CLAYTON SANITARY DISTRICT #1 COMMISSION MEETING

Wednesday, October 21, 2026 at 6:00 PM

Town Hall Meeting Room, 8348 Hickory Ave, Larsen, WI 54947

AGENDA

CALL TO ORDER

A. Pledge of Allegiance
B. Verification of Notice
C. Meeting Roll

PUBLIC HEARING(S) AND/OR PUBLIC INFORMATION MEETINGS

A. Sanitary District Commission Public Hearing on the CY 2027 Budget & Tax Levy on all taxable property in the District for the required annual payment to Fox West Regional Facility, and for operation & maintenance.

APPROVAL OF MINUTES

A. Approval of the Minutes of the Tuesday, October 21, 2025 Clayton Sanitary District #1 Meeting

BUSINESS

A. Discussion/Action: Sanitary District Commission review & consideration of the CY 2027 Budget & Tax Levy on all taxable property in the District for the required annual payment to Fox West Regional Facility, and for operation & maintenance.
B. Discussion/Action: Sanitary District Commission review & consideration of amending the Town of Clayton Sanitary District #1 Wastewater & Sanitary Sewer Regulation language, including preserving dual service billing for future, definitions to reflect naming conventions, amendments for when a property shall be required to connect to available services, and other amendments related to when connection fees are due.

ADJOURNMENT

Respectfully submitted,

Russell D. Geise
Town Chairperson

Pursuant to Wisconsin Statute 19.84 (2) and (3) notice is hereby given to the public and the media that two or more members of any or all Boards, Commissions, and Committees of the Town of Clayton, may attend the meeting of the Town Board in order to gather information. For purposes of the Open Meetings Law only; attendance at a meeting by a quorum of members of the Town Boards, Commissions, and Committees constitutes a meeting of the Board, Commission, or Committee, pursuant to Badke Vs. Village Board of Village of Greendale, 173 Wis2d 553, 494 NW2d 408 (1993), and must be noticed as such, although it is not contemplated that any formal action by those bodies will be taken. The only business to be conducted is for Town Board action.

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, please call the Town Office at 920.836.2007.

This agenda has been posted at the following locations in the Town of Clayton:

1. The Town Hall Posting Board – 8348 Hickory Ave, Larsen, WI 54947
2. The Town's Web Page: --

CLAYTON SANITARY DISTRICT #1 COMMISSION MEETING

Tuesday, October 21, 2025
Immediately following a Prior Scheduled Meeting

Town Hall Meeting Room, 8348 Hickory Ave, Larsen, WI 54947

MINUTES

THIS MEETING IS IMMEDIATELY FOLLOWING THE BOARD OF SUPERVISORS BUDGET REVIEW MEETING.

CALL TO ORDER – Chair Geise called the meeting to order at 2:13 pm

A. Pledge of Allegiance
B. Verification of Notice
C. Meeting Roll

PRESENT
Commission Chair Geise
Commissioner Lettau
Commissioner Grundman
Commissioner Reif

EXCUSED
Commissioner Christianson

STAFF
Administrator Wisnefske
Clerk Faust-Kubale
Treasurer Fietzer

PUBLIC HEARING(S) AND/OR PUBLIC INFORMATION MEETINGS

A. Sanitary District Commission Public Hearing on the CY 2026 Budget and Tax Levy on all taxable property in the District for the required annual payment to Fox West Regional Facility, and for operation & maintenance.

PUBLIC HEARING CLOSED AT 2:14 PM

APPROVAL OF MINUTES

A. Approval of the Minutes of the Wednesday, July 2, 2025 Clayton Sanitary District #1 Meeting

MOTION
Motion made by unanimous consent to approve the Minutes of the Wednesday, July 2, 2025, Clayton Sanitary District #1 Meeting as presented.
Motion carried by unanimous voice vote.

BUSINESS

A. Discussion/Action: Sanitary District Commission review & consideration of the CY 2026 Budget and Tax Levy on all taxable property in the District for the required annual payment to Fox West Regional Facility, and for operation & maintenance.

MOTION

Motion made by unanimous consent to approve the Budget and Tax Levy on all taxable property in Clayton Sanitary District #1 for the required annual payment to Fox West Facility, and for operation & maintenance.

Motion carried by unanimous voice vote.

ADJOURNMENT

MOTION

Motion made by unanimous consent to adjourn at 2:28 pm.

Motion carried by unanimous voice vote.

Respectfully submitted,

Kelsey Faust-Kubale, WCMC
Town Clerk

MEMORANDUM

Business Item A

From: Administrator/Staff
To: Clayton Sanitary District #1 Commission
Re: Sanitary District Commission review & consideration of the CY 2027 Budget and Tax Levy on all taxable property in the District for the required annual payment to Fox West Regional Facility, and for operation & maintenance.

SUGGESTED MOTION:

*Motion **AND ROLL CALL** to approve the Budget and Tax Levy on all taxable property in Clayton Sanitary District #1 for the required annual payment to Fox West Facility, and for operation & maintenance.*

If you have any questions about this information, please feel free to call or e-mail me.

Respectfully Submitted
Kelsey

TOWN OF CLAYTON
2027 WORKING BUDGET
SANITARY DISTRICT FUND

Account Number	Fund description	Short account description	2025 Actual 12/31/2025	2026 Actual Through 9/30/2026	2026 Budget	2027 Proposed Budget
620-00-41100-000-000	SANITARY DISTRICT	SANITARY CHARGES FOR SERVICE	$ 100,000	$ 100,000	$ 100,000	$ 100,000
620-00-46410-000-000	SANITARY DISTRICT	SEWER USER CHARGES	$ 87,035	$ 57,400	$ 80,000	$ 125,000
620-00-46411-000-000	SANITARY DISTRICT	CONNECTION CHARGE	$ 22,887	$ 3,720	$ 10,000	$ 10,000
620-00-46412-000-000	SANITARY DISTRICT	STANDBY CHARGES	$ 9,834	$ 73,415	$ 1,300	$ 25,000
620-00-46413-000-000	SANITARY DISTRICT	INTEREST FEE/ STATEMENT FEE	$ 927	$ 797	$ -	$ -
620-00-46414-000-000	SANITARY DISTRICT	SEWER INSPECTIONS	$ 1,500	$ 4,020	$ -	$ 3,000
620-00-43411-000-000	SANITARY DISTRICT	PERSONAL PROPERTY AID	$ 1,647	$ 1,647	$ 1,647	$ 1,647
		TRANSFER IN				$ -
SANITARY DISTRICT REVENUES			**$ 223,830**	**$ 240,999**	**$ 192,947**	**$ 264,647**
620-00-51300-000-000	SANITARY DISTRICT	SANITARY LEGAL FEES	$ 13,535	$ -	$ -	$ -
620-00-53441-150-000	SANITARY DISTRICT	SANITARY DIST ADMIN CHARGES	$ 48,000	$ -	$ -	$ -
620-00-53610-110-000	SANITARY DISTRICT	SANITARY WAGES	$ 37,095	$ 24,559	$ 41,245	$ 93,140
620-00-53610-130-000	SANITARY DISTRICT	SANITARY SOC SEC/MEDICARE	$ 2,683	$ 1,737	$ 3,155	$ 7,125
620-00-53610-131-000	SANITARY DISTRICT	SANITARY WRS	$ 2,509	$ 1,594	$ 2,970	$ 6,753
620-00-53610-132-000	SANITARY DISTRICT	SANITARY HLTH INS	$ 11,468	$ 7,419	$ 14,081	$ 14,645
620-00-53610-141-000		UNIFORMS	$ -	$ -	$ -	
620-00-53610-210-000	SANITARY DISTRICT	SANITARY LEGAL	$ -	$ 150	$ 1,000	$ 1,000
620-00-53610-211-000	SANITARY DISTRICT	SANITARY AUDITOR	$ 4,000	$ -	$ 4,000	$ 4,200
620-00-53610-226-000	SANITARY DISTRICT	GAS & FUEL	$ -	$ 235	$ -	$ 5,000
620-00-53610-240-000	SANITARY DISTRICT	SANITARY REP & MAINT OTHER	$ 78,665	$ 58,977	$ 75,000	$ 78,000
620-00-53610-243-000		VEHICLE MAINTENANCE	$ -	$ 34,919	$ -	$ 5,500
620-00-53610-290-000	SANITARY DISTRICT	SANITARY CONTRACT SERVICES	$ 50,084	$ 11,676	$ 8,000	$ 8,000
620-00-53610-291-000	SANITARY DISTRICT	SANITARY SOFTWARE SUPPORT	$ 1,000	$ -	$ 1,000	$ 1,100
620-00-53610-292-000		LOCATE COST	$ -	$ -	$ -	$ 1,000

620-00-53610-293-000		PLANNING/ENGINEERING	$ -	$ -	$ -	$ 26,000
620-00-53610-294-000		GIS COST	$ -	$ -	$ -	$ 6,500
620-00-53610-310-000		OFFICE SUPPLIES & EXPENSE	$ -	$ -	$ -	$ 1,000
620-00-53610-340-000	SANITARY DISTRICT	SANITARY OPERATING SUPPLIES	$ -	$ 303	$ -	$ 500
620-00-53610-510-000	SANITARY DISTRICT	SANITARY PROPERTY/LIABILITY INS	$ 4,600	$ -	$ 4,600	$ 4,700
620-00-53610-530-000	SANITARY DISTRICT	SANITARY RENTS & LEASES	$ 35,402	$ -	$ -	
620-00-53441-620-000		INTEREST ON NOTE GO 2025	$ -	$ 114,634	$ -	$ 45,000
620-00-53610-700-000	SANITARY DISTRICT	SANITARY INTERDEPT ADMIN CHGS	$ -	$ 66,000	$ 66,000	$ -
620-00-58200-000-000	SANITARY DISTRICT	SANITARY INTEREST	$ 59,204	$ -	$ 140,894	$ 78,544
620-00-58300-000-000	SANITARY DISTRICT	SANITARY DEBT FINANCING COSTS	$ 39,797	$ -	$ -	$ -
620-00-53610-133-000	SANITARY DISTRICT	PENSION EXPENSE (AUDIT ONLY)	$ 789	$ -	$ -	$ -
SANITARY DISTRICT EXPENDITURES			**$ 388,831**	**$ 322,203**	**$ 361,945**	**$ 387,707**
EXCESS REVENUES OVER (UNDER) EXPENDITURES			**$ (165,001)**	**$ (81,204)**	**$ (168,998)**	**$ (123,060)**

MEMORANDUM

Business Item B

From: Administrator/Staff
To: Clayton Sanitary District #1 Commission
Re: Sanitary District Commission review & consideration of amending the Town of Clayton Sanitary District #1 Wastewater & Sanitary Sewer Regulation language, including preserving dual service billing for future, definitions to reflect naming conventions, amendments for when a property shall be required to connect to available services, and other amendments related to when connection fees are due.

Included is a preliminary red-line copy of amendments to the regulation language. Upon Town Counsel review, there were some additional changes suggested:

- In § 3.15A, after "Connection to sewer and water required." I would add the following to begin the second sentence: "Except as provided in Subsection A(4) for existing buildings, and, if applicable, the deferral requirements of Subsection B,..."
-
- In § 3.15A(4)(a), I would add the following at the end: "Notwithstanding the foregoing 360-day connection requirement, an existing building served by a functioning private potable well and/or private onsite wastewater treatment system may continue to utilize such private system(s) beyond the otherwise applicable 360-day connection period only if the property owner obtains and maintains a deferral pursuant to Subsection B. While such deferral remains in effect, connection shall be required upon the first occurrence of a mandatory connection event identified below or upon termination of the deferral pursuant to Subsection C, whichever occurs first."
    - I think this clarifies how the existing 360-day connection requirement, Subsection B deferral process, and new mandatory connection events are intended to work together. Under this language, an owner of an existing building would either connect within 360 days after service becomes available or obtain and maintain a formal deferral under Subsection B. While that deferral remains in place, connection would not be required until one of the new mandatory connection events occurs or the deferral otherwise terminates under Subsection C. Please confirm that this reflects the Town's intent, particularly with respect to a sale or transfer. If the intent is instead to require connection at or before closing, we should revise the sale/transfer provision accordingly.

- In § 3.15A(4)(a)(i)(c), addition of something such as the following to the end: "..., excluding transfers to a spouse, to a trust or entity controlled by the owner, or a transfer occurring by reason of the owner's death."

- For § 3.15C, if the intent is instead for the A(4) triggering events to also require connection within 90 days, I suggest revising A(4) to make that deadline explicit.

- § 3.02J defines "Fox West Regional Sewerage Commission," but § 3.02M and § 3.21D says "Fox West Sewerage Commission," without "Regional."

- § 3.02 Definitions "Fox West Regional Sewerage Commission" and "Utility Superintendent" are out of alphabetical order.

SUGGESTED MOTION:

*Motion **AND ROLL CALL** to approve the amendments to the Wastewater & Sanitary Sewer Regulation language as presented in the red-line & Counsel comments.*

If you have any questions about this information, please feel free to call or e-mail me.

Respectfully Submitted
Kelsey

STATE OF WISCONSIN WINNEBAGO COUNTY

SECTION 3: WASTEWATER AND SANITARY SEWER REGULATIONS

OF THE CODE OF ORDINANCES OF THE TOWN OF CLAYTON SANITARY DISTRICT NO. 1

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§3.01 Intent and Purpose

The intent and purpose of this article and the regulations contained herein 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 wastewaters into the public sewer system.

§3.02 Definitions

For the interpretation and enforcement of this article, certain words and terms are defined as follows. "May" is permissive; "shall" is mandatory.

A. BIOCHEMICAL OXYGEN DEMAND (BOD): The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C., expressed in milligrams per liter.

B. COMMISSION: The Sanitary Commission of the Town of Clayton Sanitary District No. 1.

C. BUILDING DRAIN: That part of the lower horizontal piping of a drainage system that receives the discharge of soil, waste and other drainage pipes inside any building and conveys the same to the building sewer by gravity flow.

D. BUILDING SEWER: The extension from the building drain to the public sewer or other place of disposal, also called "house connection," "building connection" or "lateral."

E. COMBINED SEWER: A sewer intended to receive both wastewater and stormwater or surface water.

F. DIRECTOR OF PUBLIC WORKS: The operating official of the Sanitary District appointed from time to time by the Commission. If the Sanitary District does not, from time to time, appoint or have acting as a Plumbing Inspector, as that term is titled and used within this article, the term "Director of Public Works" shall be considered synonymous with the term "Plumbing Inspector."

G. EASEMENT: An acquired legal right for the specific use of land owned by others.

H. FLOATABLE OIL: Oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. The wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not interfere with the collection system.

I. GARBAGE: The animal and vegetable waste resulting from the handling, preparation, cooking, and serving of foods.

J. FOX WEST REGIONAL SEWERAGE COMMISSION (FWRSC; formerly the GRAND CHUTE-MENASHA WEST SEWERAGE COMMISSION, ~~(~~GCMW SEWERAGE COMMISSION or~~)~~ ~~(~~GC-MWSC): Includes the sewage treatment plant and interceptors under the jurisdiction of the Commission which transport and treat sewage of the Sanitary District~~EUD~~.

K. INDUSTRIAL WASTES: The wastewater from industrial processes, trade, or business as distinct from domestic or sanitary wastes.

L. INTERCEPTOR IMPACT FEE: The fee charged for connecting to available utilities, also

known as the connection fee.

~~L.~~M. MANAGER: The manager of the wastewater facilities and the wastewater treatment works ~~o~~for the ~~Grand Chute-Menasha~~Fox West Sewerage Commission and/or the Neenah-Menasha Sewerage Commission or their authorized deputies, agents, or representatives.

~~M.~~N. NATURAL OUTLET: Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, algae, or other body of surface water or groundwater.

~~N.~~O. NEENAH-MENASHA SEWERAGE COMMISSION (NMSC): Includes the sewage treatment plant and interceptors under the jurisdiction of the Commission that transport and treat sewage from the Sanitary District~~EUD~~.

~~O.~~P. PERSON: Any individual, firm, company, association, society, corporation, municipality, or group.

~~P.~~Q. pH: The logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10^-7.

~~Q.~~R. PROPERLY SHREDDED GARBAGE: 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.

~~R.~~S. PUBLIC SEWER: A common sewer controlled by a governmental agency or public utility.

~~S.~~T. SANITARY DISTRICT. The Town of Clayton Sanitary District No. 1.

~~T.~~U. SANITARY SEWER: A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with the incidental quantities of groundwater, stormwater, and surface waters that are not admitted intentionally.

~~U.~~V. SEPARATOR: 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.

W. SERVICE AVAILABILITY CHARGE: The fee charged to properties in the District not connected to available public

~~V.~~X. SEWAGE: The spent water of a community. The preferred term is "wastewater."

~~W.~~Y. SEWER: A pipe or conduit that carries wastewater or drainage water.

~~X.~~Z. SLUG: Any discharge or change in rate of discharge of water, wastewater or pollutant concentrations from any source to the sanitary sewer system that causes or may cause physical damage or interferes with the treatment processes or results in violation of effluent limitations.

~~Y.~~AA. STANDARD METHODS: The latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association.

~~Z.~~BB. STORM DRAIN (sometimes termed "storm sewer"): A drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.

~~AA.~~CC. STORMWATER: That water which originates from rainfall and/or snowmelt.

DD. SUSPENDED SOLIDS: Total suspended matter that either floats on the surface of or is in suspension in water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in Standard Methods.

~~BB.~~EE. UTILITY SUPERINTENDENT. Operating official of the Sanitary District.

~~CC.~~FF. UNPOLLUTED WATER: 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 any discharge to the sanitary sewers and wastewater treatment facilities provided.

~~DD.~~GG. WASTEWATER: The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from the residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

~~EE.~~HH. WASTEWATER FACILITIES: The structures, equipment and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

~~FF.~~II. WASTEWATER TREATMENT WORKS: An arrangement of devices and structures for the 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."

~~GG.~~JJ. WATERCOURSE: A natural or artificial channel for the passage of water either continuously or intermittently.

§3.03 Sanitary Sewer Installation and Connection Permits

A. Permit required.

(1) No person shall make any connection of any sanitary sewer facilities or lines in the Sanitary District without first obtaining a permit from the Sanitary District. A permit fee shall be charged for the hooking of any wastewater line or facility to the sewer main. The Manager or Director of Public Works shall be informed, in writing, as to the size of the connection to be installed or connection to the sewer main.

(2) The permit application shall be made on forms approved by the Sanitary District and kept on file with the clerk of the Sanitary District. Charges or fees for inspections and/or connections shall be established and kept on file by the clerk of the Sanitary District and shall be amended from time to time to reflect the appropriate charges necessary for the operation of the district.

B. Installation requirements. The permit shall allow the hookup or installation of a connection to the sewer main as designated on the permit. The permit shall contain information to

notify the Sanitary District of the time and place of the installation of the lateral or the hookup for connection. No sewer or water lateral installation shall be completed and covered without first being inspected by Sanitary District inspectors. At the time that said connection is completed, the Sanitary District designated inspector shall inspect the connection and the lateral up to the building being connected.

C. Final inspection. The permit shall contain a final approval signature line that will be required to be signed before covering the sewer lateral installation or other type of connection. In the event no inspection is made and the final approval is not obtained, the Sanitary District shall have the right to disconnect any lateral not so inspected and approved. The Manager or Director of Public Works of the Sanitary District shall be notified at least 24 hours before the actual hookup of any connection or lateral so that a member of the Sanitary District and/or its inspector may be present when the work is actually being completed.

D. Applications.

(1) Application for sanitary sewer service shall be made by the owner or authorized agent of the property, in writing, on a form furnished by the Sanitary District. The application shall contain the legal description of the property to be served, name of the owner, the exact use to be made of the service, and the size of the sewer pipe.

(2) The Manager or Director of Public Works is hereby empowered to withhold approval of any application wherein full information of the purpose of such use of Sanitary District sewers is not clearly indicated and set forth by the applicant property owner.

E. Compliance with rules. All persons receiving sewer service from the Sanitary District or who may hereafter make application therefor shall be considered as having agreed to be bound by the rules and regulations as passed in ordinance form by the Sanitary District and all rules and regulations of the Public Service Commission or the regulatory services of the State of Wisconsin.

§3.04 Design and Construction of Sewer Main and Facilities

A. All new sewer mains and facilities of the Sanitary District shall be designed by a professional engineer in accordance with Wisconsin Statutes applicable to the design and construction of sewer main and facilities and the administrative regulations of the Wisconsin Department of Natural Resources prior to construction. Design shall be in accordance with good engineering practice, such as the latest edition of "Recommended Standards for Sewage Works," a committee report of the Great Lakes-Upper Mississippi River Board of State Sanitary Engineers.

B. A review shall be made by the Manager concerning the impact upon the sewerage system of any additional sewage generated by construction of new extensions and alteration to or installation of pretreatment facilities. His approval shall be required before construction of the sewers or pretreatment facilities begins. Approval shall be denied if the Manager determines that the additional sewage or change(s) in the sewage characteristic(s) will overload the system or result in a condition detrimental to the operation, safety and/or structural integrity of the system or any part thereof.

C. Construction of all new or replacement sewer mains, new stub outs, and facilities within

the Sanitary District which are being installed under contract with the Sanitary District shall be adequately inspected by the Public Works Department or the Director of Public Works. The construction shall comply with the Wisconsin Department of Natural Resources approved conditions, the "Standard Specifications for Sewer and Water Main Construction" for the Sanitary District and the special provisions of the individual specifications.

D. There shall be no direct or indirect cross-connections between the sanitary sewer system and any other utility system in the Sanitary District, either on private or public property. Any cross-connections discovered shall be reported to the Director of Public Works, Plumbing Inspector, or Manager and shall be promptly corrected.

E. In addition to the requirements of Subsection B above relative to the design and construction of sewer main and facilities, all construction of sewer main and facilities shall comply with all of the rules, regulations and construction standards of the ~~Grand Chute-Menasha~~Fox West Regional Sewerage Commission, where applicable, and of the Neenah-Menasha Sewerage Commission, where applicable. The rules and regulations applicable in areas served by those Commissions shall be on file with the Sanitary District clerk and may be reviewed upon request at any time.

F. Municipalities shall report to the ~~GC-M~~FWRSC and the NMSC, on an annual basis, the total length and size of new sanitary sewers installed and existing sewers replaced, repaired or abandoned.

§3.05 Use of Public Sewers Required

A. It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Sanitary District, or in any area under the jurisdiction of said Sanitary District, any human or animal excrement, garbage, or objectionable waste.

B. It shall be unlawful to discharge to any natural outlet within the Sanitary District, or in any area under the jurisdiction of said Sanitary District, any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with all provisions of this article.

C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the storage or disposal of wastewater.

D. The owner(s) of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes, situated within the Sanitary District and abutting on any road, street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Sanitary District, is hereby required at the owner's expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article within 360 days after date of official notice to do so.

§3.06 Building Sewers and Connections

A. All building sewers, connections and appurtenances shall be designed and constructed in

accordance with the latest edition and requirements of the Wisconsin Statutes and the administrative rules and regulations of the State Department of Natural Resources.

B. No unauthorized person(s) shall uncover, make any connections with or opening into, use, alter, or disturb any building sewer, public sewer or appurtenance thereof without first obtaining a written permit from the Plumbing Inspector.

C. Classes of permits.

(1) There shall be two classes of building sewer permits:

(a) For residential and commercial service; and
(b) For service to establishments producing industrial wastes.

(2) In either case, the owner(s) or his agent shall make application on a special form furnished by the Sanitary District. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Plumbing Inspector.

D. All costs and expenses incidental to the installation, connection, and maintenance of the building sewer from the main, including the riser and collection thereto, to the building shall be borne by the owner(s). The owner(s) shall indemnify the Sanitary District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

E. A separate and independent building sewer shall be provided for every building.

F. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Plumbing Inspector, to meet all requirements of this article and all regulations and rules applicable from the ~~GC-MN~~FWRSC and the NMSC.

G. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the building and plumbing code, Sanitary District standard specifications for sewer and water main construction, and other applicable rules and regulations of the Sanitary District.' In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the ASTM and WEF Manual of Practice No. 9 shall apply. "ASTM" means American Society for Testing and Materials. "WEF" means Water Environment Federation.

H. Whenever possible, the building sewer 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 wastewater carried by such building drain shall be lifted by an approved means and discharged to the building sewer. Properties of lower elevations shall comply with all the requirements of §-3.20.

I. Whenever a building having sewer service is demolished or removed, the building sewer and/or connection to the public sewer shall be properly abandoned and capped in accordance with instructions given by the Plumbing Inspector.

J. All building sewers serving manufacturing or industrial processing plants or service stations (gas and oil) which are connected to a public sewer system shall have installed therein a manhole for periodic sewage sampling purposes. The manhole shall be of a design

approved by the Manager and Director of Public Works and shall be located on public right-of-way where possible. When manholes are installed on private property, they shall be readily accessible at all times.

K. No person(s) shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which is connected directly or indirectly to a sanitary sewer. All existing downspouts or groundwater drains, etc., connected directly or indirectly to a sanitary sewer shall be disconnected within 60 days of the date of an official written notice from the appropriate official of the Sanitary District. Exceptions to the above regulation may only be made by the Sanitary District and with approval of the ~~GC-M~~FWRSC and NMSC.

L. The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code, Sanitary District specifications for sewer and water main construction, and other applicable rules and regulations of the Sanitary District. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in the ASTM and the WEF Manual of Practice No. 9 shall apply. All such connections shall be made gastight and watertight and verified by proper testing. Any deviation from the prescribed procedures and materials must be approved by the Plumbing Inspector before installation.

M. The applicant for the building sewer permit shall notify the Plumbing Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Plumbing Inspector or his designated representative.

N. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Roads, streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Sanitary District.

O. Inspection of building sewers and connections within the Sanitary District and Town right-of-way or in easements, when such construction shall be under contract with the Sanitary District, shall be by the Director of Public Works and the agent designated for the Sanitary District. In accordance with §3.04, work not under contract with the Sanitary District shall be inspected by the Plumbing Inspector of the Town.

§3.07 On-site Sewage Disposal Systems

A. When a public sanitary sewer is not available under the provisions of this article, the building shall be connected to a private sewage disposal system complying with the provisions of the Wisconsin Statutes and the administrative rules and regulations of the Wisconsin Department of Natural Resources.

B. The type, capacities, location, and layout of a private sewage disposal system shall comply with all laws of the State of Wisconsin, Town of Clayton, the Sanitary District and County of Winnebago, Wisconsin, including all zoning ordinances and other applicable laws and statutes governing the area in question.

C. At such time as a public sanitary sewer becomes available to a property served by a private sewage disposal system, as provided in this article, a direct connection shall be made to the

public sewer in compliance with this article, and any septic tanks, cesspools, holding tanks, and similar private sewage disposal facilities shall be abandoned and removed or filled with suitable material.

D. Private sanitary sewer facilities serving more than one residence or one multiple dwelling unit shall not be connected to or become part of the Sanitary District system unless, prior to the construction of said multi-unit system, approval has been obtained from the Sanitary District. The Sanitary District may refuse to connect to or service any privately installed system which serves more than one residence or more than one multiple dwelling unit.

E. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times at no expense to the Sanitary District.

F. No statement contained herein shall be construed to interfere with any additional requirements that may be imposed by the County Department of Health or Building Official of the Town of Clayton or the Sanitary District officials.

§3.08 Sewerage Control

A. No person(s) shall discharge or cause to be discharged any waters such as stormwater, 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 Director of Public Works and other state regulatory agencies. Unpolluted cooling water or process waters may be discharged, on approval of the Director of Public Works, to a storm sewer or natural outlet. If the Director of Public Works grants approval to discharge to a natural outlet, approval from other regulatory agencies may also be required.

B. No person(s) 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 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 waste 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 or higher than 10.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the District and/or the wastewater works.

(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, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and nondissolving products such as disposable diapers, cups, containers, etc., either whole or ground by garbage grinders.

C. The following described substances, materials, waters, or waste 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, or public property, or constitute a nuisance. The Manager and Director of Public Works may set limitations lower than the limitations established in the regulations below if in their opinion such more severe limitations are necessary to meet the above objectives. In forming their opinion as to the acceptability, the Manager and Director of Public Works will give consideration to such factors as 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 plant, 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 Manager and Director of Public Works are as follows:

(1) Wastewater or vapor having a temperature higher than 150° F. (65° C.).

(2) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of 100 mg/L or containing substances which may solidify or become viscous at temperatures between 32° F. and 150° F. (0° C. and 65° C.).

(3) Wastewater containing floatable oils, fat, or grease.

(4) Any garbage that has not been properly shredded as required by this article. 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 the Manager for such materials.

(6) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Manager and Director of Public Works.

(7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Manager and Director of Public Works 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.

D. Action by Manager or Director of Public Works.

(1) 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 Subsection C above, and which in the judgment of the Manager and Director of Public Works 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, the Manager or Director of Public Works may:

(a) Reject the wastes;
(b) Require pretreatment to an acceptable condition for discharge to the public sewers;
(c) Require control over the quantities and rates of discharge; and/or
(d) Require payment to cover added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of the regulations of the Sanitary District.

(2) When considering the above alternatives, the Manager and Director of Public Works shall give consideration to the economic impact of each alternative on the discharger. If the Manager and Director of Public Works permit 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 the Manager and Director of Public Works.

(3) Proposed increase of discharges to the ~~GC-M~~FWRSC by the Sanitary District or to the NMSC by the Sanitary District as the result of changes in existing commercial or industrial development shall be reported to the Manager prior to the date of change. No such discharges shall begin until the Manager has given approval of the quality and quantity of the proposed discharge.

E. Grease, oil, and sand separators shall be provided when, in the opinion of the Manager or Director of Public Works, 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 the Manager and Director of Public Works and shall be located so as to be readily and easily accessible for cleaning and inspection. In the maintaining of these separators, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Manager and Director of Public Works. Currently licensed waste disposal firms must perform any removal and hauling of the collected materials not performed by the owner's personnel.

F. 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.

G. When required by the Manager or Director of Public Works, the owner of any property serviced by a building sewer carrying 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 the Manager and Director of Public Works. 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 be further be in compliance with the Wisconsin Pollutant Discharge Elimination System (WPDES) permit issued to the ~~GCMW~~ FWRSC and/or NMSC.

H. The Manager or Director of Public Works may require a user of sewer services to provide information needed to determine compliance with this article. These requirements may include:

(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) Details of wastewater pretreatment facilities.

(7) Details of systems to prevent and control the losses of materials through spills to the municipal sewer.

I. Only those wastewaters and pollutants which are authorized in this article shall be discharged into the sanitary wastewater facilities; provided also, however, that these wastewaters and pollutants must be discharged only into the sanitary wastewater facilities and into no other place, system or area.

J. 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 Pollutant Discharge Elimination System (WPDES) permit issued to the ~~GCMW~~ FWRSC and/or NMSC. Authority is hereby given to Sanitary District personnel to assist the Manager of both facilities as needed to comply with this permit.

K. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this article 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 the Manager or Director of Public Works.

L. No statement contained in this section shall be construed as preventing any special agreement or arrangement between the Sanitary District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Sanitary District for treatment provided such acceptance is approved by the Manager.

§3.09 Protection from Damage

A. No person(s) shall maliciously, willfully, or negligently break, damage, destroy, cover, uncover, deface, or tamper with any structure, appurtenance or equipment that is a part of the wastewater facilities.

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 the Manager and Director of Public Works. 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 the Manager and Director of Public Works.

§3.10 Powers and Authority of Inspectors

A. The Manager and other duly authorized employees of the ~~GC-M~~FWRSC and the NMSC and the Sanitary District, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing to determine whether compliance is being made in accordance with the provisions of this article.

B. The Manager or other duly authorized employees are 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. The Manager and other duly authorized employees of the ~~GC-M~~FWRSC and the NMSC and the Sanitary District, bearing proper credentials and identification, shall be permitted to enter all private properties through which the Sanitary District holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of 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.

D. When a suspected violation of these rules and regulations or the rules and regulations of state agencies and federal agencies as adopted herein is discovered, the Manager shall with all haste attempt to determine from which Sanitary District the material has originated. When this has been determined, he shall immediately notify the Director of Public Works of the Sanitary District. The Director of Public Works shall then work with the Manager to isolate the source of the material in question and eliminate, remove, contain, dissipate or otherwise control the material to afford the greatest protection to life and property.

§3.11 Abatement Procedures

A. Violation of any provision of these rules and regulations or any other rules or orders lawfully promulgated by the Sanitary District or the ~~GCMW~~ FWRSC or the NMSC is declared to be a public nuisance.

B. No action shall be taken under this article to abate a public nuisance unless the Director of Public Works of the Sanitary District shall have inspected or caused to be inspected the

premises where the nuisance is alleged to exist and shall have satisfied himself or herself that a nuisance does in fact exist.

C. Summary abatement. If the representative, above, of the Sanitary District determines that a public nuisance exists within the boundaries of the Sanitary District and that there is great and immediate danger to the public health, safety, peace, morals, or decency, the Sanitary District may cause the same to be abated, and charge the cost thereof to the owner, occupant or person causing, permitting or maintaining the nuisance, as the case may be.

D. Abatement after notice. If the Sanitary District determines that a public nuisance exists on private premises, but that the nature of such nuisance is not such as to threaten great and immediate danger to the public health, safety, peace, morals or decency, the Sanitary District shall serve notice on the person causing or maintaining the nuisance to remove the same within 10 days. If such nuisance is not removed within such 10 days, the proper official shall cause the nuisance to be removed as provided for above in Subsection C, Summary abatement.

E. Other methods not excluded. Nothing in this article shall be construed as prohibiting the abatement of public nuisances by the Sanitary District or its officials in accordance with the laws of the State of Wisconsin.

F. Court order. Except when necessary under Subsection C, Summary abatement, above, the Sanitary District shall not use force to obtain access to private property to abate a public nuisance but shall request permission to enter upon private property if such premises are occupied and, if such permission is denied, shall apply to any court having jurisdiction for an order assisting the abatement of the nuisance.

G. Cost of abatement. In addition to any other penalty imposed by this article for the erection, contrivance, creation, continuance, or maintenance of a public nuisance, the cost of abating a public nuisance by the Sanitary District shall be collected as a debt from the owner, occupant, or person causing, permitting, or maintaining the nuisance, and such costs shall be assessed against the real estate as a special charge.

H. Continued violations. Any person, partnership, or corporation, or any officer, agent, or employee thereof who shall continue any violation beyond the aforesaid notice time limit provided shall, upon conviction thereof, be subject to the general penalty provisions under this chapter.

I. Should a suspected violation of the regulations of this article be discovered by the Director of Public Works, his representative(s) or someone other than the Manager or his representative, the Manager shall be immediately notified and the procedure described above may be followed.

§3.12 Sewer Service Charge and Connection Charge

A. The Commission shall have the authority to establish and collect a sewer service charge, impact fees or sewer availability charge for the use of said public sanitary sewer and, in addition thereto, establish and collect a connection charge for the right to connect said public sanitary sewer. The Commission shall further have the authority to establish and collect area assessments and/or impact fees and/or sewer availability charges for the fair and equitable apportionment of capital and other costs incurred by the Commission as a

result of the operation of its sewer collection and treatment systems. See §3.21, Capital cost, replacement, connection fees and impact fees. In addition, the Commission shall establish regulations and procedures and retain such persons to superintend, administer, and give advice concerning said public sanitary sewer projects or contract with a municipality or others to provide the services the Commission shall deem advisable.

B. Classes of users.

(1) Upon the establishment of a sewer service charge, the Commission shall establish rates for the following classes of users:

(a) Residential:
(i) Single-family.
(ii) Multiple-family.
(b) Commercial: (at least two classes, based on volume).
(c) Industrial.

(2) Industrial classes shall include any surcharge for volume and strength of waste exceeding the standard set out in this article, or the exclusion of industrial wastes where determined by the Commission and in accordance with the regulations of the Sanitary District, NMSC and ~~GC-M~~FWRSC.

C. Upon establishment of a sewer service charge, rates shall be established that will ensure this class of user will provide sufficient revenue to pay or cover for the cost of treating service to that class. Rates shall be so established so that sufficient revenue will be generated to pay for the construction, amortization of debt and operation and maintenance, including depreciation of the sewer utility as a whole. Said costs shall include all costs passed through as an assessed charge· pursuant to contracts with the ~~GC-M~~FWRSC and NMSC.

§3.13 Sewer/Water Combined Bills Apportioned

A. Should ~~T~~the Town of Clayton provide water services, the Town and the Sanitary District ~~have~~ may agree~~d~~ to issue joint invoices for customers of both the Town of Clayton water services and the Sanitary District sanitary services. In the event a joint customer of the Town and the Sanitary District fails to make payment in full upon a combined water and/or sewer bill, said failure to make payment in full shall provide for both the water and sewer bill to be considered delinquent. No portion of the payment made can be considered specifically designated for either sewer service or water service, except by equal proportion.

§3.14 Private Sewer System; Connection to Sanitary District Facilities

A. Private sanitary sewer facilities having more than one residence or one multiple-family dwelling unit shall not be connected to or become part of the Sanitary District sanitary sewer system unless prior to the connection of said system approval is obtained from the Commission.

B. The Commission may refuse the connection of private facilities serving more than one residential unit or more than one multiple-dwelling unit.

C. The Commission shall require that all private systems to be connected to the services of

the district be inspected during the installation by an engineer designated by the Commission provide such inspection. The cost for said inspection shall be the obligation of the owner of the private system. All inspection fees shall be paid prior to the connection to the district sewer facilities.

D. This article shall regulate all systems henceforth where the actual pipe installation has not already been completed. Where private systems have already been installed, the Commission may require that the sanitary sewer pipe be inspected by televising or videotape at the cost of the applicant or owner. Upon acceptance of any private sewer facilities as defined above, the owner shall dedicate said facilities to the utility district, and in the case where the facilities are not located beneath a public roadway located within the Town of Clayton, an easement sufficient for the maintenance of the facilities shall be given to the utility district.

§3.15 Mandatory Connection to Sewer and Water

A. Connection to sewer and water required. The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the Sanitary District and abutting on any street, road, alley or right-of-way in which there is located a public sanitary sewer or public water main for public use shall be required to connect therewith, and to connect all bathtubs, cesspools, water closets, lavatories, sinks, water lines, and urinals upon lands or property within the Sanitary District to said sewer and/or water mains in accordance with the State Plumbing Code within 360 days after official notice that the said sewer or water main is available for use. Where, after 360 days have elapsed from the date of the official notice, said connections have not been made, the Commission shall cause the connections to be made and the cost thereof assessed as a special tax against the land and/or property and the amount thereof to be levied and collected in the same manner as other taxes.

(1) All new construction must be connected to or with the public sewer and water prior to its use or occupancy.

(2) The Commission may by unanimous vote extend the time for connection hereunder or grant temporary relief where strict enforcement of this article would work an unnecessary hardship on persons subject to the regulations herein.

(3) The mandatory hookup requirements herein apply to "abutting" property, that is defined as meaning that the public sewer or water is within 100 feet of the property line.

(4) In the event property is developed causing sewer and/or water main extensions to abut property upon which there is located an existing structure, the property developer will be required to install the extensions at his/her own expense. The owners of existing structures affected by the extension will be required to connect to the sewer and/or water mains within the prescribed 360 days from the date of notification if their property requires connection to services as specified by this article.

(a) For existing buildings, the Sanitary District shall mail a connection notice to the property owner after sanitary sewer and/or public water service is made available for use.

(i) The connection notice shall state that connection is required upon the first occurrence of:

(a) Failure of the existing private potable well. The property owner shall provide evidence that the private potable well has not failed by submitting evidence to the Sanitary District as outlined in this §3.15 B. upon the initial connection notice, and once every three years thereafter.

(b) Failure of the private onsite wastewater treatment system ("POWTS"). The property owner shall provide evidence that the POWTS has not failed by complying with county sanitary regulations. Notification sent from the County to the property owner of the POWTS failure shall trigger the property's mandatory connection to available sewer and water service(s) within the prescribed 360 days from the date of notification.

(c) The property is sold, or ownership is transferred, as measured by any change in ownership on property records.

~~(4)~~(ii) Once the service(s) are available, a property owner may elect to connect to available sewer and water services immediately, prior to meeting the mandatory connection criteria.

B. Deferral to required connections to public sanitary sewer and water. The owners of all houses, buildings, or properties used for human occupancy situated within the Sanitary District meeting the requirements of mandatory connection to public sanitary sewer and water as provided in Subsection A may be deferred from mandatory connection, upon written application by the owner to the Sanitary District satisfying the Sanitary District that all of the following conditions are met and signing and recording the agreement as described below:

(1) The house, building, or property used for human occupancy has an existing private well and septic system, and there is no document recorded with the Register of Deeds noting that connection is required to a public sanitary sewer or water system when it becomes available.

(2) The property owner executes an agreement with the Sanitary District in which the property owner agrees to the conditions for deferral of mandatory hookup to sewer and water as set forth in this §3.15B. The agreement shall be recorded with the Register of Deeds. The property owner will be responsible for all recording fees and testing fees necessary to obtain and maintain the deferral of mandatory connection.

(3) The private well on the property is approved and verified by a professional certified to inspect and review the operations of private wells. The private well shall be acceptable to the Sanitary District, functioning in a safe and proper manner, and produce water safe for human consumption.

(4) The septic system on the property is approved and verified by a professional certified to inspect and review the operations of septic systems. The septic system shall be acceptable to the Sanitary District and functioning in a safe and proper manner.

(5) The private well on the property is tested every three years as required by the Sanitary District, and the test results verify that the private well and water meet all required well

and water standards as mandated by the Sanitary District.

~~(6)~~ The septic system on the property is tested every three years as required by the Sanitary District, and the test results verify that the septic system meets all required septic system standards as mandated by the Sanitary District.

~~(7) The well serving the house or building used for human occupancy passes a comprehensive private well water quality test no earlier than 90 and no later than five days prior to any sale or other land transfer. The standards for such comprehensive test shall be established by the Sanitary Superintendent and may exceed DNR minimum standards. Failure of any portion of the test will require connection to public water and sewer within 90 days of such event.~~

~~(8)~~(6) ~~The house or building used for human occupancy passes a septic system test no earlier than 90 and no later than five days prior to any sale or other land transfer. The standards for such test shall be established by the Sanitary Superintendent. Failure of any portion of the test will require connection to public water and sewer within 90 days of such event.~~

C. Termination of deferral. Any deferral granted under Subsection B above shall terminate on the earlier of the following, and connection to sewer and/or water mains as available is required within 90 days.

(1) Any of the conditions in Subsection B are no longer satisfied.

(2) The property subject to deferral is subdivided by either a certified survey map, subdivision plat, metes and bounds, or condominium plat.

(3) The property subject to deferral requires additional water or sewer capacity resulting from either structural modifications of existing buildings or the addition of one or more additional buildings.

D. Special assessments will apply based on the special assessment or recapture policy applicable to the property in the Sanitary District at the time such assessments are imposed. Special assessments for sanitary sewer or water facilities are not subject to deferral under Subsection B even if all the requirements are met to defer hookup.

§3.16 Placement of Manholes on Sewer Lines Restricted

A. No manhole shall be located or placed without prior approval of the Commission, and said placement of manholes servicing sewer line shall comply with the following regulations:

(1) Any person, party, corporation, firm, or individual installing any sanitary sewer installation in the Sanitary District shall be required to locate access to manholes for sanitary sewer line at a location on or within eight feet of the center line of the right-of-way, or the center line of the paved portion of roadway of any street in the Sanitary District.

(2) In the event there is located at said installation a paved roadway, the distance of no greater than eight feet either side of said paved roadway shall mark the maximum limits for installation of manhole access. In the event the roadway is not paved and is of a gravel or other loose construction, and has no permanent hard surface, then the location of the manhole shall be within eight feet of the center of the right-of-way. In areas

where a cul-de-sac is installed as and for roadway usage, the limitation of installation of manholes shall not extend beyond 20 feet from the center of the cul-de-sac or turnaround.

(3) It is the intent of these regulations that manholes not be located off the roadway in ditch areas alongside the roadway, and it is the intent in the regulation in cases where there may be conflicts or problems arising from its interpretation that the Commission shall attempt to keep all manhole construction out of areas which are designated as ditch lines or designated to carry surface water flow.

§3.17 Permit for Maintenance and/or Repair Work; Inspections

A. No sewer main, sewer service lateral, water main, water service lateral, or other appurtenance shall be exposed, uncovered, or tampered with unless a permit has first been applied for and obtained from the Building Official's office. Should a sanitary sewer main, sanitary lateral, or sanitary manhole need to be core-drilled or otherwise tapped to service a property, then an associated fee shall be applied. Associated fees are incorporated in the Sanitary District Schedule, reference this Code section, as approved by the Sanitary District. Permit, inspection, and/or sewer tap fees shall be paid before the issuance of the permit. A Sanitary District inspector must be present at the time said such sewer main, sewer service lateral or other appurtenance is exposed or uncovered.

B. Before the commencement of any excavation work, private or by any public utility or municipality, for the repair or maintenance of any sewer service laterals located in the street or public right-of-way which lie within the boundaries of the Sanitary District, the Manager or Director of Public Works shall be notified 24 hours prior to the actual excavation which excavation causes the exposure of any sewer main or sewer service lateral.

C. No sewer main, sewer service lateral, or other appurtenances shall be exposed, uncovered, or tampered with unless an authorized representative of the Sanitary District is present at the time said such sewer main, sewer service lateral or other appurtenance is exposed or uncovered.

D. Any modifications, changes or alterations to any sewer main or sewer service lateral shall be required to be inspected by the Manager or Director of Public Works before any pipes are covered or excavation filled. Failure to comply with this section may be subject to an order of the Manager or Director of Public Works to reopen an excavation or exposure of any sewer service lateral or main for the purpose of obtaining the appropriate inspection.

§3.18 Air Testing of Sewer Mains

A. The Sanitary District requires that all sewer main installed in the Sanitary District shall be air tested in accordance with the "Specifications Governing Air Testing of Sewer and Water Mains on Lines" on file in the Sanitary District offices. It shall be required that any person, party, corporation, firm, or individual installing any sanitary sewer installation in the Sanitary District shall comply with the aforementioned specification.

§3.19 Multiple-Family Units Lateral Size

A. Sewer laterals to be installed to any dwelling unit within the Sanitary District with three or more dwelling units shall be required to install a minimum six-inch lateral to provide

sufficient sewer capacity.

§3.20 Sewer Service to Properties of Low Elevation

Properties of low elevation during periods of high groundwater or when water flows are excessive in sanitary sewer mains are required for the property owner's protection and for the protection of the Sanitary District to comply as follows:

A. In all construction, the property owner must supply a force-pump system to any new structure that has an elevation differential of less than three feet between the lowest discharge point in said building and the top of the sewer main. The installation of all force-pump systems shall be in accordance with this article and shall be approved by the Sanitary District prior to installation, and the installation of the same shall be inspected and reviewed by the Sanitary District and its inspectors.

B. No plumbing fixtures shall be connected to the sanitary sewer lateral should said fixture discharge outlet be less than three feet above the top elevation of the sanitary sewer to which said lateral is connected.

C. Should any plumbing fixture fail to make the three-foot-minimum requirements described above, then such fixture shall be connected to the sanitary sewer lateral through a suitable lift pump accompanied by appropriate check valve to prevent any wastewater backup through the lift pump.

D. The allowance for installations as provided by this section assumes no responsibility on the part of the Sanitary District for abutting upon the premises that may be related to the connection to the sanitary sewer facilities.

E. Sewer laterals connecting the sewer main to the discharge point of the building shall have a minimum of 1/4 inch per foot drop in elevation from the building to the main.

§3.21 Capital Cost, Replacement, Connection Fees and Impact Fees

A. At the time of the codification of the ordinances of the Sanitary District adopts the following fees:

(1) Interceptor impact fees (“connection fees”).

(a) This order was created pursuant to the authority vested in Sanitary District pursuant to §60.77(5)(c) and (e), Wis. Stats., and other applicable Wisconsin law.

(b) It is hereby ordered by the Sanitary Commission of the Sanitary District as follows:

(i) Purpose. That new development located within the property legally described on Exhibit "A" attached hereto (See Appendices~~x D~~[1]) and incorporated herein by reference (which property shall be referred to herein as the "service area") will require new or expanded public facilities for interceptor lines.

(ii) Cost determination. The capital costs estimated for purposes of this order have been determined by Sanitary District in consultation with its consulting engineers.

(iii) Charges. Charges will be imposed against the properties included in the service area legally described on Exhibit "A" on a per-acre basis according to the

[1] Appendices~~x D is~~ are on file with the Sanitary District.

following schedule:

(a) The fee per acre shall be set forth in the Fee Schedule, reference this Code section. Partial acres will be prorated based upon the percentage of a total acre determined by the ratio that the lot size bears in square footage to the square footage of a total acre, consisting of 43,560 square feet.

(b) Residential and other properties, if any, having lot sizes of less than 1/3 of an acre will be subject to a minimum charge set forth in the Fee Schedule, reference this Code section. Any lot larger than 1/3 acre (14,520 square feet) will be charged at a rate per square foot set forth in the Fee Schedule, reference this Code section. Property owners will be responsible to provide site plans with square footage or acreage of the project area. There will be no exclusions of acreage for roadways in the calculation of acreage.

(iv) Collection. The due date for payment and collection of the impact fees imposed by this order shall be as follows:

(a) For parcels on which existing buildings with plumbing ~~residential homes and/or agricultural buildings are located,~~ for which construction was completed on or before December 1, 2021, ~~[MONTH] [DATE], 202[YEAR]~~, the due date for payment of the charges imposed by this order will be deferred until the earlier that:

1. A sewer inspection permit is issued, a meter installation request occurs, or a request for or actual service hookup occurs for additional residential, agricultural, commercial or industrial buildings on the affected parcel; or
2. A development agreement is entered into with the developer or owner with the Town under Town ordinances that includes a requirement for water and/or sewer services for the property.

(b) ~~Residential homes and agricultural buildings which were completed prior to [MONTH] [DATE], 202[YEAR], may hook up to sewer and/or water without initiating the due date for payment of the impact fees, providing neither Subsection A(l)(b)(4)[a][i] and [ii] have occurred.~~Reserved.

(c) For vacant parcels, and parcels on which construction of buildings with plumbing ~~residential, agricultural, commercial, or industrial buildings~~ are completed after December 1, 2021~~[MONTH] [DATE], 202[YEAR]~~, ~~and for parcels with commercial or industrial buildings in existence prior to [MONTH] [DATE], 202[YEAR]~~, payment of the charges imposed by this order will be due on the earlier that:

1. A sewer inspection permit is issued, a meter installation request, a request for or actual service hookup; or
2. A development agreement is entered into with the developer or owner with the Town under Town ordinances that includes a requirement for water and/or sewer services for the property.

(d) The amendments to this order for purposes of due dates and collection have prospective application only and are not retroactively effective for parcels of property for which impact fee payments have been previously made, or previously become due, under the terms of the original order.

(c) Severability. If any portion of this order is rendered invalid or unenforceable for

any reason, the remaining portions of this order shall continue in full force and effect.

(2) Service availability charge (SAC), also known as the standby service charge (SSC), adopted under Resolution No. 2021-002 of the Sanitary District. (See Appendices~~x D[2]~~] Exhibit "C") Fee charged to each property with utility service(s) available for connection. Fees may be amended from time to time, with current fees found in the Fee Schedule~~, reference this Code section~~.

(3) The above impact fees and service availability charges and their methods of calculation are on file with the Sanitary District clerk and available as a public record for inspection thereof.

(4) The existing fees and charges as established by the ordinances designated in Subsection A are hereby continued without modification or change, and any modification or change thereof shall be made pursuant to the terms of this section.

B. Necessary charges for the continued operation of the wastewater treatment plant and sanitary sewers connecting thereto shall be established by the Sanitary District with recommendation of the Sanitary District Engineers. The implementation of any fee or charge that is considered to be an impact fee, which is not in existence as of the date of adoption of these regulations, shall require the Sanitary District to follow the procedures as required by the Wisconsin Statutes for the adoption and imposition of said fees.

C. The clerk of the Sanitary District shall keep a record on file, open to public inspection, that should accurately reflect the charges or fees, the date of the adoption by the Commission, a uniform method and manner by which the fees shall be calculated and the direction of the Commission establishing when charges or fees are required to be paid.

D. The Commission has in place contracts with the ~~Grand Chute-Menasha~~Fox West Sewerage Commission, which contracts require contributions to the regional treatment facility for capital cost and replacement. The calculations of said charges by each of the regional treatment facilities is based upon calculations of volumes of sewage treated, treatment plant capacity consideration, previous investment by contributing municipalities and expectation of replacement/modification and renovation of the treatment facilities. These charges are imposed upon customers of the Sanitary District in a fair and equitable manner and are charges assessed beyond the control and authority of the Commission. Any requirements to meet regulations relative to the imposition of these charges shall be in compliance with the ordinances of the Sanitary District, the contract between the Commission and regional facility and the Wisconsin Statutes regulating the imposition and collection of fees and charges.

§3.22 Recapture Policy

A. Developer.

(1) The developer agrees to construct and pay the full cost of the extension of utility services (water and/or sewer) in accordance with all specifications set forth by the Sanitary District and its regulatory agencies. The cost shall include laterals within the

~~[2] Appendicesx D is are on file with the Sanitary District.~~

right-of-way or municipal easement for each property upon which a special assessment is levied. The developer will then be reimbursed for allowable construction expenses on a linear-foot basis at the time property owners connect to the utility service main. The property owners connecting shall also reimburse for the expense of the lateral installation assessed to that property.

(2) Upon completion of the construction of the utility service and formal acceptance by the Commission, the ownership, operation, control, maintenance and repairs shall be the exclusive responsibility and domain of Sanitary District.

B. Special assessments.

(1) The Sanitary District shall levy special assessments against abutting property pursuant to the statutory special assessment procedures. The Sanitary District shall then defer the assessment for a period of 10 years or until the property connects to the service, whichever is less. At such time, up to a maximum of 10 years from the date the recapture agreement is signed (the recapture period), that any abutting property owner elects to connect to the utility service, the property owner shall pay an amount not to exceed the assessment recorded against the abutting property, and interest if the installment method is elected as provided hereafter. Any recapture funds not collected within a ten-year period from the date the Sanitary District accepts possession of the lines, and the lines are ready for use, will be forfeited by the developer.

(2) All payments will be collected by the Sanitary District on behalf of the developer, and the principal will be paid to the developer upon receipt of payment. The assessment payment shall be made according to one of the following:

(a) For industrial and commercial connections, the full amount shall be paid to the Sanitary District prior to connection.

(b) For residential connections, the payment may be made in full to the Sanitary District or in equal installments on the annual real estate property tax bill, assessed over the remaining ten-year year recapture period commencing the year connection occurred. The installment method will have an interest charge imposed for administrative services. Example: If connection to the utility main occurs in the fourth year; the property owner would be able to use the installment method for six years, the remaining period from the original 10 years.

C. Connection.

(1) No permits for connection will be issued prior to the collection in full of the appropriate service availability fees and impact fees as set forth by the Sanitary District at the time the connection is made.

(2) The Town of Clayton will notify the developer when a property owner connects to the utility service. This notice shall include the name and address of the property owner, a description of the parcel to which connection is to be made, and the contemplated date of connection and method of payment of the assessed amount.

(3) The Sanitary District shall not allow connections to the utility service until the assessment is paid in full by commercial and industrial customers or a payment option has been selected by residential customers. Ten years from the date of the recapture agreement, no assessment is due to the developer and connection to the utility service

may occur without payment of the assessment.

(4) Neither the Sanitary District nor the developer shall be obligated to incur any portion of the costs associated with connecting property to the utility service mains or laterals. However, the developer shall be responsible for any and all costs related to the connection of property owned by the developer and any lateral costs included in special assessments which are not recaptured under this policy.

§3.23 Violations and Penalties.

A. Any person found to be violating any provision hereof shall be, upon conviction thereof, be subject to forfeiture in an amount not exceeding $500.00 for each violation of this Ordinance, together with the cost of prosecution, and in default of payment of such forfeiture and cost of prosecution shall be imprisoned in the county jail until said forfeiture and costs are paid, but not exceeding 90 days. Each day upon which any person is found to be violating any provision of this chapter shall constitute a separate offense.

B. Any person violating any of the provisions hereof shall become liable to the Sanitary District for the expense, loss, or damage occasioned by reason of such violation, including all costs required to be expended in carrying out the repairs or in obtaining orders to carry out the repairs from the appropriate court, and including court and legal costs in association therewith.

C. The penalties of this section shall deemed to be in addition to any other penalties, expense, loss or damage to which the Town is entitled to collect pursuant to other regulations contained herein.

D. The Sanitary District shall be entitled to injunctive relief, together with costs and reasonable attorneys' fees for enforcement to the extent not prohibited by law.

E. The provisions of this Ordinance shall be administered and enforced by the employed, appointed, or contracted operating official of the Sanitary District.

§3.24 Validity

If any section, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of such ordinance.

§3.25 Effective Date

This ordinance shall take effect and be in full force from and after its passage and publication by posting commencing on December 1, 2021.

Appendices

Exhibit A: Legal Description of Sanitary District Boundary

As adopted under Resolution 2025-006 by the Town of Clayton Board of Supervisors at the request of the Town of Clayton Sanitary District No. 1 Board of Commissioners:

All those portions being part of the following: the NE ¼ of the NE ¼, the SE ¼ of the NE ¼, the NE ¼ of the SE ¼, the SE ¼ of the SE ¼, the NW ¼ of the SE ¼, the Southwest (SW) ¼ of the SE ¼, the NE ¼ of the SW ¼, the SE ¼ of the SW ¼, the NW ¼ of the SW ¼, and the SW ¼ of the SW ¼, all in Section 11; ALL of Section 12; ALL of Section 13; the East ½ of the NE ¼, the East ½ of the SE ¼, the NW ¼ of the SE ¼, and the SW ¼ of the SE ¼, all in Section 14; the NE ¼ of the NE ¼, and the SE ¼ of the NE ¼, all in Section 23; all of the NW ¼ and the NE ¼, and the N ½ of the NW ¼ of the SE ¼, all in Section 24; all being in Town 20 North, Range 16 East, Town of Clayton, Winnebago County, Wisconsin more fully described as follows:

Beginning at the East ¼ Corner of said Section 24, also being the Point of Beginning;

Thence north along the east line of the NE ¼ of said Section 24 to the Southeast Corner of said Section 13;

Thence north along the east line of the SE ¼ to the East ¼ Corner of said Section 13;

Thence north along the east line of the NE ¼ to the Northeast Corner of said Section 13;

Thence north along the east line of the SE ¼ of said Section 12 to the East ¼ Corner of said Section 12;

Thence north along the east line of the NE ¼ to the Northeast Corner of said Section 12;

Thence west along the north line of the NE ¼ to the North ¼ Corner of said Section 12;

Thence west along the north line of the NW ¼ of said Section 12 to the Northeast Corner of said Section 11;

Thence west along the north line of the NE ¼ of said Section 11 to the Northwest Corner of land described in Document No. 1828265 (A.K.A. Parcel ID. 006030601);

Thence south along the west line of land described in said Doc. No. 1828265 to the northwest corner of Lot 2 of Certified Survey Map Number (CSM) 6989 (A.K.A Parcel ID. 006030608);

Thence south along the west line of said Lot 2 of said CSM 6989 to the northwest corner of Lot 3 of CSM 6989 (A.K.A. Parcel ID. 006030609);

Thence south along the west line of said Lot 3 of said CSM 6989 to the southwest corner of said Lot 3;

Thence east along the south line of said Lot 3 of said CSM 6989 to the northwest corner of Lot 2 of CSM 6350 (A.K.A. Parcel ID. 0060309);

Thence south along the west line of Lot 2 of said CSM 6350 to the north right-of-way line of West American Drive;

Thence east along said north right-of-way line to the east line of Outlot 1 of CSM 3522 (A.K.A. Parcel ID. 006032201);

Thence south 80 feet along the east line of said Outlot 1 of said CSM 3522 to the south right-of-way line of West American Drive;

Thence west along said south right-of-way line to the northwest corner of Lot 1 of CSM 7723 (A.K.A Parcel ID. 006032006);

Thence south along the west line of said Lot 1 of said CSM 7723 to the southwest corner said Lot 1;

Thence east along the south line of said Lot 1 of said CSM 7723 to the northwest corner of land described in Document No. 1845557 (A.K.A Parcel ID. 0060319);

Thence south along the west line of land described in said Doc. No. 1845557 to the north right-of-way line of U.S. Highway 10;

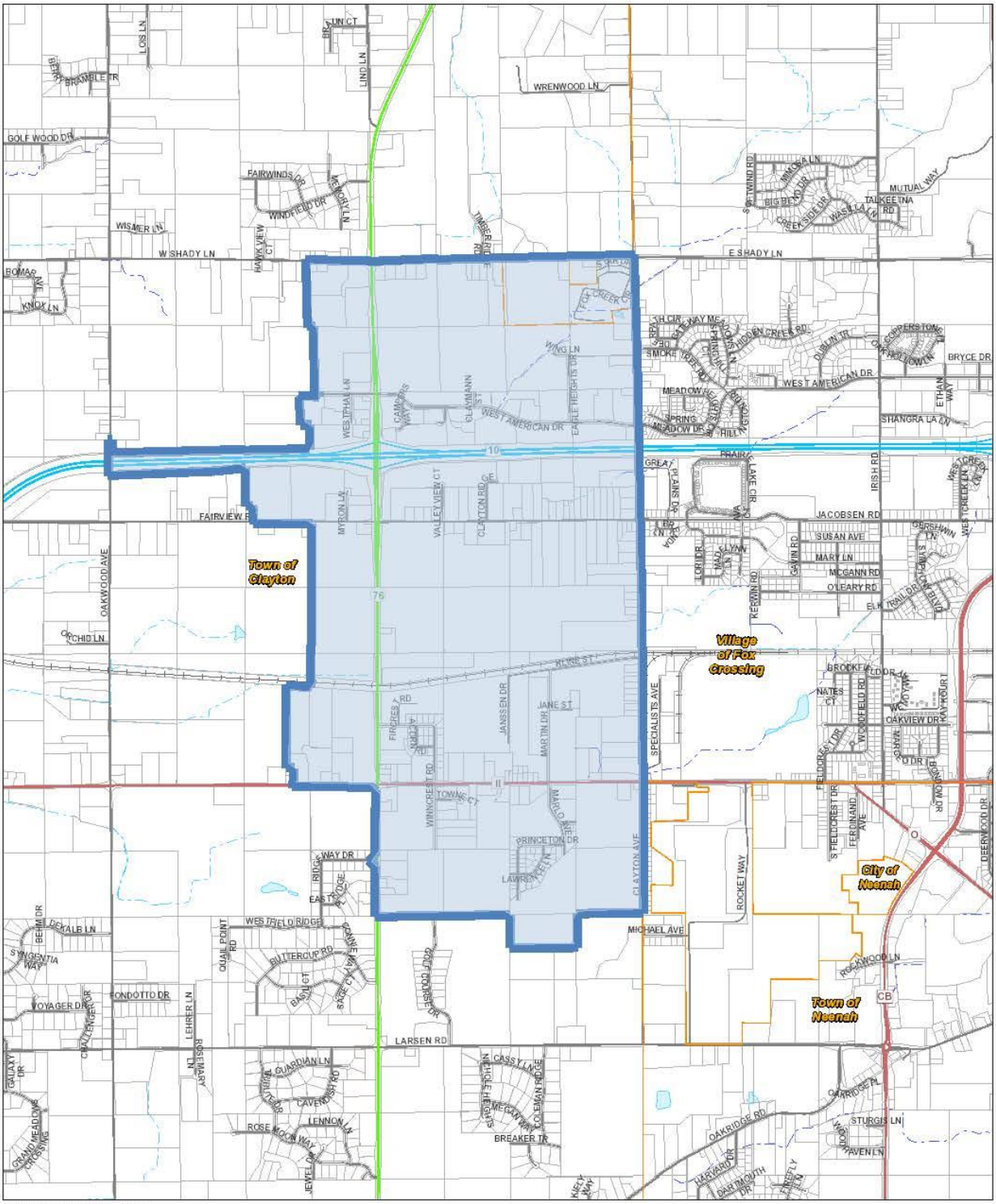
Thence in a westerly direction along said north right-of-way line to the southwest corner of land described in Document No. 1287467 (A.K.A. Parcel ID. 00603190402);

Appendices

Thence north along an east right-of-way line described in Document No. 1287467, owned by the State of Wisconsin, to south line of land described in Document No. 1773558 (A.K.A. Parcel ID. 006031503);
Thence west along the south line of land described in said Doc. No. 1773558 to the west line of the SW ¼ of said Section 11;
Thence south along the west line of the SW ¼ of said Section 11 to the south right-of-way line of U.S. Highway 10;
Thence in an easterly direction along said south right-of-way line to the northwest corner of land described in Document No. 1846720 (A.K.A. Parcel ID. 006032304);
Thence south along the west line of land described in said Doc. No. 1846720 to the northwest corner of the land described in Document No. 1787142 (A.K.A. Parcel ID. 006032305);
Thence east along the north line of the land described in said Doc. No. 1787142 to the Northeast Corner of land described in Doc. No. 1787142;
Thence south along the east line of the land described in said Doc. No. 1787142 to the north line of the NE ¼ of said Section 14;
Thence east along the north line of the NE ¼ of said Section 14 (Fairview Road) to the northeast corner of the land described in said Doc. No. 1067669 (A.K.A. Parcel ID. 006037302);
Thence south along the east line of the land described in said Doc. No. 1067669 to the south right-of-way line of Soo Line Railroad;
Thence in a westerly direction along said south right-of-way line to the northwest corner of Lot 1 of CSM 6543 (A.K.A. Parcel ID. 0060391);
Thence south along the west line of said Lot 1 of said CSM 6543 to the Northwest Corner of the land described in said Document No. 1558827 (A.K.A. Parcel ID. 006039103);
Thence east along the north line of the land described in said Doc. No. 1558827 to the Northeast Corner of the land described in said Doc. No. 1558827;
Thence south along the east line of the land described in Doc. No. 1558827 to the south right-of-way line of County Road II;
Thence east along said south right-of-way line to a corner of the vision triangle right-of-way line of the intersection of County Road II and State Road 76;
Thence southeasterly along said vision triangle to the west right-of-way line of State Road 76;
Thence south along said west right-of-way line to corner of the vision triangle right-of-way line of the intersection of State Road 76 and Ridgeway Drive;
Thence southwesterly along said vision triangle to the centerline of Ridgeway Drive;
Thence southeasterly along said vision triangle to the west right-of-way line of State Road 76;
Thence south along said west right-of-way line to the south line of the NE ¼ of said Section 23;
Thence east along the south line of the NE ¼ of said Section 23 to the West ¼ Corner of said Section 24;
Thence east along the south line of the NW ¼ of said Section 24 to the Center of Section 24;
Thence south along the west line of the SE ¼ to the Southwest Corner of land described in said Document No. 1900006 (A.K.A. Parcel ID. 0060632);
Thence east along the south line of said Doc. No. 1900006 to the Southeast Corner of said Doc. No. 1900006;
Thence north along the east line of said Doc. No. 1900006 to the south line of the NE ¼ of said Section 24;
Thence east along the south line of the NE ¼ of said Section 24 to the Point of Beginning.

Appendices

Exhibit B: Map of the Sanitary District Boundary



5/9/2025, 1:19:10 PM

- Adjacent Counties
- Lakes, Ponds and Rivers

Navigable Waterways

- Navigable - Permanent (unchecked)
- Navigable - Intermittent (unchecked)
- Navigable - Stream (unchecked)
- Navigable - Permanent (checked)
- Navigable - Intermittent (checked)
- Navigable - Stream (checked)
- Railroads
- Tax Parcel Boundary
- Local Road
- County Road
- State Road
- US Highway
- Interstate
- Municipal Boundary

1:21,972

0 0.25 0.5 1 mi

0 0.4 0.8 1.6 km

Winnebago County GIS, Imagery Date: April 2020

Appendices

Exhibit C: Resolution No. 2021-002 of the Town of Clayton Sanitary District No. 1.

A resolution adopting a schedule of Sewerage Service Charges for Sanitary Sewer Service for the Town of Clayton Sanitary District No. 1, passed and approved the 17th day of March, 2021.

STATE OF WISCONSIN COUNTY OF WINNEBAGO TOWN OF CLAYTON

TOWN OF CLAYTON SANITARY DISTRICT NO. 1
RESOLUTION 2021-002
A RESOLUTION ADOPTING A SCHEDULE OF SEWERAGE SERVICE CHARGES FOR SANITARY SEWER SERVICE FOR THE TOWN OF CLAYTON SANITARY DISTRICT NO. 1

THE SANITARY COMMISSION OF THE TOWN OF CLAYTON SANITARY DISTRICT NO. 1 DOES HEREBY RESOLVE, that:

SECTION 1. A sewer connection charge of $2,678 per Residential Equivalent Connection is established for new connections to the Sanitary District No. 1 sanitary sewer system.

SECTION 2. Quarterly sewer service charges of $146.45 per Residential Equivalent Connection are established for all properties connected to the Sanitary District No. 1 sanitary sewer system.

SECTION 3. Quarterly sewer availability charges of $9.80 per Residential Equivalent Connection are established for all properties connected to the Sanitary District No. 1 sanitary sewer system.

SECTION 4. Quarterly standby sewer service charges of $9.80 per Residential Equivalent Connection are established for all properties that have not connected to the Sanitary District No. 1 sanitary sewer system but for which sewer service has been made available.

SECTION 5. For purposes of calculating the sewer connection charges, sewer service charges, sewer availability charges, and standby charges, a Residential Equivalent Connection (REC) shall be defined as 110 gallons per day average wastewater discharge, or 40,150 gallons per year.

SECTION 6. The number of Residential Equivalent Connections for each property subject to the above charges shall be determined as follows:

A. Single-family residential properties shall be considered 1 REC.
B. Multi-family residential units shall be considered 0.75 RECs per unit.
C. Non-residential properties shall submit information, on forms provided by the Town, to estimate the amount of wastewater discharge from the property. The Town will estimate the amount of wastewater discharge based on the type of business, number of employee hours, or other available information. The amount of estimated annual wastewater discharge will be divided by 40,150 gallons and rounded to the nearest 0.25 to determine the number of RECs.
D. Vacant properties subject to the standby sewer service charges shall be charged for 2 RECs per acre, rounded to the nearest 0.25 RECs.

SECTION 7. These rates shall be effective upon passage and publication of this resolution.

Passed and approve this 17TH day of MARCH, 2021.

SANITARY DISTRICT NO. 1 ATTEST

By: _____ _____
Russ Geise, Commission Chairman Holly Stevens, Clerk