

PLUMBING, SEWAGE DISPOSAL AND WATER  
PUMP INSTALLATION REGULATIONS

CHAPTER 13

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**PLUMBING, SEWAGE DISPOSAL  
AND  
WATER PUMP INSTALLATION REGULATIONS**

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**CHAPTER 13**

**Section 13.01. STATE CODE ADOPTED.** The provisions and regulations of Chapter 145, Wisconsin Statutes, and Chapters SPS 381, 382, 383, 384, 385, Wisconsin Administrative Code and future amendments, revisions, or modifications thereto are made a part of this Code by reference are hereby adopted in order to secure uniform statewide regulation for the installation and repair of plumbing systems. A copy of these adopted Administrative Code provisions and any future amendments of said Code shall be kept on file in the office of the Village Clerk. (Am. 03/06/19, Ord #535)

**Section 13.02. PLUMBING INSPECTOR.**

(1) Appointment. The Village Manager shall appoint a qualified person, who, under the supervision of the Village Manager shall act as Plumbing Inspector.

(2) Duties and Powers. The Plumbing Inspector shall have control of the supervision and inspection of plumbing, plumbing connections, drainage and private sewage disposal systems, and shall faithfully enforce all laws, ordinances, rules and regulations in relation thereto. It shall be his duty to require that the construction, reconstruction, installation and alterations of all plumbing, plumbing connection, drainage, private sewage disposal systems and ventilation, hereafter installed in all buildings in the Village, shall conform with the laws of the State of Wisconsin, the rules and regulations of the State Department of Industry, Labor and Human Relations, and the ordinances of the Village of River Hills, and to make all inspections required thereby and in the manner therein set forth. He may require that the license and permit for any work being done be produced upon his request.

(3) Authority to Enter Premises. The plumbing Inspector shall have the power and authority for any proper purposes in connection with his official duties, to enter at all reasonable times upon private or public premises and make inspection thereof.

(4) Forms, Records and Reports.

[a] The Plumbing inspector shall prepare suitable forms for the applications and permits required in this chapter and keep a sufficient number of each on hand for the public's use.

[b] He shall keep on hand a proper detailed record of all the transactions of his office; and shall file with the Village Manager a yearly report covering such transactions, the yearly report to summarize the work of his office during the calendar year ending December 31 of each year and to be filed on or before January 30 next thereafter.

[c] He shall keep a record of all new sanitary sewer connections showing the location of same, and the position of all house drains, connections, junctions, and other data necessary for the efficient service of his department, and shall furnish a copy of said record to the Village Manager and Engineer at the end of each month in which there is activity.

**Section 13.03. PROCEDURE FOR PERMIT ISSUANCE AND PERMIT FEES.**

(1) Permit Required. No plumbing, plumbing connection, or drainage work (except the repair of leaks or stoppages) shall be done in the Village, and no person shall install, permit or suffer to be installed, any plumbing, plumbing connections or drainage of any kind or character except leakage or stoppage repair, unless a permit therefor has been granted by the Plumbing Inspector.

(2) Application for Permit. Application for permit covering plumbing, plumbing connection or drainage work (except the repair of leaks or stoppages) shall be filed with the Plumbing Inspector, upon a form furnished by him. When necessary, there shall be attached to such application, a detailed plan showing the work to be done.

(3) Investigation; Approval. The Plumbing Inspector shall investigate the application and plan, as filed, and if he finds same to be satisfactory, shall approve the same, and issue a statement to the applicant showing the fees to be paid for the permit requested.

(4) Schedule of Permit Fees. The applicable fees shall be those fees set forth in the Village of River Hills Fee Schedule for Plumbing Permits as adopted and subject to amendment from time to time by Resolution of the Village Board. The Resolution and the Applicable schedule of fees shall be kept in the Office of the Village Clerk and will be posted on the village website. (Amd 03/06/19, Ord # 535)

(5) Issuance of Permit. Upon approval of the application and plans and evidence that the above requirements have been complied with, and presentation of the Village Clerk's receipt showing payment of all fees, as above set forth in the approved application.

(6) Administrative Fees. A non-refundable administrative fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board shall be paid in addition to the permit fees for each plumbing permit issued. The Resolution and the applicable schedule of fees shall be kept on file in the Office of The Village Clerk and will be posted on the village website. (Am. 03/06/19, Ord # 535)

**Section 13.04. PLUMBER'S LICENSE; BOND; INSURANCE.**

(1) License. No person, firm, or corporation shall carry on the business of plumbing of the installation of plumbing connections, or do or perform any such work within the village of River Hills, without first having obtained the license prescribed by the State of Wisconsin, and shall exhibit said license to the Plumbing Inspector of said Village; except that the construction and installation of plumbing connections consisting of sanitary sewer from a point three (3) to five (5) feet from the foundation or area wall of the building and extending therefrom to a connection with the main sewer in the street, alley or other disposal terminal, may be done by a qualified pipelayer, subject to proper inspection by the Plumbing Inspector.

(2) Bonds. It shall be unlawful for any reason to engage in or work at plumbing which necessitates excavation in a public street, road or right-of-way without first having executed and deposited with the Village Clerk a performance bond in the penal sum of One Thousand (\$1,000.00) Dollars and an Indemnity Bond in the penal sum of Five Thousand (\$5,000.00) Dollars, or in lieu of the Indemnity Bond a Certificate of Insurance in the sum of at least Fifty Thousand Dollars (\$50,000.00) for injury to one (1) person and One Hundred Thousand Dollars (\$100,000.00) for one (1) incident. It shall be unlawful for any person to engage in or work at pipelaying without first having executed and deposited with the Village Clerk an Indemnity Bond in the penal sum of Five Thousand (\$5,000.00) Dollars or in lieu of the Indemnity Bond a Certificate of Insurance in the sum of at least Fifty Thousand Dollars (\$50,000.00) for injury to one (1) person and One Hundred Thousand Dollars (\$100,000.00) for one (1) accident. The bonds or such Performance Bond and Certificate of Insurance shall be in the form designated by the Village Manager in accordance with the specifications set forth in subsections (a) and (b) herein and to be approved by the Village President as to the sufficiency of sureties. Any person intending to engage in or work at both plumbing and pipelaying need file only one indemnity bond covering both operations and one Performance Bond.

[a] The Performance Bond shall be conditioned that the applicant will perform and sufficiently complete all work for which a permit or permits are issued in accordance with the plumbing codes of the State of Wisconsin, Village of River Hills, and all other ordinances of the Village within a reasonable time so as to fully protect the public health, safety and welfare. In addition, such bond shall provide that the applicant will backfill and maintain any street, alley or public grounds in which he makes any openings or excavation as directed by and to the satisfaction of the Village Manager, for a period of six (6) months after initially backfilling the same, shall pay the cost of restoring the permanent surface of the street, alley or public grounds by the Village; that in the event that at any time the backfilling of any ditches or excavations between the curb and lot line is found defective in that future settling occurs within a period of six (6) months after date of completion of work, shall make or cause to be made necessary resultant repairs to curbs, sidewalks, driveways, etc., that the applicant shall reimburse the Village for all the damages to any Village property resulting from his work applications, regardless of whether such damage is done by himself, his agents, employees or subcontractors.

[b] The Indemnity Bond or Certificate of Insurance shall be conditioned that the applicant will indemnify and hold harmless the Village, its officers and agents against any and all injuries and or/property damage resulting or arising from any negligence on the part of the applicant, his agents, employees and subcontractors; that said applicant or his insurer shall notify the Village in writing at least ten (10) days prior to the cancellation of any Certificate of Insurance afforded hereunder. (Rep. & Rec. 03/11/20, Ord. # 541)

**Section 13.05. PROCEDURE FOR INSPECTION.**

(1) Notification. Whenever any work is ready for inspection, the plumber doing the work or permittee shall notify the Plumbing Inspector specifying the plan or permit number of the said work; and the Plumbing Inspector shall then advise the said plumber or permittee as to the time for inspection, at which time he shall proceed to make the said inspection.

(2) Access to Work. The said plumber or permittee shall make such arrangements as will enable the Plumbing Inspector to reach all parts of the building readily. Unless otherwise specially permitted by the Plumbing Inspector, all plumbing or plumbing connection work shall be left uncovered for said inspection until examined and approved by the said Inspector.

(3) Help With Tests. The said plumber or permittee shall furnish the proper apparatus, appliances and materials for making the test and shall perform all labor therefor, as required by the Plumbing Inspector.

**Section 13.06. COLLECTION OF FEES.**

(1) Deposited in General Fund. The Village Clerk shall deposit all monies received from license and permit fees with the Village Treasurer, which monies shall be placed in the general fund of the Village, unless otherwise authorized by resolution of the Village Board.

(2) Fees Retained by Plumbing Inspector. In the event the Plumbing Inspector shall be authorized by proper resolution of the Village Board to retain all or any part of said license and/or permit fees, he shall make a duplicate receipt for any such fees received, the original thereof to be turned over to the Village Clerk at the end of such calendar month; and the Village Clerk shall keep an account of such receipts and make a report to the Village Board, either annually or at such other times as may be requested by the said Board.

**Section 13.07. BREAKING INTO STREET SURFACE.**

(1) Requirements or Procedure. The following requirements are to be complied with in the opening or excavating of any street surface or other public way for the work contemplated in this chapter, subject to the approval of the Plumbing Inspector, to-wit:

[a] Notification of Inspector. The plumber in charge shall notify the Plumbing Inspector at least twenty-four (24) hours before starting any work in any road, street, or public way. If in the judgment of the Plumbing Inspector, sufficient equipment is on hand for the job to be done, he shall grant permission to commence work.

[b] Prohibited Openings. Openings will not be permitted when in the opinion of the Plumbing Inspector or the Village Engineer the opening would be left open over a weekend or holiday period. Openings will not be permitted between December 15 and March 1 unless special permission has been granted by the Plumbing Inspector.

[c] All materials for paving and ballasting must be removed with the least possible loss of surfacing material. Such material, and excavated material from the trenches or otherwise, must be placed where it will cause the least inconvenience to the public. All such materials shall be so placed so as to permit free passage of water along the gutter or ditches.

[d] The road or street must be kept open at all times for traffic.

[e] No more than the necessary amount of the trench may be dug until the slant or junction piece to the sewer is found. The backfilling must be puddled. When the sides of the trench will not stand perpendicular, sheathing and braces must be used to prevent caving.

[f] The paving and ballast must be replaced in as nearly the original condition as possible. If caving occurs, the street surface thus disturbed must be restored in the same careful manner as though it were an excavation or trench.

[g] When an excavation is made in the graveled or paved surface of a road or street or the shoulder thereof, the clay excavated must be removed and the excavation entirely backfilled with sand or gravel thoroughly wet and consolidated.

[h] Any tunnels dug in gravel roads or pavements shall be backfilled with concrete.

(2) Protection of the Public. The following requirements are to be complied with in the protection of the public while the work contemplated herein is being pursued, to-wit:

[a] All necessary precautions shall be taken to guard the public effectually from accident or damage to persons or property from the beginning to the end of the work.

[b] Each opening or excavation in the roads, streets, or public ways must be enclosed with sufficient barriers.

[c] Red lights must be kept burning from sunset to sunrise, one red light to be placed at each end of openings in streets, and other lights to be placed at intervals of ten (10) feet.

(3) Permit Required; Deposit. Whenever any excavation in a street, road or public highway of the Village of River Hills is to be made, an application for a permit therefor shall be filed with the Village Clerk, and the application shall be accompanied by a deposit of not less than Two Hundred Fifty (\$250.00) Dollars or in such higher amount as is certified by the Village Engineer to be required to insure the payment of all expenses incurred by the Village. Any excess of such deposit over such expenses shall be refunded and all expenses incurred by the Village in excess of such deposit shall be paid by the Permittee.

(4) Liability. The owner, or plumber or pipelayer employed by him to do the work herein contemplated, shall be held liable for all damages, including any costs incurred by the Village of river Hills in defending any action brought against it for damages and costs, and of any appeal thereon, which may result from the neglect by said owner, plumber or pipelayer, or the servant, agent or employee of any, of any necessary precaution against injury or damage to persons, horses, vehicles or property of any kind. (Rep. & Rec. 03/11/20, Ord # 541)

**Section 13.08. REGULATIONS RELATING TO PUBLIC SEWERAGE OR SANITARY SEWERS.**

(1) Sanitary Connections.

[a] Only licensed plumbers or qualified pipelayers, as herein provided, shall be permitted to tap or make connections with the general sewerage system or any part thereof.

[b] The Village Manager and Engineer or the Plumbing Inspector shall furnish available information to such plumber or pipelayer with regard to the location of sewer junctions or slants, the Village assuming no risk as to the accuracy of the same. In the event the junction is not found in accordance with such measurements, a slant connection and one-eight bend shall be used, such connection being made under the direction of the Plumbing Inspector.

[c] All other provisions pertaining to building sewers and building drains shall be as per State Code. (Rep. & Rec. 03/11/20, Ord #541)

(2) Trees, etc., Adjacent to Sanitary Sewers. The following regulations shall apply to trees, shrubbery or bushes within fifty (50) feet of any public sanitary sewer, located within the Village, to-wit:

[a] No person shall plant or cause to be planted any trees, shrubbery, or bushes within fifty (50) feet of any public sanitary sewer constructed or maintained by the Village within the Village limits, without first obtaining from the Village Manager and Engineer a permit so to

do, upon application forms therefor provided by said Village Manager. The said permit shall have attached thereto or printed thereon a summary of the provisions relating thereto.

[b] The Village Manager shall cause investigation with respect to the clogging of sewers to be made by the proper Village employees from time to time. Should such investigation reveal that any trees, shrubbery or bushes located within fifty (50) feet of any public sanitary sewer are growing roots which are interfering with or clogging the flow of such sanitary sewer, report thereof shall be made by the Village Manager to the Village Board.

[c] Upon authority of the Village Board, the said Village Manager shall give written notice to the owner of any premises upon which such trees, shrubbery or bushes may be located, as revealed by said investigation, advising the said owner to cause the removal of said trees, shrubbery or bushes within thirty (30) days from the service of said notice, and stating that in the event of the owner's failure so to do within the time specified therein, the Village will arrange for the removal thereof. The said notice shall also state that the owner of said lands may have the privilege of exercising the option of retaining said trees, shrubbery or bushes, provided he so notifies the Village in writing within said thirty (30) day period, the condition of said option being that the said owner agrees to and obligates himself to pay any expenses incurred by the Village from time to time in removing obstructions (caused by the roots of said trees, shrubbery or bushes) from said sanitary sewers, and the Village levying a charge in question, or the repair or replacement of the sewer.

[d] In the event the owner shall fail or neglect to remove said trees, shrubbery or bushes, or to exercise the option of retaining same, within the thirty (30) day period, as above set forth, the Village Manager shall proceed to cause same to be removed by contract or otherwise, and report the cost thereof to the Village Board. The owner of the lands upon which are located said trees, shrubbery or bushes, which have been found to cause the blocking, clogging or obstructing of said sanitary sewer, shall be required to pay the cost of removing same, should it be ascertained that said trees, shrubbery or bushes were planted by him after December 15, 1950; and if it is ascertained that such planting occurred prior to said date, the Village shall pay the cost of such removal.

[e] Any person, firm or corporation who shall plant any trees, shrubbery or bushes within fifty (50) feet of any public sanitary sewer, without obtaining the permit therefor, as herein above provided, shall not be entitled to exercise the option of retaining same, and any expenses involved in removing same shall be charged to the owner of said premises upon which said trees, shrubbery or bushes are planted.

(3) Sewer Improvement Taxes. No person shall be allowed to connect with the public sewerage system in any manner while delinquent in the payment of any sewer taxes or installment thereof, nor to any public sewerage system where the cost to each applicant has not been assessed, except when permission so to do has been duly given by the Village Board.



**Section 13.09. AFFECTING SANITARY FACILITIES.**

(1) Duty to Report Violations. It shall be the duty of the police officers, Plumbing Inspector or Health Officer to inquire into complaints of violations of this chapter and to report the same to the proper officer for investigation and prosecution.

(2) Unsanitary Installations or Conditions. In the event a report or complaint shall be made that the plumbing or plumbing connections in any building is contrary to the Village regulations, or is otherwise defective, or is of faulty construction and liable to spread disease or sickness, or is a menace to health, then the Health Officer of the Village shall direct the Plumbing Inspector to examine all the plumbing and plumbing connections in said building, and to report his findings in writing to said Health Officer, suggesting such changes as are necessary to put the same in proper sanitary condition. The said Health Officer shall thereupon direct such changes to be made as he deems necessary and fix the time for doing the same.

(3) Adequate flush for Drains. No person shall connect any water closet with any drain or sewer, unless means are provided and employed for the abundant and adequate flushing of the same with clear water every time it is used. Every such closet or similar appliance shall be properly connected with the Village or private water supply system.

**Section 13.10. SANITARY SEWER EXTENSIONS; FEES.**

[a] All requests to the Village for the extension of the Village Sanitary Sewer System shall be upon Petition to the Village Board, upon forms to be supplied by the Village.

[b] All such petitions shall be accompanied by a fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board. The Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website. (Am. 03/06/19, Ord # 535)

[c] In the event said petition is granted, the said fee shall be credited against the special assessment levied against the real estate of the petitioner. In the event that the said petition is withdrawn, the said fee shall be applied by the Village in payment of engineering, legal and other expenses incurred by the Village in investigating said petition, and the balance, if any, shall be refunded to the petitioner.

[d] In the event that the said fee shall be insufficient to cover all of the said expenses incurred by the Village, the excess expenses shall be charged to the petitioner, and, in the event said excess expenses are not paid by the petitioner, the Village Board may levy a special assessment against the real estate of the petitioner in an amount equal to the expenses incurred in investigating and processing said petition, with the deposit fee to be credited against said special assessment. (Am. 03/06/19, Ord # 535)

**Section 13.11. CONNECTION TO SANITARY SEWER FACILITIES.**

(1) Connection Required. When so ordered by the Village Board of Health, the owner of any building used for human habitation or equipped with sanitary facilities shall connect all sanitary facilities in such building to adjacent public sanitary sewer facilities which have been made available by the Village, within sixty (60) days after receipt of notice so to do. Such notice may be served as a summons in Circuit Court, or by Certified mail addressed to the said owner at the address to which the last real estate tax bill was sent by the Village officials.

(2) Special Assessment. In the event the owner shall fail to comply with the Order of the Board of Health within the time hereinabove provided, the Village hereinabove provided, the Village Board may cause such sanitary sewer connection to be made and charge the expense thereof as a special assessment against the premises to which such connection was made, including the said special assessment upon the tax roll of the Village for the year in which such connection was made, to be collected as are all other special assessments of the Village.

(3) Installment Payment.

[a] Within thirty (30) days after the completion of the work, the owner may exercise the option to file a written statement with the Village Clerk that he is financially unable to pay such special tax in one sum and requesting that said special tax be collected in equal annual installments not to exceed five in all, together with interest thereon at a rate of interest set by the Village Board, from the date certified by the Village Manager as the completion of the work. The Village Board shall then make a determination to grant or deny said request for the payment of said special assessment in installments.

[b] Should said request be granted, there shall be spread upon the tax roll for the year in which the work was done, the first installment consisting of one part for each of the years over which the installments are spread, together with interest upon the unpaid amount of said special tax at the rate of interest set by the Village Board. The amount or percentage of the total to be placed on the tax roll in each year shall be dependent upon the period of time over which the total payment is spread or extended. In each of the subsequent years following the first, an amount sufficient to pay a proportionate share due on principal and interest, as aforesaid, shall be placed on the tax roll of the Village.

**Section 13.12. SEWER CONNECTION FEE.**

(1) Fee; Payment. There is hereby established a sewer connection fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board for each connection. This fee shall be paid at the time and in the manner required by the provisions of Section 13.11 or Section 13.03(1) of this chapter. The Resolution and the

applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website. (Am. 03/06/19, Ord # 535)

(2) Applicability. This sewer connection fee shall be applicable only where physical connection is made to a public sewer which was in existence prior to January 1, 1956, and shall not apply to connections made to such sewer to serve principal residence buildings existing prior to said date, even though the said connection is made at a subsequent date. Said connection fee shall not apply to connections made to public sewers constructed after January 1, 1956, where the cost of said sewer has been assessed against the benefited lands. In the event that an application is made for a permit to connect to a sewer constructed after January 1, 1956, where the lands proposed to be connected were not assessed for the benefits of said sewer, such application shall be construed by the Village as an acknowledgment on the part of the owner of said lands that said lands were in fact benefited by the installation of said sewer. The Village Board shall then reopen the special assessment proceedings and levy an equitable assessment against the lands of such an applicant in proportion to the benefits received by the installation of such sewer.

(3) Exemptions. Any owner of residential property whose principal residence was connected with a public sewer of the Village prior to January 1, 1956, who desires to install a sewer connection to any accessory building which was legally existing upon said same parcel of land prior to January 1, 1956, to the same said public sewer shall not be required to pay the sewer connection fee provided for in Subsection (1) hereof.

(4) Physical Connection. A sewer connection fee in the sum of One-Thousand Five-Hundred (\$1,500.00) Dollars shall be paid to the Village in all those cases where physical connection is made to a public sewer serving lands which were not in private ownership and against which no assessment was levied at the time the said sanitary sewer was installed. This connection fee shall be paid at the time an application for a building permit is made. (Am. 03/06/19, Ord # 535)

### **Section 13.125. SEWER CONNECTION TO NON-VILLAGE SEWERS, CONNECTION FEES AND SERVICE CHARGES.**

(1) Permit Required. A permit is required for the connection of any residence in the Village of River Hills to a sanitary sewer located outside the limits of the Village of River Hills. All such requests shall be submitted to the Village Engineer for the purpose of determining whether the premises can be served by a reasonable extension of the Village sanitary sewer system. If the Village Engineer determines that the said premises cannot be reasonably served by an extension of the Village sanitary sewer system and that the granting of the permit will not interfere with the sanitary sewer system plan of the Village of River Hills, the said permit shall be issued subject to the following conditions.

(2) Connection Fee. There is hereby established a sewer connection fee for the connection of buildings in the Village to sanitary sewers located outside of the Village in an amount equal to that which is charged to the Village for said connection by the municipality within which the said sanitary sewer is physically located.

(3) Service Charges. For the purpose of meeting the actual expenses incurred by the Village in the disposal of sewage from all buildings connected to sanitary sewers located outside of the Village, there is hereby established a sewerage service charge applicable against all buildings located in the Village connected to sanitary sewers located outside the Village in an amount equal to that which is charged to the Village by the municipality within which the sanitary sewer is physically located.

(4) Inspection or Permit Fees. All inspection or permit fees imposed by the municipality owning the sanitary sewer to which connection is to be made shall be paid to the Village of River Hills by the owner of the premises at the time that the permit is issued.

(5) Payment of Fees and Charges. The connection charges established by this Ordinance shall be paid by the owner of the premises at the time the permit is issued. The service charges established by this Ordinance shall be billed by the Village to the owner of the premises on an annual basis and, upon failure of the owner to pay the said service charges, the same shall be spread upon the tax roll and shall be collected as are all other special charges and assessments of the Village.

### **Section 13.13. PRIVATE SEWAGE SYSTEMS.**

(1) Sanitary Permit Required.

[a] No person shall install, construct or reconstruct a private sewage system unless the owner of the property on which the private sewage system is to be installed, constructed or reconstructed holds a valid sanitary permit.

[b] No person shall sell at retail a septic tank for installation unless the purchaser holds a valid sanitary permit.

[c] A sanitary permit shall be valid for two (2) years from the date of issue and renewable for similar periods thereafter.

[d] A sanitary permit may be transferred from the holder to a subsequent owner of the land, except that the subsequent owner shall obtain a new copy of the permit from the issuing agent.

[e] Septic tank and effluent absorption systems or other treatment tank and effluent disposal systems that are approved by the Wisconsin Department of Industry, Labor and Human Relations may be constructed when no public sewage system is available to the property to be served.

[f] When public sewer does become available to the premises served, the use of the private sewage system shall be discontinued within such period of time determined by the Village Board, but not to exceed one year. At that time the building sewer shall be disconnected from the private sewage system and be connected to the public sewer.

[g] When a failing or malfunctioning private sewage system is encountered, the sewage disposal system shall be corrected or its used discontinued within such period of time set by the Village Board, with a maximum time limit of one year.

(2) Applicable Forms.

[a] The issuing agent shall use the sanitary permit form provided by the department.

[b] Application Process. The applicant shall submit the completed application to the issuing agent who shall review the certified soil tester reports and verify the report at the proposed site, if necessary. The issuing agent shall approve or disapprove all applications and assist applicants in preparing an approvable application. In the event an application is disapproved, the issuing agent shall give written notice to the applicant which notice shall state the specific reason for disapproval and advise as to amendments to the application, if any, which would render the application approvable. The issuing agent shall also inform the applicant of the right to appeal as provided in Subsection 9 of this Ordinance.

(3) Definitions.

[a] "Department" means the state department of Industry, Labor and Human Relations - Bureau of Plumbing.

[b] "Issuing Agent" means the individual assigned the duties of administering this ordinance.

[c] "Private Sewage System" means a sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure. This term also means an alternative sewage system approved by the department

including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure.

[d] "Sanitary Permit" means a permit issued by the department or the issuing agent for the installation of a private sewerage system.

[e] "Conventional private sewage system" or "conventional system" means a type of private sewage system of which all the components relative to the design, installation, operation and maintenance conform to the standards addressed or permitted under Ch. SPS 383, Wis. Adm. Code. Type of conventional systems include:

1. Gravity flow soil absorption systems;
2. Pressure distribution soil absorption systems;
3. Mound system; and
4. Holding tanks. (Rep & Rec Ord # 537, 10/16/19)

[f] "Holding Tank" means an approved water tight receptacle for the collection and holding of sewage.

[g] "Alternative private sewage system" or "alternative system" means a type of private sewage system of which all or part of the design involves new or innovative concepts for the disposal of wastewater either not addressed or permitted by the standards of Ch. SPS 383 Wis. Admin. Code relative to soil conditions, site conditions, construction techniques or operation or maintenance practices. (Rep & Rec Ord #537, 10/16/19)

[h] "Dosing Soil Absorption Systems" means a system that employs a pump or automatic siphon to elevate or distribute effluent to the soil through the use of a seepage trench or bed. Distribution piping in seepage trenches or beds shall be four (4) inch perforated pipe approved by the department.

(4) Issuing Agent. The Plumbing Inspector or the Village of River Hills shall act as the Village issuing agent, and is hereby assigned the duties of administering the private sewerage disposal system.

(5) Fees.

[a] The fee for a sanitary permit shall be as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board. The

Resolution and the applicable schedule of fees shall be kept on file in the Office of the Village Clerk and will be posted on the village website.

[b] The Village shall not charge more than one fee for a sanitary permit or the renewal of a sanitary permit in any twelve (12) month period.

[c] The issuing Agent shall forward a copy of each valid sanitary permit and fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board to the department within ninety (90) days after the permit is issued, and shall forward the fee as set forth in the schedule of fees as adopted and subject to amendment from time to time by Resolution of the Village Board to the department as a groundwater fee. (Am. 03/06/19, Ord # 535)

(6) State Code. This ordinance shall be subject to the provisions of Chapter 145, Wisc. Stats., and all administrative rules and regulations thereunder regulating private sewerage systems.

(7) Inspection.

[a] The issuing agent shall inspect all private sewerage systems after construction, but before backfilling, no later than the end of the next workday, excluding Saturdays, Sundays, and holidays, after receiving notice from the plumber in charge.

[b] The issuing agent shall file reports and conduct surveys and inspections as required by the Village or the department.

(8) Violations. The issuing agent shall investigate violations of this private sewerage system ordinance and Sec. 146.13, Wis. Stats., and issue orders to correct the violations.

(9) Lot size; Minimum Area.

[a] In the event application is made for a private sewerage system, involving any lot, tract, or parcel of land which existed in single ownership, separate and distinct from any abutting property, on the date of the enactment of the "ZONING REGULATIONS" (Chapter 7 of the consolidated ordinances of the Village), or involving any lot, tract or parcel of land existing in single ownership, separate and distinct from any abutting property, on the effective date of the ordinance annexing the territory within which said parcel is located, and which said parcel is of less area than that required in Chapter 7, the Village Engineer shall certify in a written statement, signed by him and delivered to the Village Clerk before any such permit may be issued, that the public health, safety and general welfare of the district within which said parcel is located, will not be impaired by the installation of such private sewerage facilities, constructed in compliance with the Village ordinances. In no case shall a permit be issued for the installation of any private

sewerage system, unless the premises to be used for residence purposes in connection therewith have a minimum lot area of 34,000 square feet with no side of a lot less than 120 feet in length.

[b] No permit for such private sewerage system shall be issued, unless at the time of making application therefor, there shall be a residence existing upon the premises covered by said application, or unless a building permit is issued simultaneously therewith for the construction of a residence upon said premises.

[c] In the event the Village Engineer shall refuse to certify in a written statement, as provided in paragraph [a], above, or the Plumbing Inspector shall deny the owner's application or refuse to issue a permit for the work desired, then the owner of the premises may direct an appeal to the Board of Appeals of the Village, in accordance with the provisions of Chapter 7 of the General Ordinances. The said Board of Appeals, in each such case, shall determine all the facts with respect to the size of the lot, the sufficiency thereof, the date the present owner acquired same, the ownership of adjoining lots, and the effect of such contemplated use of said parcel of real estate upon the public health, safety, and general welfare of the district within which said parcel is located. The said Board of Appeals shall have the authority to determine said appeal and make its ruling pursuant to the provisions of Section 62.23 of the Wisconsin Statutes.

#### **Section 13.14. PRIVATE WATER PUMP INSTALLATION.**

(1) All water pumps shall be installed in compliance with the provisions of Sec. 112.17 of Chapter NR112 "Well Construction and Pump Installation" of the Wisconsin Administrative Code, and any amendments thereof or supplements thereto are hereby made a part of this section by reference with the same force and effect as though set forth herein verbatim.

#### **Section 13.15. WELL ABANDONMENT AND WELL PERMITS (Cr #574, 9/20/23)**

(1) Purpose. To protect public health, safety and welfare and to prevent contamination of groundwater by assuring that unused, unsafe or noncomplying wells or wells which may act as conduits for contamination of groundwater or wells which may be illegally cross connected to the municipal water system, are properly maintained or abandoned.

(2) Applicability. This article applies to all wells in the Village of River Hills located on premises served by any municipal water system.

(3) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Municipal water system* means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district,



municipal water district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility servicing the foregoing.

***Noncomplying*** means a well or pump installation which does not comply with Wis. Admin. Code § NR 812.42, Standards for Existing Installations, and which has not been granted a variance pursuant to Wis. Admin. Code § NR 812.43.

***Pump installation*** means the pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.

***Unsafe well or pump installation*** means one which produces water which is bacteriologically contaminated or contaminated with substances which exceed the drinking water standards of Wis. Admin. Code ch. NR 140 or 809 or for which a health advisory has been issued by the department of natural resources.

***Unused well or pump installation*** means one which is not used or does not have a functional pumping system.

***Village*** means the Village of River Hills.

***Well*** means a drillhole or other excavation or opening deeper than it is wide that extends more than ten feet below the ground surface constructed for the purpose of obtaining groundwater.

***Well abandonment*** means the proper filling and sealing of a well according to the provisions of Wis. Admin. Code § NR 812.26.

(4) Abandonment required. All wells on premises served by the municipal water system shall be properly abandoned in accordance with this section not later than one year from the date of connection to the municipal water system, unless a valid well operation permit has been issued to the well owner by the Village Building Inspector under the terms of this section.

(5) Well Operation Permit.

(a) Owners of wells on premises served by the municipal water system wishing to retain their wells for any use shall make application for a well operation permit for each well at the time of utility meter installation. The building inspector or designee shall grant a permit to a well owner to operate a well for a period not to exceed five years providing all conditions of this section are met. A well operation permit may be renewed by submitting an application verifying that the conditions of this section are met. The Village shall require inspections and water quality tests to be conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made

on forms provided by the Village. All initial and renewal applications must be accompanied by the appropriate fee from the Village's adopted fee schedule.

(b) The following conditions must be met for issuance or renewal of a well operation permit:

(1) The well and pump installation shall meet the Standards for Existing Installations described in Wis. Admin. Code § NR 812.42.

(2) The well and pump shall have a history of producing safe water evidenced by at least one coliform bacteria sample. In areas where the Department of Natural Resources has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to document the safety of the water.

(3) There shall be no cross connections between the well's pump installation or distribution piping and the municipal water system.

(4) The water from the private well shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the Village Department of Public Works.

(5) The private well shall have a functional pumping system.

(6) The proposed use of the private well shall be approved by the municipal water system and generally that use is for irrigation purposes that do not substantially affect the groundwater supply.

(6) Abandonment Procedures.

(a) All wells abandoned under the jurisdiction of this section shall be done according to the procedures and methods of Wis. Admin. Code § NR 812.26. All debris, pumps, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.

(b) The owner of the well, or the owner's agent, shall employ a licensed well contractor to obtain a well abandonment permit prior to the well abandonment and shall notify both the municipal water system and the Village at least 48 hours in advance of any well abandonment activities. The abandonment of the well may be observed or verified by personnel of the municipal water system or the Village.

(c) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the municipal water system, the Village and the Department of Natural Resources within 30 days of the completion of the well abandonment.”

**Section 13.27. APPEAL.**

(1) Appeal by Inspectors. In the event of any disagreement between the Plumbing Inspector and the Building Inspector and/or the Village Manager and Engineer, the latter's decision shall be final, the said Plumbing Inspector and/or Building Inspector having the recourse to appeal said decision to the Village Board after giving due notice thereof in all cases to the Village Manager and Engineer.

(2) Appeal by Public. Any person feeling himself aggrieved by any order or ruling of the Plumbing Inspector may appeal therefrom to the Village Board of Appeals in the same manner as appeals from the Building Inspector's Ruling are provided for in Chapter 7.

**Section 13.28. PENALTY.** Any person who shall resist or obstruct any lawful exercise of authority by the Plumbing Inspector, or who shall refuse or neglect to comply with any lawful order of the Health Officer or Board of Health of the Village, or any person who shall intentionally, willfully, or maliciously damage or obstruct any sewer, house drain, catch basin, fixture, apparatus, pipes, or other parts of any plumbing system, or any sewer, water, gas, or any parts or apparatus connected therewith, laid or constructed in the streets, alleys, sidewalks or other public places of the Village, or any person, firm or corporation installing or allowing to be installed any plumbing or drainage facility, private sewerage disposal or septic tank system, or private water supply system in the Village contrary to the provisions of this chapter, or found guilty of the violation of any of the provisions of this chapter, shall, upon conviction thereof, be subject to a forfeiture of not less than Ten (\$10.00) Dollars nor more than Five Hundred (\$500.00) Dollars and the costs of the action; and in default of payment of such forfeiture and costs, shall be subject to imprisonment in the County Jail or the House of Correction of Milwaukee County until said forfeiture and costs, together with subsequent costs, are paid, not exceeding ninety (90) days. Each day of violation shall be construed and considered to be a separate violation and shall be subject to a forfeiture as such. In any action, the fact that a permit was issued shall not constitute a defense, nor shall any oversight or dereliction of duty on the part of the Plumbing Inspector constitute a defense.

**Section 13.29. VILLAGE SEWERAGE SERVICE CHARGES.**

(1) Purpose. The purpose of this ordinance is to establish charges which represent the proportionate contribution of users of the local village sanitary sewerage system and the users proportionate share of the total operational, maintenance and replacement costs of the system.

(2) Definitions. For the purpose of this ordinance, the following definitions shall apply.

[a] "Local operation and maintenance" and "operation, maintenance and repair of the Village sanitary sewer system" include all costs, direct or indirect, not including debt service but inclusive of expenditures attributable to administration, replacement of equipment, and

collection of wastewater, necessary to ensure adequate wastewater collection on a continuing basis which conforms to applicable regulations and assures optimal long-term facility management.

[b] "Replacement" means the expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the Village sanitary sewerage system to maintain the capacity and performance for which such system was designed and constructed. The term "operation and maintenance" includes replacement.

[c] "Sewerage Service Charges" means the system of charges levied on users for the cost of operation and maintenance, including replacement reserve requirements on new and old wastewater collection facilities.

(3) Local User Charge System.

[a] There is hereby imposed a sewerage service charge against all buildings connected to sanitary sewers within the Village upon a unit system of charges at the rate of Five (\$5.00) Dollars per month per unit, as follows:

<u>TYPE OF USER</u>	<u>UNIT CHARGE</u>
Single Family Residence.	1
Accessory Buildings used for residential purposes.	1
Multiple family residence, each apartment.	1
Churches.	2
Schools and Clubs having an average attendance of membership of less than 100.	4
Schools and Clubs having an average attendance or membership of 100 or more.	8

[b] The sewerage service charge to be paid by each school shall be based upon the Certificate of the principal of each school which shall certify the average attendance for the period the charge is made, and the sewerage service charge to be paid by each club shall be based upon the Certificate of the club manager which shall certify the average membership of the club for the period the charge is made.

[c] Any combination of the type of users named in [a] above shall be charged separately.

(4) Billing and Payment of Charges.

Billing and Payment of Charges. (a) Sewerage charges shall be billed by the Village on an annual basis. The annual charge may be billed on the real estate tax bill for the property upon which Village sewer service charges apply. In the event that any such bill shall not be paid when due, a penalty of one (1%) percent per month shall be added thereto. (Rep. & Rec. Ord 516, 11/16/11)

(5) Basis for Local Operations and Maintenance Charges.

[a] The user charge system shall reflect the Village's budget established for local sewer system operations, maintenance, and replacement charges for the calendar year of 1983, and years subsequent thereto.

[b] The Village shall review at least every two (2) years the wastewater contributions of its users and shall revise its system of charges, as necessary, to recover actual costs and maintain the proportional distribution of local operation and maintenance costs and user classes, applying any excess revenues from class of users to the local operation and maintenance costs attributable to that class for the next year.

[c] The local user charge system shall generate annual revenues adequate to pay the costs of the annual operation and maintenance, including replacement costs, of the local sewerage collection system.

[d] The total local user charges collected designated for operation and maintenance, including replacement purposes, shall be deposited in a separate non-lapsing fund known as the "LOCAL OPERATION AND REPLACEMENT FUND", and shall be maintained in two (2) primary accounts, as follows:

(1) An account designated for the specific purpose of defraying operation and maintenance costs, excluding replacement costs, designated as the "OPERATION AND MAINTENANCE ACCOUNT".

(2) An account designated for the specific purpose of ensuring replacement needs over the useful life of the Collection system, designated as the "REPLACEMENT ACCOUNT".

[e] The year end balances in each of the above accounts shall be carrier over to the same accounts in each subsequent year, and the funds in each account shall be used for no

other purposes. Funds which may be transferred from other sources to meet temporary shortages in the "LOCAL OPERATION, MAINTENANCE AND REPLACEMENT ACCOUNT" shall be returned to their respective accounts after appropriate adjustment of the local user charge rates for operation, maintenance and replacement. The local user charge rate(s) shall be adjusted so that the transferred funds can be returned to their respective accounts no later than the year following the year in which the funds were borrowed

**Section 13.30. SANITARY SEWER USER CHARGES.**

(1) Purpose. The wastewater of this municipality is collected and treated in whole or in part by the wastewater system operated by Milwaukee Metropolitan Sewerage District (the "District"). The purpose of this ordinance is to enable this municipality to establish and collect from users within the municipality those charges which represent the proportionate contribution by such users both (a) to the cost of operating and maintaining the system, and (b) that part of the cost of past and future capital improvements in the system not defrayed by an ad valorem tax on real property. Such charges are required to enable the District to become and remain eligible for federal grants for wastewater facility capital improvements.

(2) Incorporation of District Rules and Regulations. The following sections and related appendices of the District Rules and Regulations, Chapter 17 promulgated by the District, as now in effect and as the same may be amended from time to time hereinafter, are hereby incorporated by reference and shall be of full force and effect as though set forth in their entirety herein.

17.102	Definitions.
17.104(1)	Municipal Transfer of Data.
17.104(2)	Estimated Volume of Discharge
17.104(4)	Collection Terms
17.105(1)	User Transfer of Data
17.105(2)	Discharge Factor Certification
17.105(3)	Wastestrength Certification
17.105(4)	Certification Procedures.
17.105(5)	Verification.
17.105(6)	Audit Control of User Connections.
17.105(7)	Appeal Provision.
17.201	Purpose of the User Charge System.
17.202	User Charge Billing Basis
17.203	Wholesale User Charge Billing Bases
17.204	Unit Costs of Treatment.
17.301	Purpose of the Local Capital Recover (LCR) System.
17.302	LCR Billing Basis
17.303	Wholesale LCR Billing Basis
17.304	Unit Costs of LCR.

17.401	Purpose of the Industrial Cost Recovery (ICR) System.
17.402	ICR Billing Basis
17.403	Wholesale ICR Billing Basis
17.404	Unit Costs of ICR.

For purposes hereof "Residential Structure" as defined in District Rules and Regulations, shall mean any building accommodating exclusively one or two residential units.

(3) User Charges. There is hereby imposed a charge on each user in this municipality who discharges wastewater, directly or indirectly, into the wastewater system operated by the District. Such charge shall be in the amount specified below for the various classes of users.

A. Residential Users. The residential users charge shall be based on a uniform charge, as follows:

The uniform charge for each residential unit shall be calculated by dividing the wholesale residential user charge (i.e., the charge by the District to the municipality) by the number of residential units in the municipality. Individual residential user charges shall be calculated as the user's number of residential units times this uniform charge.

B. Non-Certified Commercial Users. The retail non-certified commercial user charge shall be based on a volumetric charge, as follows:

The volumetric charge shall be calculated by dividing the wholesale non-certified commercial user charge (i.e., the charge by the Commission to the municipality), excluding connection charges, by the total volume of non-certified commercial water consumption. Individual non-certified commercial user charges shall be calculated by multiplying the user's volume of water consumption times this volumetric charge plus the user's number of service connections times the connection charge.

C. Discharge Certified Commercial Users. Each retail discharge certified commercial user charge shall be equal to each wholesale discharge certified commercial user charge submitted to the municipality pursuant to Chapter 17, MMSD Rules.

D. Wastestrength Certified Commercial Users. Each retail wastestrength certified commercial user charge shall be equal to each wholesale wastestrength certified commercial user charge submitted to the municipality pursuant to Chapter 17, MMSD Rules.

E. Non-Certified Industrial Users. Each retail non-certified industrial user charge shall be equal to each wholesale non-certified industrial user charge submitted to the municipality pursuant to Chapter 17, MMSD Rules.

F. Discharge Certified Industrial Users. Each retail discharge certified industrial user charge shall be equal to each wholesale discharge certified industrial user charge submitted to the municipality pursuant to Chapter 17, MMSD Rules.

G. Wastestrength Certified Industrial Users. Each retail wastestrength certified industrial user charge shall be equal to each wholesale wastestrength certified industrial user charge submitted to the municipality pursuant to Chapter 17, MMSD Rules.

(4) Local Capital Recovery Charges. There is hereby imposed a local capitol recovery (LCR) charge on each industrial user in this municipality whose function is described by the Standard Industrial Classification (SIC) Division D ("LCR user"). The LCR charge shall be in the amount specified below for the various classes of LCR users:

A. Non-Certified Industrial Users. Each retail non-certified industrial LCR charge shall be equal to each wholesale non-certified industrial LCR charge submitted to the municipality pursuant to Chapter 17, MMSD Rules.

B. Discharge Certified Industrial Users. Each retail discharge certified industrial LCR charge shall be equal to each wholesale discharge certified LCR charge submitted to the municipality pursuant to Chapter 17, MMSD Rules.

C. Wastestrength Certified Industrial Users. Each retail wastestrength certified industrial LCR charge shall be equal to each wholesale wastestrength certified industrial LCR charge submitted to the municipality pursuant to Chapter 17, MMSD Rules.

(5) Industrial Cost Recovery Charges. There is hereby imposed an industrial cost recovery (ICR) charge on each ICR user (as defined in District Rules and Regulations, Chapter 17 ) in this municipality. The ICR charge shall be in the amount specified below for the various classes of ICR users.

A. Non-Certified Industrial Users. Each retail non-certified industrial ICR charge shall be equal to each wholesale non-certified industrial ICR charge submitted to the municipality pursuant to Chapter 17, MMSD Rules.

B. Discharge Certified Industrial Users. Each retail discharge certified industrial ICR charge shall be equal to each wholesale discharge certified industrial ICR charge submitted to the municipality pursuant to Chapter 17, MMSD Rules.



C. Wastestrength Certified Industrial Users. Each retail wastestrength certified industrial ICR charge shall be equal to each wholesale wastestrength certified industrial ICR charge submitted to the municipality pursuant to Chapter 17, MMSD Rules.

(6) Billing.

A. User, LCR, and ICR charges shall be billed on an annual basis. The annual charge may be billed on the real estate tax bill for the property upon which the sanitary sewer user, LCR and ICR charge apply. In the event that such bill is not paid when due, a penalty of one percent (1%) per month shall be added thereto.

B. All bills shall be payable to the Village Treasurer at the Village Hall. (Rep. & Rec. Ord 516, 11/16/11)

(7) Local Sewerage Charges. In addition to the charges imposed pursuant to subsections (1) through (4) above with respect to the usage of the waterwaste system of the District, this municipality is also empowered pursuant to Section 66.076(4), Wis. Stats., to establish and impose sewer charges necessary to meet the capital and operating and maintenance expenses of its local sewerage system. Such charges are imposed and governed by Section 13.29 of the Village Code of Ordinances. The provisions of this ordinance repeal or replace said Section 13.29 or any other ordinance only to the extent of direct conflict herewith, i.e., only to the extent that any other such ordinance purports to establish rules applicable for the collection of User, ICR and LCR charges with respect to the wastewater system operated by the District, rather than the local system.