and generally, to do all such work as may be found necessary or convenient in the management of the Harrison Utilities sewer and water systems.
- (b) *Acquisition.* Harrison Utilities shall have power to purchase and acquire for Harrison Utilities all real and personal property which may be necessary for construction of the sewer and water systems, or for any repair, remodeling, or additions thereto.
- (c) *Condemnation.* If in the judgment of Harrison Utilities any real estate or easement is necessary for construction or operation of the sewer or water system of Harrison Utilities and if an agreement for the purchase of such real estate or easement cannot be made with the owner thereof, Harrison Utilities shall have the power to proceed with all necessary steps to take such real estate or easement by condemnation in accordance with applicable state and federal law.

- (d) *Title to Real Estate and Personalty.* All property, real, personal, and mixed, acquired for the construction of the Harrison Utilities sewer and water systems, and all plans, specifications, diagrams, papers, books and records connected therewith, and all buildings, machinery, and fixtures pertaining thereto, shall be the property of Village of Harrison

**30-105      Adoption of Other Rules**

All State of Wisconsin rules and regulations are adopted and incorporated herein insofar as the same are applicable to Harrison Utilities:

**30-106      Severability**

If any section, subsection, sentence, clause or phrase of the ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

**30-107      Citation Authority**

The Assistant Village Manager, as the individual with primary responsibility for Harrison Utilities, is authorized to issue citations with respect to violations of this Chapter 30. The Assistant Village Manager may delegate citation authority to a Harrison Utilities employee as appropriate.

**30-108      Enforcement; Penalties**

- (a) Any person, or any officer, agent or employee thereof who shall violate any of the provision of this ordinance or any rule, regulation or order made hereunder, or any permit issued hereunder, shall be subject to a penalty upon conviction as follows:
- (1) First Offense. The amount specified in the Village Fee Schedule per violation, together with the cost of prosecution.
  - (2) Second Offense. The amount specified in the Village Fee Schedule per violation, together with the cost of prosecution, if within the prior five (5) years the person was previously found guilty of violating any provision of this ordinance or any rule, regulation or order made hereunder, or any permit issued hereunder.
  - (3) Third Offense. The amount specified in the Village Fee Schedule per violation, together with the cost of prosecution, if with the prior five (5) years the person was previously found guilty two or more times of violating any provision of

this ordinance or any rule, regulation or order made hereunder, or any permit issued hereunder.

- (b) Each violation and each day a violation continues or occurs, shall constitute a separate offense.
- (c) In the event of a default in payment of such forfeiture and cost of prosecution, Harrison Utilities may pursue any legal method of collection.

**30-109      Utility Service by Other Providers**

If a property within the Village receives public sewer or water service from another municipality, the Village agrees to require the served property to comply with the serving municipality's utility ordinances to the extent applicable. For purposes of this Section, the term "municipality" is defined as provided in Wis. Stat. § 66.0301(1)(a).

**SUBCHAPTER II**  
**SEWER**

- 30-201      Intent of Subchapter II
- 30-202      Definitions Applicable to Subchapter II
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- 30-205      Use Of Public Sewers Required
- 30-206      Installation of Sewer Laterals
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**30-201      Intent of Subchapter II**

The intent and purpose of Subchapter II is to provide specific enforceable rules and regulations pertaining to the regulation of the design, construction and use of sewer mains and facilities, the building of sewers and connections thereof, and the discharge of waters



and wastes into Harrison Utilities sewer system. It is acknowledged that all or most sewage received by Harrison Utilities will flow downstream to a treatment plant owned and managed by the Neenah-Menasha Sewerage Commission. The contents of Subchapter II may be enforced in addition to and in conjunction with any related or comparable provision in the NMSC Ordinances and all NMSC Ordinances are adopted by reference as if fully set forth herein.

**30-202        Definitions Applicable to Subchapter II**

The following definitions are applicable to this Subchapter:

*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 by gravity flow.

*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, also called a house connection or sewer lateral.

*Combined Sewer* shall mean a sewer intended to receive both wastewater and storm or surface water.

*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 oil 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.

*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 watercourse, pond, ditch, lake, or other body of surface or groundwater.

*Neenah-Menasha Sewerage Commission (NMSC)* shall include the Sewer Treatment Plant and interceptors under jurisdiction of the Commission which transport and treat sewage from the Members of NMSC.

*NMSC Manager* shall mean the manager of the wastewater treatment works of NMSC, or his/her authorized deputy, agent, or representative.

*NMSC Ordinances* shall mean the ordinances adopted by the NMSC.

*Normal Domestic Strength Wastewater* means wastewater that does not exceed a BOD concentration of over 250 mg/l or a suspended solids concentration of over 250 mg/l.

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

*Properly Shredded Garbage* shall mean the wastes from the preparation, cooking, and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.

*Public Sewer* shall mean a common sewer controlled by a governmental agency or public utility.

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

*Separator* is a device or structure designed and installed so as to retain deleterious, hazardous or undesirable matter from normal wastes while permitting normal sewage or liquid wastes to discharge into the sanitary sewer system by gravity. A "separator" is sometimes called an "interceptor" but is not to be confused with "interceptor sewers" which are used to convey large amounts of sewage.

*Sewage* is the spent water of a community. The preferred term is "wastewater".

*Sewer* shall mean a pipe or conduit that carries wastewater or drainage water.

*Sewer Lateral* has the same meaning as Building Sewer.

*Sewer System* means Wastewater Facilities including Public Sewers.

*Slug* shall mean any discharge or change in rate of discharge of water, wastewater or pollutant concentrations from any source to the sanitary sewer system which causes or may cause physical damage or interferes with the treatment processes or results in violation of effluent limitations.

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

*Storm Drain* (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, ground water, subsurface water or unpolluted water from any source.

*Storm Water* is that water which originates from rainfall and/or snowmelt.

*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 ground water, surface water, and stormwater that may be present, but not intentionally admitted.

*Wastewater Facilities* shall mean the structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.

*Wastewater Treatment Works* shall mean an arrangement of devices and structures for treating and disposing wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "waste pollution control plant."

*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 establishes effluent limitations and monitoring requirements for the municipal wastewater treatment facility.

**30-203      Maintenance of Sewer Service**

- (a) Harrison Utilities shall be responsible for maintaining existing public sewers within the limits of the Harrison Utilities' Sewer Service Area from the street main to the property line.
- (b) All sewer services from the point of maintenance by Harrison Utilities to and throughout any premises located beyond the point of maintenance must be maintained free of defective conditions, by and at the expense of the owner or occupant of the property.

**30-204      Mandatory Sewer Hook-up**

- (a) The owner of each parcel of land adjacent to a Harrison Utilities sewer main on which there exists a building useable for human habitation or in a block through which such system is extended, shall connect to such sewer system within 90 days after the date of official notice to do so. The cost of the sewer lateral, including the sewer tap, from the sewer mains, shall be paid in full by the property owner. Harrison Utilities may in its sole discretion grant an exception on an individual basis to the hook-up time in the case of unusual and special circumstances.
- (b) In instances of new construction of buildings useable for human habitation where an existing sewer main is located within 1500 linear feet of said new construction, the owner of any parcel on which new building is located shall petition Harrison Utilities to extend said sewer main to the property line which shall be funded in accordance with Subchapter II, and said owner shall connect any such building to said sewer main as a condition precedent to the Village's issuance of a occupancy certificate. Harrison Utilities may in its sole discretion grant an exception on an individual basis in the case of unusual and special circumstances.
- (c) If a property owner fails to make such connection, Harrison Utilities 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, pursuant to Section 281.45, Wisconsin Statutes. The owner may file a written request with the Village Treasurer within thirty (30) days after the completion of the work, asking that the amount be levied as a special tax in not more than five (5) equal installments, with interest at the rate of 6% per annum, beginning on the date of the completion of the work.

**30-205      Use Of Public Sewers Required**

- (a) It shall be unlawful to discharge to any natural outlet within the Village, any wastewater or other polluted waters; except where suitable treatment has been provided in accordance with this ordinance.
- (b) It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the Village, any human or animal excrement, garbage or other objectional sanitary waste.
- (c) It shall be unlawful to construct any privy, privy vault, septic tank, cesspool, private sewage disposal system or other facility intended or used for the disposal of sewage within the Village without Village approval.
- (d) It shall be unlawful to maintain any unpermitted privy, privy vault, septic tank, cesspool, private sewage disposal system or other facility intended or used for the disposal of sewage within the Village.

**30-206      Installation of Sewer Laterals**

- (a) *Permit Required.*
  - (1) A property owner must obtain a written permit from Harrison Utilities before installing a sewer lateral, or uncovering, opening, connecting to, using, altering or disturbing any public sewer main or appurtenances thereto.
  - (2) An application for a permit must be submitted on the form approved by and obtained from Harrison Utilities. The application must state all proposed uses of the Harrison Utilities sewer system. Only identified and approved uses will be allowed except upon further application to and approval by Harrison Utilities. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of Harrison Utilities.

- (3) Harrison Utilities may charge a permit fee to cover the cost of permit administration and inspections in accordance with the Village Fee Schedule. All fees shall be paid to Harrison Utilities at the time the application is filed.
  - (4) Harrison Utilities may charge a connection fee for a new sewer connection as a contribution towards the cost of existing wastewater infrastructure. Connection fees are set forth on the Village Fee Schedule and shall be paid to Harrison Utilities at the time the application is filed.
  - (5) The issuance of a permit is subject to the review and approval of Harrison Utilities and may also be subject to the review and approval of the Neenah-Menasha Sewerage Commission as provided by the NMSC Ordinances. Harrison Utilities may reject the application if Harrison Utilities determines it cannot provide adequate sewer service for the applied uses. If Harrison Utilities approves the application, it shall issue a permit for services as shown on the application.
  - (6) The permit shall be subject to the terms and conditions set forth in the permit, this ordinance, and any applicable provisions in the NMSC Ordinances.
  - (7) By accepting a permit, the permit holder agrees to indemnify Harrison Utilities for any cost, loss or damage that may directly or indirectly be occasioned by the installation of the sewer laterals, including any damages resulting from trenching, open cutting or tunneling. Harrison Utilities may require the permit holder to post a bond and/or provide a certificate of insurance naming Harrison Utilities as an additional insured with coverages and limits acceptable to Harrison Utilities to cover the cost of any damages.
  - (8) No permit shall be issued for a sewer connection to Harrison Utilities unless the property will receive both sewer service and water service from Harrison Utilities.
- (b) *Costs.* All costs and expenses incident to the installation of sewer laterals, the connection of sewer laterals to sewer mains, and the connection of sewer laterals to building plumbing, and the inspections of such work, shall be borne by the owner or the owner's agent.
- (c) *Excavations.*
- (1) All excavations for sewer lateral installations shall be adequately guarded with barricades and lights to protect the public from hazard. Streets, sidewalks,

parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to Harrison Utilities.

- (2) In making excavations in streets or highways for laying, repairing or replacing sewer laterals, the paving and earth removed must be deposited in a manner that will occasion the least inconvenience to the public.
  - (3) After excavation, restoration of the excavated area must be completed to restore the area to as good of a condition as it was before it was disturbed. In refilling the excavation, the earth must be laid in layers of not more than nine inches in depth, and each layer thoroughly compacted to prevent settling. Sidewalks, ballast and street paving must be restored to the satisfaction of Harrison Utilities.
  - (4) No opening of the streets for tapping the pipes will be permitted when the ground is frozen.
- (d) *Construction Requirements*
- (1) All building sewers, connections and appurtenances shall be designed and constructed in accordance with the latest edition of (i) the Wisconsin Statutes and applicable codes thereof, and (ii) Harrison Utilities Standard Specifications for Sanitary Sewer & Water Main Construction (a copy of which is available at the Utility's office).
  - (2) No plumber, pipe fitter, or other personnel will be permitted to do any plumbing or pipe fitting work in connection with the Harrison Utilities sewer system without first receiving a license from the State of Wisconsin.
  - (3) The size and slope of building sewers must be approved Harrison Utilities. The slope of such pipe shall be not less than one-eighth (1/8) inch per foot.
  - (4) Whenever possible the building sewers shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
  - (5) All sewer lateral joints and connections must be gas-tight and water-tight.
  - (6) Plumbers installing residential backwater valves must glue the riser to the backwater valve for a watertight installation to the basement floor level.

- (7) Building sewers serving manufacturing, or industrial processing plants or service stations (gas and oil) must include a manhole for periodic sewage sampling purposes. The design of the manhole must be approved by Harrison Utilities. The manhole must be located on public right-of-way where possible. When manholes are installed on private property they shall be readily accessible at all times.
  - (8) Roof downspouts, foundation drains, sump pump discharges, areaway drains, or other sources of surface runoff or groundwater may not be connected to a building sewer or building drain which in turn is connected directly or indirectly to the Harrison Utilities sewer system.
- (e) *Inspections.*
- (1) All construction must be witnessed and inspected by a Harrison Utilities' representative.
  - (2) All sewer laterals must be pressure tested and approved by a Harrison Utilities' representative before connecting to the Harrison Utilities sewer system.
  - (3) No sewer lateral installation or hook-up, to the premises shall be covered until completion of a satisfactory inspection by Harrison Utilities.
  - (4) The property owner or permit holder shall notify Harrison Utilities when the sewer lateral is ready for inspection and shall again notify Harrison Utilities when the sewer lateral is ready for connection to the public sewer. The connection shall be made under the supervision of Harrison Utilities, or its representative.

**30-207      Extension of Sanitary Sewer Mains**

- (a) Sewer mains extended for new customers will be extended on the following basis:
- (1) Where the cost of the extension is to immediately be collected through assessment by the municipality against the abutting property, the procedure set forth under Section 66.0703 of the Wisconsin Statutes will apply.
  - (2) Where the municipality is unwilling or unable to make a special assessment, the extension will be made on a customer-financed basis as follows:



- a. The applicant(s) will advance as a contribution in aid of construction the total amount equivalent to that which would have been assessed for all property under (1).
  - b. Part of the contribution required in (2)a. will be refundable as provided in Wisconsin Statute § 66.0821(2)(a)2. and Chapter PSC 187, Wisconsin Administrative Code. If and when additional customers are connected to the extended main within 3 years of the date of completion, contributions in aid of construction will be collected equal to the amount which would have been assessed under (1) for the abutting property being served. This amount will be refunded to the original contributor(s) to the extent the original contributor can be located with reasonable efforts. If the original contributor cannot be located using reasonable efforts in the discretion of Harrison Utilities, any such refunds shall be subject to Wisconsin's Uniform Unclaimed Property Act. In no case will the contributions received from additional customers exceed the proportionate amount which would have been required under (1) nor will it exceed the total assessable cost of the original extension.
- (b) Sewer mains extensions by a third-party must be completed pursuant to and in accordance with Subchapter IV.

**30-208      Disconnection of Abandoned Sewer Laterals**

- (a) A property owner must notify Harrison Utilities if any building, home or cottage connected to the Harrison Utilities sewer system is to be torn down or abandoned. A property owner must make arrangements with a qualified contractor to disconnect the building sewer from the Harrison Utilities sewer main at the point of connection. The disconnection must be completed within thirty (30) days from either the date that any building, home or cottage is torn down or abandoned, or within thirty (30) days from the date of notification by Harrison Utilities,
- (b) All costs associated with the disconnection shall be borne by the property owner.
- (c) In the event that the property owner fails to complete the disconnection, Harrison Utilities shall undertake the disconnection and all costs shall be charged to the property owner and be assessed as a special charge against the property, pursuant to Section 66.0627, Wisconsin Statutes. Harrison Utilities may also seek to impose penalties for the violation pursuant to Section 30-108 of this Ordinance.

- (d) The property owner shall be responsible for any damages to the Harrison Utilities sewer system resulting from the failure to timely complete the disconnection.

**30-209      Rules, Regulations and Conditions of Sewer Service**

(a) *Ordinance as Condition of Service.*

- (1) Every person receiving sewer service from the Harrison Utilities sewer system is bound by the rules, regulations, and sewer rates set forth in this ordinance. Compliance with this ordinance is a condition of receiving sewer service.
- (2) The Village reserves the right to revise the rules, regulations, and sewer rates included in this ordinance from time to time as they may deem advisable; and to make special rates and contracts in all proper cases.
- (3) This ordinance adopts and incorporates by reference the rules and regulations of the Neenah-Menasha Sewerage Commission, including but not limited to NMSC's requirements for industrial users set forth in the NMSC Ordinance.

(b) *Continuing Obligations.*

- (1) All persons shall keep their own service pipes in good repair and protected from frost, at their own risk and expenses, and shall prevent any unnecessary overburdening of the sewer system.
- (2) No person shall allow others or other services to connect to the Harrison Utilities sewer system through their sewer lateral.
- (3) After sewer connections have been introduced into any building or upon any premises, no owner, contractor, agent, or plumber shall make any alterations, extensions, or attachments without a permit from Harrison Utilities approving such work.
- (4) Each building requires a separate sewer service. If two or more buildings are currently on one service, separate sewer services shall be required when any sewer service is to be relaid.
- (5) A user shall permit Harrison Utilities, or its duly authorized agent, to enter their premises or building at all reasonable hours of the day, to examine the pipes, drains, fixtures and sewer connections on the property. A user must provide Harrison Utilities with complete answer to all questions put to them relative to its use.

- (c) *Discontinuing Service.* Harrison Utilities must be notified in writing whenever premises served by the Harrison Utilities sewer system are to be vacated, or whenever any person desires to discontinue service from the system.
- (d) *No Liability of Village or Harrison Utilities.* By receiving sewer service, a user agrees that no claim shall be made against the Village or Harrison Utilities due to the breaking, clogging, stoppage, backup, or freezing of any service pipes; nor from any damage arising from repairing mains, jetting, making connections or extensions or any other work that may be deemed necessary. Each user is advised to obtain appropriate insurance coverage for any such damages and/or to install appropriate devices to prevent said damages (e.g. a sewer backflow valve).
- (e) *Repairs by Harrison Utilities.* Harrison Utilities may temporarily shut off sewer service at any time for the purpose of repairing the Harrison Utilities sewer system or for any other necessary purpose. Harrison Utilities shall attempt to provide advance notification to users within the affected area of the time when such service will be shut off.

**30-210      Wastewater Discharge Requirements**

- (a) *Normal Domestic Strength Wastewater.* A person may only discharge normal domestic strength wastewater into the Harrison Utilities sewer system unless approval from Harrison Utilities and the NMSC is first received. A user may not use dilution as a means to achieve a lower concentration of BOD or suspended solids.
- (b) *Industrial Users.* No industrial user required to become a Contracting Industrial User under NMSC Ordinances may discharge its wastewater to the Harrison Utilities sewer system without first meeting the requirements of the NMSC Ordinances.
- (c) *Testing.* Harrison Utilities reserves the right to test the sewage of any user.

**30-211      General Discharge Prohibitions**

- (a) No user shall contribute or cause to be contributed, directly or indirectly, any substance, pollutant, or wastewater into the Harrison Utilities sewer system which causes pass through or interference with the Harrison Utilities collection system or the NMSC Wastewater Treatment Facility. This general prohibition and the specific prohibitions included in this Section apply to each user discharging to Harrison Utilities sewer system, whether or not the user is subject to other National Pretreatment Standards or any national, State, or local Pretreatment Requirements.

- (b) No person shall discharge or cause or allow to be discharged any waters such as storm water, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer. All such waters shall be discharged to such sewers as are specifically designated as storm sewers or to a natural outlet approved by the local government agency and other State regulatory agencies. Unpolluted cooling water or process waters may be discharged, on approval of the local government agency, to a storm sewer or natural outlet. If the local government agency grants approval to discharge to a natural outlet, approval from other regulatory agencies may also be required.
  
- (c) No person shall discharge or cause to be discharged any of the following described substances or wastes to any public sewers:
  - (1) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid solid, or gas.
  
  - (2) Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, cause the effluent from the wastewater treatment plant to violate effluent permit requirements, or create any hazard in the receiving water by the wastewater treatment plant.
  
  - (3) Any water or wastes having a pH lower than 5.5, higher than 10.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of Harrison Utilities and/or NMSC.
  
  - (4) 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 lift stations and wastewater facilities, such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, un-ground garbage, whole blood, paunch manure, hair and fleshings, entrails and non-dissolving products such as disposable diapers, cups, containers, etc., either whole or ground by garbage grinders.
  
- (d) The following described substances, materials, waters, or wastes shall be limited in discharges to municipal systems to concentrations or quantities which will not harm either the sewers, lift stations, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream, and will not otherwise endanger life, limb, public property, or constitute a nuisance. Harrison Utilities staff and/or the NMSC Manager may set limitations lower than the limitations established in the regulations below if in his/her opinion such more severe limitations are necessary to meet the above objectives. In forming his/her opinion as to the acceptability, Harrison

Utilities staff and/or the NMSC Manager will give consideration to such factors as to the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plants, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer which shall not be exceeded without approval of the Harrison Utilities and the NMSC Manager are as follows:

- (1) Wastewater or vapor having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius).
- (2) Any water or waste containing fats, wax, grease, or oils whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred fifty (150 degrees F) (0 and 65 degrees C).
- (3) Wastewater containing floatable oils, fat, or grease.
- (4) Any garbage that has not been properly shredded as required by this Ordinance. 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 on the premises or when served by caterers.
- (5) Any waters or wastes containing iron, chromium, copper, zinc, 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 Harrison Utilities and/or the NMSC Manager for such materials.
- (6) Any waters or wastes containing odor-producing substances exceeding the limits which may be established by Harrison Utilities and/or the NMSC Manager.
- (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by Harrison Utilities and/or the NMSC Manager in compliance with applicable state or federal regulations.
- (8) Quantities of flow, concentrations, or both which constitute a "slug" as defined herein.

- (9) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are 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.
  - (10) 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.
- (e) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Subparagraph (d) above, and which in the judgment of Harrison Utilities staff and/or the NMSC Manager, may have a deleterious effect upon the wastewater facilities, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, Harrison Utilities staff and/or the NMSC Manager may:
- (1) Reject the wastes,
  - (2) Require pretreatment to an acceptable condition for discharge to the public sewers,
  - (3) Require control over the quantities and rates of discharge, and/or
  - (4) Require payment to cover added cost of handling and treating the wastes not covered by sewer charges under the provisions of the regulations of Harrison Utilities.
  - (5) Pursue enforcement under Section 30-108.
- (f) When considering the above alternatives, Harrison Utilities staff and/or the NMSC Manager shall give consideration to the economic impact of each alternative on the discharger. If Harrison Utilities staff and the NMSC Manager permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of Harrison Utilities staff and the NMSC Manager. Proposed increase of discharges to NMSC as the result of changes in existing commercial or industrial development shall be reported to Harrison Utilities prior to the date of change. No such discharges shall begin until Harrison Utilities has given approval of the quality and quantity of the proposed discharge.

- (g) Grease, oil, and sand separators shall be provided when, in the opinion of Harrison Utilities staff and/or the NMSC Manager, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such separators shall not be required for private living quarters or dwelling units. All separators shall be of a type and capacity approved by Harrison Utilities staff and the NMSC Manager. Any removal and hauling of the collected materials not performed by the owner's personnel must be performed by currently licensed wastes disposal firms.
- (h) Where pretreatment or flow equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.
- (i) When required by Harrison Utilities staff and/or the NMSC Manager, the owner of any property serviced by a building sewer carry industrial wastes shall install a suitable structure-together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of the wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by Harrison Utilities staff and the NMSC Manager. The structure 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. The structure shall be at all times in compliance with the State of Wisconsin Administrative Rules and Regulations issued by the Wisconsin Department of Natural Resources and shall further be in compliance with the Wisconsin Pollution Discharge Elimination System (WPDES) permit issued to NMSC.
- (j) Harrison Utilities and/or NMSC Manager may require a user of sewer services to provide information needed to determine compliance with this Ordinance. These requirements may include the following:
  - (1) Wastewater's discharge peak rate and volume over a specified time period.
  - (2) Analyses of wastewaters.
  - (3) Information on raw materials, processes, and products affecting wastewater volume and quality.
  - (4) Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control.

- (5) A plot plan of sewers on the user's property showing sewer and pretreatment facility locations.
- (6) The annual submittal of grease trap maintenance/cleaning records to Harrison Utilities - N8722 Lake Park Rd, Menasha, WI 54952. Submittal deadline: January 31 of each year.
- (7) Details of wastewater pretreatment facilities.
- (8) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.
  
- (k) Only those wastewaters and pollutants which are authorized in this Ordinance shall be discharged into the sanitary wastewater facilities, providing also, however, that these wastewaters and pollutants must be discharged only into the sanitary wastewater facilities, and into no other place, system or area.
  
- (l) Incorporated by reference in this Section are the conditions and provisions of the Rules and Regulations of the State of Wisconsin Department of Natural Resources and as further provided in the Wisconsin Pollution Discharge Elimination System (WPDES) permit issued or to the permit issued to NMSC. Authority is hereby given to Harrison Utilities personnel to assist the NMSC Manager as needed to comply with this permit.
  
- (m) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest edition of "Standard Methods". Sampling methods, location, times, durations, and frequencies are to be determined on an individual basis subject to approval by Harrison Utilities staff and/or the NMSC Manager.
  
- (n) No statement contained in this Section shall be construed as preventing any special agreement or arrangement between Harrison Utilities or NMSC and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by Harrison Utilities or NMSC for treatment.
  
- (o) Harrison Utilities may pursue enforcement of a violation of any provision of this Section under Section 30-108 of this Ordinance.

**30-212      Inspection Authority**

- (a) A duly authorized employee of Harrison Utilities or the NMSC, bearing proper credentials and identification, shall be permitted to enter all properties for the



purposes of inspection, observation, measurement, sampling, and testing to determine compliance with this ordinance.

- (b) A duly authorized employee of Harrison Utilities or the NMSC is authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system.
- (c) A duly authorized employee of Harrison Utilities or the NMSC, bearing proper credentials and identification, shall be permitted to enter all private properties for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance or any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved. To the extent entry is refused, Harrison Utilities may obtain a special inspection warrant.

**30-213      Repair of Damaged Sewer Laterals**

- (a) A damaged sewer lateral shall be repaired or replaced by the owner or occupant of the property within 30 days of the date of notification by Harrison Utilities.
- (b) If a property owner fails to timely repair or replace a damaged sewer lateral, Harrison Utilities may cause such repair or replacement 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 charge against the property, pursuant to Section 66.0627, Wisconsin Statutes.
- (c) In the event of an emergency or dangerous condition, Harrison Utilities shall have the authority to immediately stop sewer service to the affected property, without providing the aforementioned thirty (30) day notice. The municipal sewer service shall not be again made available to the affected property until appropriate repairs or replacements have been made to the damaged sewer lateral. Harrison Utilities shall inspect the repairs or replacement of the sewer lateral in question and shall determine in their discretion when the dangerous condition has been abated so that service may be reinstated to the affected property.

**30-214      Protection of Sewer Facilities; Damages**

- (a) No person shall maliciously, willfully, or negligently break, damage, destroy, cover, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the wastewater facilities of Harrison Utilities. Negligence includes

carelessness on the part of a property owner, and his or her assigns, agents, contractors or tenants.

- (b) Any wastewater facility or part thereof located in public property or in an easement shall not be disturbed, covered, have the surfacing or grade changed or in any other way be encroached upon, modified or destroyed without the approval of Harrison Utilities.
- (c) No private or utility owned buildings or any other structures shall be constructed in any public property or easements for wastewater facilities, without the approval of Harrison Utilities.
- (d) Harrison Utilities shall have the right to recover costs and expenses incurred to repair or replace any part of its wastewater facilities damaged by the actions or inactions of a person or person's agent from the person responsible for such action or inaction.
- (e) If an owner, or the owner's agents, assigns, contractors or tenants, is responsible for the introduction of clear water into a sanitary sewer lateral clean out where such introduction of clear water is a violation of this ordinance, the owner shall indemnify Harrison Utilities for any sewerage treatment costs related directly or indirectly to the clear water introduction.

**30-215      Clear Water Inspection**

- (a) Harrison Utilities may conduct an inspection of each premises to determine compliance with the provisions of this Section as it relates to illegal surface and groundwater connections into the Harrison Utilities sewer system.
- (b) A notice of noncompliance shall be issued by Harrison Utilities to the owner of record of any building to be found not in compliance with the provisions of this Section. This notice shall set forth areas of noncompliance and shall order the owner to bring the building into compliance within an established period of time.
- (c) An inspection finding compliance only indicates that, so far as can be reasonably determined by the visual inspection of the premises and review of Harrison Utilities records, the premises meets the requirements of this Section. Harrison Utilities and its agents do not assume any liability in the inspection findings, whether compliant or not, and there is no guarantee or warranty of the condition of the premises inspected.
- (d) Harrison Utilities will not be liable for any unsafe or unsanitary condition that may exist in any building that is being inspected for clear water compliance. However, if such conditions exist and are noticed, orders to correct such conditions may be issued.

**30-216      Sewer User Charges; Rates**

- (a) The Village Board's policy is to establish a system of user charges to obtain sufficient revenues from Harrison Utilities' sewer user rates to pay the costs of (i) the annual debt retirement payment on any bonded indebtedness, (ii) any required cash reserve account payment, (iii) operation and maintenance of the wastewater facilities, and (iv) a replacement fund. The system shall assure that each user of the sewage works pays a proportionate share of the cost of such works.
- (b) Sewer users shall be classified by the utility as (i) residential, (ii) multi-family residential, (iii) commercial, (iv) public authority, or (v) industrial.
- (c) User charges shall be approved by the Village Board from time to time and shall consist of (i) a minimum monthly fixed charge, (ii) a unit price per volume of water utilized, and (iii) for industrial customers, a strength charge.
- (d) Water meter readings shall be used to determine the actual water volume used. Harrison Utilities may develop and implement a system to account for non-sewered uses during the summer months (e.g. swimming pools, cooling water, and irrigation). All other sewer bills will be based on actual water used. Where it is not possible to obtain a water meter reading, or in cases where no water meter exists, the customer shall be assigned an average water volume by Harrison Utilities, based on previous meter readings, and this shall be stated on the bill. The difference shall be adjusted when the meter is again read.
- (e) If a portion of the water furnished to any customer is not discharged into the sewer system, the quantity of such water will be deducted in computing the sewer charge, provided a separate meter has been installed by Harrison Utilities to measure such water not discharged to sewer. The customer must at the customer's own expense make necessary changes in the water piping and install couplings so that a separate meter can be set. A charge for the actual cost of providing an additional meter shall be paid by the customer.
- (f) Bills for sewer service are rendered monthly and become due and payable upon issuance following the period for which service is rendered. A late payment charge of 1 percent per month will be added to bills not paid within 20 days of issuance. This late payment charge will be applied to the total unpaid balance for utility service, including unpaid late payment charges. The late payment charge is applicable to all customers. The utility customer may be given a written notice that the bill is overdue no sooner than 20 days after the bill is issued. A failure to receive a bill shall not excuse non-payment.

- (g) *Unpaid Charges are a lien on Property.* All unpaid sewer service charges, and special assessments shall be a lien on a lot, part of a lot or land on which sewer services were supplied. All sums which have accrued during the preceding year and which are unpaid by the first day of October and any year, shall be certified and filed with the clerk of the governmental body in which the property is located to be placed on the tax roll for collection as provided by Wisconsin Statutes Section 66.0809(3).

**30-217      Enforcement; Disconnection**

- (a) Harrison Utilities may discontinue sewer service to a property if any provision of Subchapter II or any rule, regulation or order made hereunder, or any permit issued hereunder, is violated by the property owner or occupant. Service shall not be re-established except by order of Harrison Utilities after the violation has been resolved. The property owner shall be responsible for the charges of shutting off and putting on service. Disconnection shall not bar Harrison Utilities from pursuing penalties for the violation as provided in (b).
- (b) Harrison Utilities may pursue enforcement of a violation of any provision of Subchapter II or any rule, regulation or order made hereunder, or any permit issued hereunder pursuant to Section 30-108 of this Ordinance.

**SUBCHAPTER III**  
**WATER**

- 30-301      Intent of Subchapter III  
30-302      Public Service Commission Regulation  
30-303      Maintenance of Water Service  
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30-305      Installation of Water Laterals  
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**30-301      Intent of Subchapter III**

The intent and purpose of Subchapter III is to provide specific enforceable rules and regulations pertaining to the design, construction and use of water mains, laterals and related facilities and equipment and the provision of water service.

**30-302      Public Service Commission Regulation**

The Harrison Utilities water system is a public utility as defined in Wis. Stats. § 196.01(5). The provisions of Wis. Stats. ch. 196 and Wis. Admin. Code PSC 185, all as may be amended from time to time, are hereby adopted by reference and incorporated into Subchapter III as if fully set forth herein. If there is a conflict between this Subchapter and Wis. Stats. ch. 196 and Wis. Admin. Code PSC 185, then the Wisconsin Statutes and Wis. Admin. Code PSC 185 shall control.

**30-303      Maintenance of Water Service**

- (a) Harrison Utilities shall be responsible for maintaining existing public water mains and water laterals within the limits of the Harrison Utilities' Water Service Area from the street main through the curbstop.
- (b) All water services from the point of maintenance by Harrison Utilities to and throughout the premises must be maintained free of defective conditions, by and at the expense of the owner or occupant of the property.

**30-304      Mandatory Water Hook-up**

- (a) The owner of each parcel of land adjacent to a Harrison Utilities water main on which there exists a building useable for human habitation or in a block through which such system is extended, shall connect to such water system within 90 days after the date of official notice to do so. The cost of the water lateral, including the water tap, from the water main through the curbstop, shall be paid in full by the property owner. In addition, the property owner shall be responsible to install the water lateral from the curbstop to the building. Harrison Utilities may in its sole discretion grant an exception on an individual basis to the hook-up time in the case of unusual and special circumstances.
- (b) If a property owner fails to make such connection, Harrison Utilities 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, all pursuant to Section 281.45, Wisconsin Statutes. The owner may file a written request with the Village Treasurer within thirty (30) days after the completion of the work asking that the amount be levied as a special tax in not more

than five (5) equal installments, with interest at the rate of 6% per annum, beginning on the date of the completion of the work.

**30-305      Installation of Water Laterals**

(a)    *Permit Required.*

- (1)    A property owner must obtain a written permit from Harrison Utilities before installing a water lateral from the curbstop to the premises, or uncovering, opening, connecting to, using, altering or disturbing any public water main, public water lateral or appurtenances thereto.
- (2)    An application for a permit must be submitted on a form furnished by Harrison Utilities. The form may cover both water and sewer work. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of Harrison Utilities.
- (3)    Harrison Utilities may charge a permit fee to cover the cost of permit administration and inspections. All fees shall be paid to Harrison Utilities at the time the application is filed.
- (4)    The issuance of a permit is subject to the review and approval of Harrison Utilities.
- (5)    The permit shall be subject to the terms and conditions set forth in the permit and this ordinance.
- (6)    By accepting a permit, the permit holder agrees to indemnify Harrison Utilities for any cost, loss or damage that may directly or indirectly be occasioned by the installation of the water laterals, including any damages resulting from trenching, open cutting or tunneling. Harrison Utilities may require the permit holder to post a bond with Harrison Utilities to cover the cost of any damages.

(b)    *Costs.* A property owner shall be responsible for the cost and expense incident to the installation of a water lateral from the main through the curbstop and the connection of the water lateral to the water main as provided in Harrison Utilities' authorized rates and regulations on file with the PSC. In addition, a property owner shall be responsible for all costs and expenses incident to the installation of a water lateral from the curbstop to the premises, the connection of a water lateral to building plumbing, the installation of a water meter and the inspections of such work.

- (c) *Excavations.* The requirements applicable to excavations for the installation of sewer laterals shall also apply to excavations for the installation of water laterals.
- (d) *Construction Requirements.*
  - (1) All water laterals must be installed in accordance with the latest edition of (i) the State of Wisconsin's building and plumbing code, and (ii) Harrison Utilities Standard Specifications for Sanitary Sewer & Water Main Construction (a copy of which is available at the Utility's office).
  - (2) No underground valve or curb stop may be installed by any owner or agent of an owner.
  - (3) A separate and independent water lateral must be provided for every building. Harrison Utilities may authorize an exception to this requirement where one building stands at the rear of another on an interior lot and no water lateral is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, in which case the water lateral from the front building may be extended to the rear building and the whole considered as one water lateral. Harrison Utilities may also authorize an exception in specific, unique situations based upon the exigencies of that situation and when not contrary to the interests of the general public.
- (e) *Connection to Curbstop.* The permit holder shall notify Harrison Utilities when the water lateral is ready for connection to the curbstop. The connection shall be made under the supervision of Harrison Utilities, or its representative.
- (f) *Meters.* The property owner shall provide a clean, easily accessible location for the water meter inside of the building premises. The meter location must be acceptable to Harrison Utilities. Meter installation must meet the requirements of the latest edition of Harrison Utilities Standard Specifications for Sanitary Sewer & Water Main Construction.
- (g) *Inspection.*
  - (1) No water lateral installation or water lateral connection to the premises shall be covered until completion of a satisfactory inspection by Harrison Utilities.
  - (2) The building's water line shall be inspected upon completion of placement of the pipe and before backfilling and, tested before or after backfilling.

- (3) The permit holder shall notify Harrison Utilities when the water lateral is ready for inspection.

**30-306      Extension of Water Mains**

- (a) If a request for an extension to the Harrison Utilities water system is granted, the cost for such extension including laterals, will be paid for by the requestor as provided in Harrison Utilities' authorized rates and regulations on file with the PSC.
- (b) Water mains may be extended by a third-party in a platted subdivision as provided by and in accordance with Subchapter IV. Upon inspection and approval by Harrison Utilities, the extension will be dedicated to Harrison Utilities.

**30-307      Disconnection of Abandoned Water Laterals**

- (a) A property owner must notify Harrison Utilities if any building connected to the Harrison Utilities water system is to be torn down or abandoned. A property owner must make arrangements with a qualified contractor to disconnect the building 's water lateral from the Harrison Utilities' water system at the point of connection. The disconnection must be completed within thirty (30) days from either the date that any building is torn down or abandoned, or within thirty (30) days from the date of notification by Harrison Utilities.
- (b) All costs associated with the disconnection shall be borne by the property owner.
- (c) In the event that the property owner fails to complete the disconnection, Harrison Utilities shall undertake the disconnection and all costs shall be charged to the property owner and be assessed as a special charge against the property, pursuant to Section 66.0627, Wisconsin Statutes. Harrison Utilities may also seek to impose penalties for the violation pursuant to Section 30-108 of this Ordinance.
- (d) The property owner shall be responsible for any damages to the Harrison Utilities sewer system resulting from the failure to timely complete the disconnection.

**30-308      Rules, Regulations and Conditions of Water Service**

- (a) *Ordinance as Condition of Service.*
  - (1) Every person receiving water service from Harrison Utilities is bound by the rules and regulations set forth in this ordinance. Compliance with this ordinance is a condition of receiving water service.



- (2) The Village reserves the right to revise the rules, regulations, and water rates included in this ordinance from time to time, subject to the authority of the Wisconsin Public Service Commission.
- (b) *Continuing Obligations.*
- (1) All persons shall keep their own service pipes in good repair and protected from frost, at their own risk and expenses, and shall prevent any unnecessary waste of water.
  - (2) No water user shall allow others or other services to connect to the water system through his, her, or its water lateral.
  - (3) After water connections have been introduced into any building or upon any premises, no plumber shall make any alterations, extensions, or attachments, without a permit from Harrison Utilities approving such work.
  - (4) Every user shall permit Harrison Utilities, or their 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 water is used on the property. A user must provide Harrison Utilities with complete answers to all questions put to them relative to its water use.
- (c) *Discontinuing Service.* Harrison Utilities must be notified in writing whenever premises served by the Harrison Utilities water system are to be vacated, or whenever any person desires to discontinue service from the system.
- (d) *No Liability of Village or Harrison Utilities.* By receiving water service, a user agrees that no claim shall be made against the Village or Harrison Utilities due to 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.
- (e) *Repairs by Harrison Utilities.* Harrison Utilities may temporarily shut off water service at any time for the purpose of repairing the Harrison Utilities water system or for any other necessary purpose. Harrison Utilities shall attempt to provide advance notification to users within the affected area of the time when such service will be shut off.

**30-309      Repair of Damaged Water Laterals**

- (a) A damaged water lateral shall be repaired or replaced by the owner or occupant of the property within 15 days of the date of notification by Harrison Utilities.
- (b) If a property owner fails to timely repair or replace a damaged water lateral, Harrison Utilities may cause such repair or replacement 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 charge against the property, pursuant to Section 66.0627, Wisconsin Statutes. Harrison Utilities may also seek to impose penalties for the violation to timely repair pursuant to Section 30-108 of this Ordinance.
- (c) In the event of an emergency or dangerous condition, Harrison Utilities shall have the authority to immediately shut off the municipal water supply to the affected property consistent with Section PSC 185.37, Wisconsin Administrative Code, without providing the aforementioned fifteen (15) day notice. The municipal water supply shall not be again made available to the affected property until appropriate repairs or replacements have been made to the damaged water lateral. Harrison Utilities shall inspect the repairs or replacement of the water lateral in question and shall determine in their discretion when the dangerous condition has been abated so that service may be reinstated to the affected property.

**30-310      Protection of Water Facilities; Damages**

- (a) No person shall maliciously, willfully, or negligently break, damage, destroy, cover, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of Harrison Utilities' water system. Negligence includes carelessness on the part of a property owner, and his or her assigns, agents, contractors or tenants.
- (b) Any part of Harrison Utilities' water system located in public property or in an easement shall not be disturbed, covered, have the surfacing or grade changed or in any other way be encroached upon, modified or destroyed without the approval of Harrison Utilities.
- (c) No private or utility owned buildings or any other structures shall be constructed in any public property or easements for water facilities, without the approval of Harrison Utilities.
- (d) Harrison Utilities shall have the right to recover costs and expenses incurred to repair or replace any part of its water system damaged by the actions or inactions of a person or person's agent from the person responsible for such action or inaction. Harrison Utilities may also seek to impose penalties pursuant to Section 30-108 of this Ordinance if such damage was caused by a violation the provision of this ordinance or any rule, regulation or order made hereunder, or any permit issued hereunder,

- (e) Owners or operators of motor vehicles will be held liable for the cost of repair of any hydrant damaged by them and Harrison Utilities will not be responsible for the damage due the motor vehicle by reason of such accident.

**30-311 Cross-Connections Prohibited**

- (a) *Cross Connection Prohibited.* No person shall establish, or permit to be established, or maintain, or permit to be maintained, any cross connections of Harrison Utilities Water Utility Water System to a private water supply. No interconnection shall be established whereby potable water from a private, or auxiliary or emergency water supply, other than the public water supply of the utility, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply have been approved by the utility and the Wisconsin Department of Natural Resources.

- (b) *Definitions.*

- (1) *Backflow.* An undesirable flow of water or mixtures of water and other liquids, solids, gases, or other substances under position or reduced pressure into Harrison Utilities' water system from any source.
- (2) *Backflow Prevention.* A means designed to prevent backflow caused by backpressure or back-siphonage; most commonly categorized as air gap, reduced pressure principle backflow assembly, double check valve assembly, pressure vacuum breaker assembly, back-siphonage backflow vacuum breaker (spill resistant pressure vacuum breaker) assembly, pipe applied atmospheric vacuum breaker, flush tank bullock, laboratory faucet backflow preventer, backflow preventer for carbonated beverage machine, vacuum breaker wall hydrants (freeze resistant automatic draining type), chemical dispensing machine, hose connection vacuum breaker, hose connection backflow preventer, backflow preventer with intermediate atmospheric vent and barometric loop.
- (3) *Backpressure.* An elevation of pressure in the downstream piping system (i.e., pump, elevation of piping or steam and/or air pressure) above the utility supply pressure, which would cause or tend a reversal of the normal direction of flow.
- (4) *Back-siphonage.* The flow of water or other liquids, mixtures or substances into the utility's potable water system from any source caused by the sudden reduction of pressure in Harrison Utilities' water system.

- (5) *Cross Connection.* Any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Harrison Utilities' water system, and the other containing 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.
  - (6) *Cross Connection Control Manual.* Policies and procedure for cross connection control and backflow prevention for Harrison Utilities.
- (c) *Inspections*
- (1) Harrison Utilities shall cause surveys to be made of properties served by Harrison Utilities' water system. Residential properties shall be surveyed every 10 years or on a schedule matching meter replacements.
  - (2) All non-residential properties served by the Harrison Utilities' water utility shall be surveyed on an interval not exceeding two years.
  - (3) Harrison Utilities may, but is not required to, perform the cross connection control survey of the customer's property. Harrison Utilities may require the property owner, at their own expense, to have their property's water piping system surveyed for cross connections by a trained surveyor acceptable to Harrison Utilities.
- (e) *Right of Entry.* Upon presentation of credentials, a representative of the Harrison Utilities shall have the right to request entry at any reasonable time to examine property served by a connection to Harrison Utilities' water system for cross connections or other violations of Subchapter III. If entry is refused, such representatives may obtain a special inspection warrant under Section 66.0119, Wisconsin Statutes, disconnect water to the subject property, or pursue other legal remedies. Harrison Utilities may also pursue penalties pursuant to Section 30-108 of this Ordinance.
- (f) *Owner Responsibility.* The property owner shall be responsible for eliminating all cross connections on their premises. The owner shall, at their own expense, install, maintain, test, correct, repair and replace any and all backflow preventers on their premises in compliance with Harrison Utilities' Cross Connection Control Manual and applicable State of Wisconsin regulations.
- (g) *Discontinuance of Service*

- (1) Subject to sub. (4), Harrison Utilities is authorized to discontinue water service to any property wherein any connection in violation of this Section exists and to take such other precautionary measures deemed necessary to eliminate any damage or contamination of Harrison Utilities' potable water system. Water service shall be discontinued if the means of backflow prevention required by Harrison Utilities is not installed, tested, maintained and/or repaired in compliance with this ordinance, or if it is found that the means of backflow prevention required by this ordinance has been removed or bypassed.
  - (2) Except as provided in sub. (3), water service shall be discontinued under sub. (1) only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes. Such a hearing shall be before the Village Board and shall conform to all existing due process requirements.
  - (3) If Harrison Utilities determines that a cross connection or an emergency endangers public health, safety, or welfare and requires immediate action, service may be immediately discontinued, provided an opportunity for a hearing that meets the requirements of Chapter 68, Wisconsin Statutes, is provided ten (10) days of such emergency discontinuance.
  - (4) Water service to any property disconnected under provisions of this ordinance shall not be restored until the cross connection(s) has been eliminated or a backflow prevention means, approved by Harrison Utilities, has been installed in compliance with the provision of this Section.
- (h) *Additional Protection.* If Harrison Utilities determines that additional protection is needed to protect the Harrison Utilities' water system, Harrison Utilities may require a property owner to install an approved air gap or reduced pressure principle backflow assembly at the service connection.
- (i) *Enforcement.* If a property owner violates this Section, Harrison Utilities may cause such required action to be taken 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 charge against the property, pursuant to Section 66.0627, Wisconsin Statutes. Harrison Utilities may also seek to impose penalties for the violation pursuant to Section 30-108 of this Ordinance.

**30-312 Private Well Permitting and Abandonment**

- (a) *Abandonment Requirement.* All private wells located on premises served by Harrison Utilities' water system shall be abandoned in accordance with the terms of this ordinance and Chapter NR 812, Wisconsin Administrative Code, no later than 1-year

from the date of connection of the premises served by the Harrison Utilities' water system, unless the owner or occupant of the premises obtains a well operation permit from Harrison Utilities.

- (b) *Notice of Private Well.* After a premises is hooked up to Harrison Utilities' water system, Harrison Utilities shall issue a private well notice request to the owner or occupant of the premises to determine whether a private well is located on the premises. Completion of the Harrison Utilities' private well notice request by the owner or occupant of the premises is required.
- (c) *Safe Water Test.* If a private well is located on the premises, the owner or occupant of the premises must provide Harrison Utilities with a "safe water test" by a recognized well water testing service. Harrison Utilities shall keep a copy of the safe water test on file. Additional safe water tests shall be required at the time of each renewal of a well permit.
- (d) *Well Operation Permit.* Harrison Utilities may grant a permit to a private well owner or user to operate a well for a period not to exceed 5-years. The permit may be renewed for subsequent 5-year periods provided the conditions required by Wisconsin Administrative Code and this ordinance are met. The following conditions must be met for issuance or renewal of a Well Operation Permit:
  - (1) The well must be inspected by a licensed well inspector upon the initial permit issuance and every 10 years thereafter.
  - (2) The well and pump installation meet or are upgraded to meet the requirements of Chapter NR 812, Wisconsin Administrative Code.
  - (3) The well construction and pump installation have a history of producing bacteriologically safe water as evidenced by 2 samplings taken a minimum of 2 weeks apart, but no more than 2 months apart. No exception to this condition may be made for an unsafe well, unless the Department of Natural Resources approves, in writing, the continued use of the well.
  - (4) There are no cross-connections between the well and pump installation and Harrison Utilities' water system.
  - (5) The well and pump installation are used for non-potable purposes such as filling swimming pools, lawn care and maintenance, home and auto/boat/motor vehicle washing.
- (e) *Abandonment Procedures.*

- (1) All wells abandoned under this Ordinance shall be abandoned according to the procedures and methods of Chapter NR 812, Wisconsin Administrative Code.
  - (2) The owner of the well, or the owner's agent, shall notify Harrison Utilities at least 48 hours prior to commencement of any well abandonment activities. The abandonment of the well shall be observed by a representative of Harrison Utilities.
  - (3) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to Harrison Utilities and the Department of Natural Resources with 10 days of the completion of the well abandonment.
- (f) *Enforcement.* If a property owner violates this Section, the Village or Harrison Utilities may cause the well abandonment to be performed and bill the property owner for the costs of the well abandonment. If such costs are not paid within thirty (30) days, the costs shall be assessed as a special charge against the property, pursuant to Section 66.0627, Wisconsin Statutes. The Village or Harrison Utilities may also seek to impose penalties for the violation pursuant to Section 30-108 of this Ordinance.

**30-313      Water Services Rates**

- (a) The rates of the Harrison Water Utility are developed through a rate-making process between the Village and the Public Service Commission of Wisconsin (PSC). The result of the rate-making process is an order from the PSC for water rates and public fire protection charges as authorized under Wis. Stats. §§ 197.01, 196.03 and 196.20.
- (b) The rates and regulations of the Harrison Water Utility in effect at any time are the authorized rates and regulations on file with the PSC. Copies of these rates and regulations are available from the Village at the Harrison Municipal Building at N8722 Lake Park Rd., Menasha, WI 54952 and the PSC. Copies may also be posted on the Village website and/or the PSC website.
- (c) Customers of the Harrison Water Utility are informed of new rates as they become effective as required by Wis. Adm. Code PSC 185.33(1), as may be amended from time to time.

**30-314      Payment of Bills**

- (a) All water services, charges and special assessments shall be a lien on the lot, part of a lot, or land on which water services were supplied. All sums which have accrued during the preceding year, and which are unpaid by the first day of October of any year, shall be certified to the Village of Harrison to be placed on the tax roll for collection as provided by Section 66.0821 of Wisconsin Statutes.

**30-315      Enforcement**

- (a) Harrison Utilities may pursue enforcement of a violation of any provision of this ordinance or any rule, regulation or order made hereunder, or any permit issued hereunder pursuant to Section 30-108 of this Ordinance.

**SUBCHAPTER IV**  
**SEWER AND WATER MAIN EXTENSIONS IN PLATTED SUBDIVISIONS**

**30-401      Sanitary Sewer and Water Main Permitting Requirements, Procedures and Fees**

- (a) *Permit Required.* No person, developer, business, or entity may undertake sanitary sewer or water main and lateral construction activity in a platted subdivision without receiving a Sanitary Sewer and Water Main Plan Review permit from Harrison Utilities prior to commencing the proposed activity.
- (b) *Permit Application and Fees.* Any responsible party desiring a permit shall submit to Harrison Utilities a permit application made on a form provided by Harrison Utilities for that purpose.
  - (1) A permit application must be accompanied by a sanitary sewer and water main and lateral plan and a nonrefundable permit administration fee. The permit administration fee shall be established by the Village Board and set forth in the Village Fee Schedule.
  - (2) Permit review fees and inspection fees will be billed for actual cost of time and materials by Harrison Utilities, or its engineer.
  - (3) The sanitary sewer and water main and lateral plan shall be prepared to meet the current requirements of Harrison Utilities Standard Specifications for Sanitary Sewer & Water Main Construction (a copy of which is available from the Utilities Office).
- (c) *Review and Approval of Permit Application.* Harrison Utilities shall review any permit application that is submitted with a sanitary sewer and water main and lateral plan



and the required fee. Harrison Utilities may request an applicant submit additional information to assist in Harrison Utilities' review. If the application and plan are approved, Harrison Utilities shall issue the permit. If the permit application, and plan, is disapproved, Harrison Utilities shall provide in writing the reasons for disapproval.

- (d) *Permit Requirements.* All permits issued under this Section shall be subject to the following conditions, and holders of permits issued under this Section shall be deemed to have accepted these conditions.
- (1) The responsible party shall design and install all structural and non-structural sanitary sewer and water main and lateral infrastructure in accordance with the approved sanitary sewer and water main plans and this permit.
  - (2) The responsible party shall notify Harrison Utilities at least ten (10) business days before commencing any work in conjunction with the sanitary sewer and water main and lateral plan.
  - (3) The responsible party shall maintain all sanitary sewer and water main and lateral infrastructure in accordance with the sanitary sewer and water main and lateral plan until the infrastructure is dedicated to Harrison Utilities.
  - (4) Upon completion of the project, the responsible party shall submit "as built" plans to Harrison Utilities in a manner acceptable, both digitally and hardcopy, to Harrison Utilities.
  - (5) The responsible party shall permit property access to Harrison Utilities or its designee for the purpose of inspecting the property for compliance with the approved sanitary sewer and water main and lateral plan and the permit prior to Harrison Utilities accepting the dedication of the property.
  - (6) Compliance with the permit does not relieve the responsible party of the responsibility to comply with other applicable federal, state, and local laws and regulations.
- (e) *Inspections.* All sanitary sewer and water main and lateral construction activities shall be inspected by Harrison Utilities, or a third party selected by Harrison Utilities. Inspection fees will be billed for actual cost of time and materials by Harrison Utilities, or its third party.
- (f) *Enforcement.* All sanitary sewer and water main and lateral construction shall be as per approved sanitary sewer and water main and lateral plans and permit. If a

responsible party violates a permit condition, Harrison Utilities may suspend or revoke the permit.

- (g) *Permit Duration.* Permits issued under this Section shall be valid from the date of issuance through the date Harrison Utilities notifies the responsible party that all sanitary sewer and water main and lateral infrastructure have passed the required final inspection.
- (h) *Connection to Harrison Utilities.* Sanitary sewer and water main and lateral infrastructure constructed pursuant to a permit under this Section must be dedicated to Harrison Utilities before it may be connected to Harrison Utilities' infrastructure.