

Ordinance No. 2020-02

NOTICE: agenda item for 12-14-2020

Village of Waldo
Sheboygan County, Wisconsin

**AN ORDINANCE AMENDING CHAPTER 169.6 OF THE
VILLAGE OF WALDO MUNICIPAL CODE
REGARDING SEWER LATERALS**

WHEREAS, Chapter 169.9 of the Village of Waldo Municipal Code currently delineates the provisions for sewer connections within the Village.

WHEREAS, the Village Board desires to revise such provisions in order to better define the ownership of sewer laterals; and

WHEREAS, some sewer laterals run across the street from the properties they serve; and

WHEREAS, it is deemed an unfair division of responsibility to maintain a sewer lateral of that length; and

WHEREAS, the road right-of-way line is a consistent measurement between properties; and

WHEREAS the Village Board determines that the enactment of this ordinance is authorized pursuant to §§ 61.35 and 62.23, Wis. Stats., and will protect and promote the health, safety, and general welfare of residents and landowners within the Village; and

WHEREAS, an addition to Chapter 169.6 shall be enacted in good faith and in the public interest alone.

NOW, THEREFORE, the Village Board of the Village of Waldo, Sheboygan County, Wisconsin, does ordain as follows:

Section 1. Amending Code. Chapter 169.6 of the Village of Waldo Municipal Code are amended to read in their entirety as set forth on the attachment. The current Item “B” shall now follow in ordination the addition of a new Item “B” pursuant to Ordinance 2020-02; now being labeled Item “C”. All other current Items thru “K” remain unchanged.

Section 2. Severability. Should any portion of this ordinance or the affected municipal code be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

Section 3. Effective Date. This ordinance shall take effect the day after posting.

Enacted on: _____, 2020

VILLAGE OF WALDO

By: _____
Gary R. Dekker, President

By: _____
Michelle Brecht, Clerk-Treasurer

CLERK'S CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing ordinance was duly enacted by the Village Board of the Village of Waldo on the date indicated above and will be applicable henceforth.

Dated: _____, 2020 _____
Michelle Brecht, Village Clerk-Treasurer

Posted on: _____, 2020 by _____.

§ 169-6. Sewer connections.

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent.
- (Editor note: A new point "B" added 12-14-2020 & the rest re-labeled accordingly)*
- B. The maintenance and / or replacement of all existing sanitary sewer laterals from the Village main to the road right-of-way line shall be the Village's responsibility. From the road right-of-way line to the building shall be the responsibility of the owner of the property which it serves. For new homes or buildings constructed, the owner of the property served shall be responsible for the installation of the lateral from the building served to the Village main. The Superintendent (or Operator in charge) must be involved in the decision making and oversight of these projects and / or repairs.**
- C. There shall be two (2) classes of building sewer permits: (a) for residential and commercial service, and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Village. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of \$50 for a residential or commercial building sewer permit and \$100 for an industrial building sewer permit shall be paid to the Village at the time the application is filed.
- D. All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may direction or indirectly be occasioned by the installation of the building sewer.
- E. A separate and independent building sewer lateral shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, courtyard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- F. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this ordinance.
- 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 or other applicable rules and regulations of the Village. In the absence of code provisions of in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.E.F. Manual of Practice No. 9 shall apply.
- 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 sewage carried by such building drain shall be lifted by an approve means and discharged to the building sewer.
- I. The connection of the building sewer into the public sewer shall conform to the requirements of eh building and plumbing code or other applicable rules and regulations of the Village, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.E.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Superintendent before installation.
- J. The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative.

- K. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village. Amended to include an additional item “B” 12-14-2020

(Editor note: A new point “B” added 12-14-2020 & the rest re-labeled accordingly)

§169.6