

CHAPTER XVII
PUBLIC UTILITIES

- 17.01 CABLE TELEVISION FRANCHISE
- 17.02 SEWER UTILITY USE REGULATIONS
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17.01 CABLE TELEVISION FRANCHISE. This ordinance authorizes the Town Board to grant to a Grantee, its successors and assignees, a nonexclusive Franchise to install, maintain and operate a cable television system for the distribution of television signals, radio signals, closed circuit television programs, data transmission and other forms of electronic entertainment and information which may now exist or may be developed in the future. This ordinance may be amended from time to time through the enactment of amendments thereto. The term of any Franchise shall be for fifteen (15) years.

1. Interest on Late Payments. If any payment, such as Franchise fees, recomputed Franchise fees, fines or other penalty is not made within the time specified in this ordinance, the Grantee shall pay interest on the amount which is overdue. The interest shall be calculated at the rate of ten percent (10%) or the highest rate permitted by law, whichever is less.
2. Definitions. For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number.
 - a. Town. The Town of Beloit, Rock County, State of Wisconsin.
 - b. Cable System. Coaxial or other cables, wave guides or other conductors and equipment for providing entertainment and/or information services by cable or through other facilities as herein contemplated, and may include closed circuit special event programs and educational television.
 - c. Channel. A six (6) Megahertz (MHz) frequency band, which is capable of carrying either one (1) standard video signal, a number of audio, digital or other non-video signals or some combination of such signals.
 - d. Grantee. The person or corporation to whom or which a Franchise under this ordinance is granted by the Board and the lawful successors or assignees of such person or corporation.
 - e. Town Board or Board. The governing body of the Town of Beloit.
 - f. Street. The surface or/and the space above and below any public street, road, highway, freeway, lane, path, public way, alley, court, sidewalk, boulevard, parkway, drive or any easement or rights-of-way now or hereafter held by Town which shall, within its proper use and meaning in the sole opinion of Town, entitles Grantee to the use thereof for the purpose of installing or transmitting over poles, wires, cables, conductors, ducts, conduits, vaults, manholes, amplifiers, appliances, attachments and other property as may be ordinarily necessary and pertinent to a System.
 - g. Subscriber. Any person or entity receiving for any purpose the services of the Grantee herein.
 - h. Gross Subscriber Revenues. Revenue derived directly by Grantee for the provision of basic and pay cable television services to residents of the Town of Beloit.
3. Renewal. Both the Town and Grantee shall comply with all provisions of the [Cable Communications Policy Act of 1984 \(CCPA\) Public Law Number 98-549, 98 Stat. 2779](#) regarding renewal procedures. In the event that the Act changes, the Town shall conduct renewal procedures in accordance with then applicable law.
4. Removal or Purchase of Cable Assets on Termination or Expiration. Should the Grantee's Franchise be terminated or expire and there is no judicial or administrative review of the

termination or expiration taking place, the Grantee shall begin removal within ninety (90) days of termination or expiration of all property owned by the Grantee and placed on public right-of-way unless permitted by Town to abandon said property or transfer it to a purchaser. At the expiration and non-renewal of a Franchise, the Town may purchase the cable system under terms of [Section 627 of the Cable Communication Policy Act of 1984](#).

5. Ownership Transfers.

a. Binding Effect. All rights and privileges and all the obligations, duties and liabilities created by this ordinance shall pass to and be binding upon the successors of the Town and the successors and assigns of the Grantee; and the same shall not be assigned or transferred without the written approval of the Town hereunder, which approval shall not be unreasonably withheld; provided, however, that this ordinance shall not prevent the assignment or pledge of the Franchise or the cable system by the Grantee as security for debt without such approval; and provided that transfers or assignments of this Franchise between any parent and subsidiary corporation or between entities of which at least fifty-one percent (51%) of the beneficial ownership is held by the Grantee or any parent corporation shall be permitted without prior approval of the Town.

b. Transfer Procedure.

- i. The parties of the sale or transfer of a Franchise shall make a written request to the Town for its approval of a sale or transfer of a Franchise.
- ii. Town shall reply in writing within thirty (30) days of the request and shall indicate approval of the request or its determination that a public hearing is necessary due to potential adverse effect on the Grantee's subscribers.
- iii. If a public hearing is deemed necessary pursuant to Subsection (b)(ii) above, such hearing shall be given fourteen (14) days of such determination and notice of any such hearing shall be given fourteen (14) days prior to the hearing by publishing notice thereof once in a newspaper of general circulation in the area being served by Grantee. The notice shall contain the date, time and place of the hearing and shall briefly state the substance of the action to be considered by the Town.
- iv. Within thirty (30) days after the public hearing, the Town shall approve or deny in writing the sale or transfer request.
- v. Grantee, upon transfer, shall within thirty (30) days thereafter file with the Town a copy of the deed, agreement or other written instrument evidencing such a sale, transfer of ownership or control or lease, certified and sworn to as correct by the Grantee.

6. Franchise Territory. A Franchise is for the present territorial limits of the Town of Beloit and for any area henceforth added thereto. The Grantee must make services of the cable system available to all residences within the Town of Beloit, equally, providing adequate and appropriate private and public easements and access can be reasonably acquired by the Grantee, and that at least thirty-five (35) subscribers will be served for each mile of plant necessary to serve them. Upon renewal of a Franchise, no currently served areas may be deleted.

7. Subscriber Privacy. The Grantee shall comply with all provisions of the [Cable Communications Policy Act of 1984](#) regarding protection of subscriber privacy. The subscriber or user shall retain the right to disconnect his or her terminal, but shall be responsible for charges until the Grantee is notified to terminate service.

8. Technical Performance. The cable system shall be operated to comply with all guidelines and standards set by the Federal Communications Commission for signal quality and leakage. The Town reserves the right to test the system and independently measure the signal quality. The cable system shall comply at all times with requirements of the [National Electrical Code](#).
9. Open Book and Records.
 - a. The Town may request certification of receipts by the Grantee to verify the accuracy of Franchise fee payments. The Town may conduct an audit at Town expense, no more than once in any twelve (12) month period, of the financial records of the Grantee, to verify the accuracy of Franchise fee payments.
 - b. Any records or information received by the Town from the Grantee relating to financial information, sales figures or to processes or production unique to the Grantee, are only for the confidential use of the Town in the administration of a Franchise, unless the Grantee expressly agrees to their publication or availability to the general public. Nothing in this ordinance prevents the use of the records or information by the Town in compiling or publishing analyses or summaries relating to the information.
10. Subscriber Service.
 - a. The Grantee shall maintain an office and shall provide access to a local or toll free telephone number which has answering capabilities of twenty-four (24) hours per day.
 - b. The office shall be open to conduct subscriber business a minimum of forty (40) hours per week, excluding holidays and events beyond the control of the Grantee.
 - c. The Grantee shall respond to subscriber calls reporting service outages not caused by events of force Majeure or subscriber fault within twenty-four (24) hours of receiving the report and shall make appropriate repairs within that time. The Grantee shall respond to calls reporting technically degraded signals within forty-eight (48) hours, and shall correct any related technical problem within that time. Other service problems and complaints shall be resolved within three (3) working days.
11. Description of System. Within sixty (60) days of the effective date of the grant of a Franchise under this ordinance, the Grantee shall provide the Town with a map of any Town of Beloit cable system. The map shall be updated at least annually thereafter, as necessary, upon request.
12. Prices. For the purpose of consumer information, the Grantee shall file with the Town its schedule of prices for installation and monthly charges.
13. Conditions on Street Occupancy.
 - a. Use. All transmission and distribution structure, lines and equipment erected by Grantee within the Town shall be so located as not to cause interference with the proper use of streets, alleys and other public ways and places, and not to cause interference with rights of reasonable convenience of property owners who adjoin any of the streets, alleys or other public ways and places.
 - b. Street Use Not Exclusive. The right to use and occupy such streets and roads for the purpose set forth shall not be exclusive; and the Town reserves the right to grant a similar right or use of such streets and roads to any person at any time during the period of the Franchise issued pursuant to this ordinance. The Grantee has the duty and responsibility

to obtain and/or establish the existence of a private easement or dedication for its use. The Town shall have no affirmative duty to use its police or other powers to create, provide access to, or perfect a private easement or dedication or expand any existing private easement or dedication for use by Grantee.

- c. Relocation. If, at any time during the period of this Franchise, the Town shall elect to alter or change location or grade of any street, alley or other public way, the Grantee, upon reasonable notice by the Town, shall remove, relay and relocate its poles, wires, cables, underground conduits, manholes and other equipment at its own expense. If any construction by the Grantee shall likewise, upon reasonable notice by the Town, remove, relay and relocate its property in such a manner as to remedy such violation at its own expense.
- d. Restoration. In case of any disturbance of pavement, sidewalk, driveway or other surfacing, the Grantee shall first give notice to the Director of Public Works of any contemplated disturbances of pavement, sidewalk, driveway or other surfacing, and shall at its own cost and expense and in a manner approved by the Director of Public Works, replace and restore all pavements, sidewalks, driveways or other surface of any streets or alleys disturbed in as good condition as before such work was commenced. The Grantee shall otherwise comply with the Town ordinances relating to street openings.
- e. Placement of Equipment. The Grantee shall not place poles or other equipment where the same will interfere with any gas, electric, telephone or other equipment, water hydrant or main, and all such poles or other equipment placed in any street shall be placed between the outer edge of sidewalk and the curb line, and those placed in alleys shall be placed close to the line of the lot abutting on such alley in such a manner as not to interfere with the usual travel on the streets, alleys and public ways. However, nothing in this ordinance shall prohibit the use by the Grantee of existing public utility poles where practical, providing mutually satisfactory rental agreements can be entered into.
- f. Temporary Removal of Wire for Building Moving. The Grantee shall, on the request of any person holding a building permit issued by the Town, temporarily raise or lower its wires to permit the moving of buildings. The expenses of such temporary removal or raising or lowering of the wires shall be paid by the person requesting the same, Grantee may require such payment in advance. The Grantee shall be given not less than forty-eight (48) hours advance notice to arrange for such temporary wire changes.
- g. Tree Trimming. The Grantee may trim trees within the public rights-of-way or on private property to the extent permitted by law subject to any rules in respect thereto established by the Public Service Commission of the State of Wisconsin for electric utilities.

14. Indemnity.

- a. Indemnification. The Grantee shall defend and save the Town and its agents and employees harmless from all claims, damages, losses and expenses, including attorney's fees, sustained by the Town on account of any suit, judgment, execution, claim or demand whatsoever arising out of the installation, operation or maintenance of the Cable System except for acts of the Town, its agents or employees, unless said acts are the request of or under the direction or supervision of Grantee.
- b. Evidence of Insurance. The Town shall notify the Grantee within ten (10) days after presentation of any claim or demand, either by suit or otherwise made against the Town. The Grantee shall furnish to the Town evidence in writing that the Grantee has in force and will maintain in force public liability insurance during the term of a Franchise.
- c. Liability Insurance.

- i. Grantee shall maintain throughout the term of a Franchise a general liability insurance policy naming the Town of Beloit as additional insured in a responsible company authorized to do business in the State of Wisconsin and in a form satisfactory to the Town Attorney, protecting the Town against liability for loss or damage for personal injury, death or property damage, occasioned by the operations of Grantee under any Franchise granted hereunder, in the amounts of:
 - A. Three Hundred Thousand Dollars (\$300,000.00) for bodily injury or death to any one (1) person with limit however of Five Hundred Thousand Dollars (\$500,000.00) for bodily injury or death resulting from any one (1) accident, and
 - B. Fifty Thousand Dollars (\$50,000.00) for property damage resulting from any one (1) accident.
- ii. Grantee shall provide to Town a certificate of insurance.

15. Bond and Remedies.

- a. Bond. Grantee shall file with the Town a performance bond in the amount of Twenty-Five Thousand Dollars (\$25,000.00) to secure the faithful performance of its obligations under the terms of this ordinance.
- b. Failure to Comply. Any unresolved violation by the Grantee, its vendors, lessees or successors of the provisions of a Franchise or any material portion or portions thereof, or the failure to perform any of the provisions thereof within thirty (30) days after prior written notice if given to Grantee, shall be fined up to One Hundred Dollars (\$100.00) a day from the Performance Bond, until proper correction is made.
- c. Force Majeure. Grantee is not responsible for failure to provide service which is caused by acts of God, strikes, governmental or military action or other conditions beyond its control including lack of materials or parts. Upon interruption of service, except for Force Majeure or with express prior permission of the Town, the following shall apply:
 - i. In the event a subscriber is without cable service for a period of time exceeding forty-eight (48) hours after notification of the Grantee by its subscriber, Grantee shall prorate a daily refund thereafter until service is restored.
 - ii. If a subscriber is without cable service for a period of time exceeding fourteen (14) days following notification of the Grantee by the subscriber, the Grantee shall refund the full month rate.

16. Default. The occurrence of any one (1) of the following events (herein called "event of default") shall constitute default under this ordinance:

- a. Default by the Grantee in the payment of any Franchise fee or other charge payable by the Grantee as and when the same becomes due and payable and such default continues for a period of thirty (30) days after receipt of notice from the Town that such payment is due; or
- b. Default by the Grantee in the performance of any other term, covenant or condition under a Franchise or the intentional inaccuracy in any material respect of representation or information submitted by the Grantee or in any document or certificate furnished to the Town in connection herewith.
- c. The making of any assignment, transfer or sale by the Grantee of the Franchise without the prior consent of the Town as required by Section 17.01 (5).

17. Remedies. Upon the occurrence of any one (1) or more events of default, Town shall notify the Grantee of the default in writing and the Grantee shall have thirty (30) days to cure the default from the date of delivery of the notice to the Grantee. If the Grantee fails to cure the default within the thirty (30) day period, the Town at its option may proceed by appropriate court action to enforce performance by the Grantee of the applicable terms and conditions of this ordinance, or to recover from Grantee all damages or expenses which the Town shall have sustained by reason of the Grantee's default in such performance or on account of the Towns enforcement of its remedies hereunder. Forfeiture shall be exercised by written notice to the Grantee of the failure to cure the default, followed by Grantee's refusal to eliminate or correct such failure or violation within sixty (60) days. In the event of any default, the Town may sue in its own name in the manner provided by law for the forfeiture of the Franchise.

18. Franchise Fee Tax and Financial Reporting.

- a. Franchise Fee Tax. The Grantee shall pay to the Town a Franchise Fee Tax of three percent (3%) of the Grantee's Gross Subscriber Revenues, on Basic, additional outlets and Premium service.
- b. Payment. The Franchise fee shall be paid on a calendar quarterly basis as follows:
 - i. January through March: by May 15
 - ii. April through June: by August 15
 - iii. July through September: by November 15
 - iv. October through December: by February 15
- c. Effect of Acceptance. Acceptance of any payment by the Town shall not be construed as a release or as an accord and satisfaction of any claim the Town may have for further or additional sums payable as a Franchise Fee or for the performance of any other obligation of Grantee.
- d. Report. No later than April 15 of each year, Grantee shall present to the Town an annual report of Gross Subscriber Revenues. The Franchise fee payment shall be reconciled with this report.

19. Town Rights.

- a. Town Rules. The right is hereby reserved to the Town to adopt, in addition to the provisions contained in this ordinance and existing applicable ordinances, such additional regulations as it shall deem necessary in the exercise of its police powers. Such regulations, by ordinance or otherwise, shall be reasonable and not be in conflict with the rights granted in this ordinance and shall not be in conflict with the rights of the State or the [Cable Communications Policy Act of 1984](#).
- b. Use of System by Town. The Town may, during the term of this Franchise, free of charge where aerial construction exists, maintain upon the poles of the Grantee within the Town limits, wire and pole equipment necessary for a police and fire alarm system, such wires and equipment to be constructed and maintained to the satisfaction of the Grantee and in accordance with its specifications.
- c. Inspection. The Town may inspect all construction or installation work during such construction or installation, or at any time after completion thereof, to insure compliance with the provisions of this ordinance and all other governing ordinances.

20. Theft of Services and Tampering.

- a. No person, whether or not a subscriber to the cable system may intentionally or knowingly damage or cause to be damaged any wire, cable, conduit, equipment or

apparatus of Grantee or commit any act with intent to cause damage, or to tap, tamper with or otherwise connect any wire or device to a wire, cable, conduit, equipment and apparatus or appurtenances of Grantee with the intent to obtain a signal or impulse from the cable system without authorization from the Grantee, or to obtain cable television or other communications services with intent to cheat or defraud Grantee of any lawful charge to which it is entitled.

- b. It shall be unlawful for any person, without the consent of the owner, to willfully tamper with, remove or injure any cable, wires or other equipment used for the distribution of television signals, radio signals, picture, programs, sounds or any other information or intelligence transmitted over the cable system.
21. Severability. Should any word, phrase, clause, sentence, paragraph or portion of this ordinance and Franchise be declared to be invalid by a Court of competent jurisdiction, such adjudication shall not affect the validity of this ordinance and Franchise as a whole, but shall only affect the portion thereof declared to be invalid; and the Town Board hereby expressly states and declares that it would nonetheless have passed this ordinance and granted this Franchise had it known that any such word, phrase, clause, sentence, paragraph or portion of said Franchise were invalid.
 22. Acceptance by Grantee. Any Franchise granted under this ordinance shall be effective upon written acceptance of the Franchise being filed with the Clerk of the Town of Beloit within thirty (30) days from the adoption hereof, and the Franchise shall continue in force for a period of fifteen (15) years.
 23. Incorporation of Amendments. This Franchise shall be amended to incorporate all amendments of the statutes, rules and regulations of the State of Wisconsin, the Federal government and Courts of competent jurisdiction as they are promulgated. Any provisions herein, in conflict with or preempted by said rules and regulations or statutes, shall be superseded.
 24. Protection of Non-Subscribers. Grantee shall at all times keep its cable and other appurtenances used for transmitting signals shielded in such a manner that there will be no interference with signals received by private receivers owned by persons not subscribing to Grantee's service.
 25. Conditions of Required Line Extensions.
 - a. Grantee shall be obligated to extend its cable network to additional subscribers located within thirty feet (30') of the existing network, or when at least thirty-five (35) additional subscribers will be served per mile of cable extension required.
 - b. In instances wherein the Grantee is not required to provide service pursuant to this paragraph, the Grantee and subscriber may nevertheless contract to have service provided on terms and conditions agreeable to both the subscriber and Grantee.
 26. Grantee Rules. The Grantee may promulgate such rules, regulations, terms and conditions governing the conduct of its business as shall be necessary to enable the Grantee to exercise its rights and perform its obligations under a Franchise and to assure uninterrupted service to

all its subscribers. However, such rules, regulations, terms and conditions shall not conflict with provisions of this ordinance or the laws of the State and/or Federal Government.

27. Waiver of Objections. By the adoption of this ordinance, the Town expressly waives all objections it has or may have to the legal rights of the Grantee to attach its cables, equipment and transmission lines to the poles of the Town, pursuant to an agreement or to the poles of the public utilities and the authority of such public utilities to grant such right to the Grantee.
28. Grantee without Recourse.
 - a. By acceptance of this Franchise, Grantee acknowledges that it has not been induced to enter into this Franchise by any understanding to promise or other statement, whether verbal or written, by or on behalf of the Town or by any third (3rd) person concerning any term or condition of this Franchise not expressed herein.
 - b. Grantee further acknowledges by acceptance of this Franchise that it has carefully read the terms and conditions hereof, and is willing to and does accept all the risk of meeting such terms and conditions.
29. Work Performed by Others.
 - a. All provisions of a Franchise remain the responsibility of Grantee.
 - b. All provisions of a Franchise shall apply to any subcontractor or others performing any work or services pursuant to the provisions of this Franchise.
30. Franchise Agreement Authorized. The Town of Beloit authorizes and approves the renewal of the Franchise of American Television and Communications Corporation of Denver, Colorado (Grantee) (now Marcus Communications) for a renewal term commencing July 8, 1989. The Town of Beloit further authorizes the execution of a Franchise Renewal Agreement subject to the provisions of this Code of Ordinances.

17.02 SEWER UTILITY USE REGULATIONS.

1. Use Regulations.
 - 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 Town of Beloit, or in any area under the jurisdiction of said Town of Beloit, any human or animal excrement, garbage or other objectionable waste.
 - b. It shall be unlawful to discharge to any natural outlet within the Town of Beloit, or in any area under the jurisdiction of said Town of Beloit, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance and the current NPDES/WPDES permit discharge limits.
 - 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 disposal of sewage in those areas where public sewer fronts that parcel as provided by state law or Wisconsin administrative rules.
 - d. The owner of any house, building or property used for human occupancy, employment, recreation or other purposes situated within the Town of Beloit and abutting on any street, alley or right-of-way in which there is now located or may in the future be located any public sanitary sewer of the Town of Beloit is hereby required at his/her 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 ordinance, within ninety (90) days after date of official notice to do so, provided that said public sewer is within ten feet (10') of the property line as measured from the side property line extension of the parcel into the easement or right-of-way.

2. Private Sewage Disposal. Private sewage collection and disposal systems will not be permitted within the Town of Beloit corporation limits in those areas presently served with a public sewage collection and disposal system fronting the property.
3. Building Sewers and 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 Town of Beloit Building Inspector, hereinafter referred to as Building Inspector.
 - b. All disposals by any person into the sewer system are unlawful except those discharges in compliance with federal or state standards promulgated pursuant to the federal act and more stringent state and local standards.
 - i. There shall be two (2) classes of building and sewer permits:
 - A. For residential and commercial service; and
 - B. For service to establishments producing industrial wastes;
 - ii. In either case, the owner or his/her agent shall make application on a special form furnished by the Town of Beloit. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Building Inspector. A permit and inspection fee for a residential or commercial building sewer permit shall be paid to the Building Inspector at the time the application is filed in accordance with the current fee schedule in effect. The industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics and type of activity.
 - c. A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that the downstream sewerage facilities, including sewers, pump stations and wastewater treatment facilities, have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.
 - d. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Building Inspector and the Town of Beloit and any of its officers 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 Building Inspector or designee, to meet all requirements of this ordinance and state codes.
 - g. The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the rules and regulations of the [State Plumbing Code](#). In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specification of the [Standard Specification for Sewer and Water Construction in Wisconsin](#) 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 a means which is approved in accordance with Subsection (b) above and discharged to the building sewer.

- i. 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 or sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
 - j. The connection of the building sewer into the public sewer shall conform to the requirements and applicable rules and regulations of the [State Plumbing Code](#) or the procedures set forth in appropriate section of the [Standard Specification for Sewer and Water Construction in Wisconsin](#). All such connections shall be made gas-tight and water-tight.
 - 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 Director of Public Works.
4. Use of Public Sewers.
- a. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.
 - b. Storm water and all other unpolluted drainage 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 or Town Engineer. Industrial non-contact cooling water or unpolluted process waters may be discharged to a storm sewer or natural outlet on approval of the Director of Public Works or Town Engineer.
 - c. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
 - i. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
 - ii. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant.
 - iii. Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
 - iv. 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 operations of the sewage works such as but not limited to: ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, ungrounded garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, plastic, milk containers, etc., either whole or ground by garbage grinders.
 - d. No industrial user may discharge sewage into any public sewer until the user has demonstrated that only normal strength sewage as defined by this ordinance shall be discharged on a consistent, reliable basis. In-house pretreatment capability may be

required, with sufficient backup capacity to insure compliance with the requirements of this ordinance.

- e. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely, in the opinion of the Director of Public Works, that such wastes can harm either the sewers, sewage treatment process or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his/her opinion as to the acceptability of these wastes, the Director of Public Works will consider such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and maximum limits established by regulatory agencies. The substances prohibited are:
 - i. Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F) (65°C).
 - ii. Any waters or wastes containing toxic or poisonous materials or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two and one hundred fifty degrees Fahrenheit (32° and 150°F) (0° and 65°C).
 - iii. Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower or greater shall be subject to the review and approval of the Director of Public Works.
 - iv. Any waters or wastes containing strong acid, iron pickling wastes or concentrated plating solutions whether neutralized or not.
 - v. Any waters or wastes containing iron, chromium, zinc, copper or similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement to such a degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Director of Public Works or Town Engineer for such materials.
 - vi. Any waters or wastes containing phenols or other taste or odor producing substances in such concentrations exceeding limits which may be established by the Director of Public Works or Town Engineer as necessary after treatment of the composite sewage to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.
 - vii. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director of Public Works or Town Engineer in compliance with applicable state or federal regulations.
 - viii. Any waters or wastes having a pH in excess of 9.5 or lower than 6.0.
 - ix. Any mercury or any of its compounds exceeding 0.0005 mg/l as Hg at any time except as permitted by the Director of Public Works or Town Engineer in compliance with applicable state and federal regulations.
 - x. Any cyanide exceeding 0.025 mg/l at any time except as permitted by the Director of Public Works or Town Engineer in compliance with applicable state and federal regulations.
 - xi. Materials which exert or cause:
 - A. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries and lime residues) or if dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate);

- B. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions);
 - C. Unusual, above-normal strengths of BOD, chemical oxygen demand, total suspended solids or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works;
 - D. Unusual volume of flow or concentrations of wastes constituting “slugs” as defined herein.
- xii. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.
- f. 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 (e) above, and/or which are in violation of the standards for pretreatment provided in [Chapter 1, EPA Rules and Regulations, Subchapter D, Water Programs Part 128 Pretreatment Standards, Federal Register Volume 38, No. 215, Thursday, November 8, 1973](#) and any amendments thereto, and which in the judgment of the Director of Public Works or Town Engineer may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town Board, upon directing the Director of Public Works or Town Engineer, may:
- i. Reject the wastes;
 - ii. Require pretreatment to an acceptable condition for discharge to the public sewers;
 - iii. Require control over the quantities and rates of discharge; and/or
 - iv. Require payment to cover the added costs of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Subsection (k) below. If the Director of Public Works or Town Engineer permits the pretreatment or equalization of waste flows, the design and installation of the equipment shall be subject to the review and approval of the Director of Public Works, Building Inspector or Town Engineer and subject to the requirements of all applicable state or local codes, ordinances and laws.
- g. Grease, oil and sand interceptors shall be provided when, in the opinion of the Director of Public Works or Town Engineer, 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 interceptors shall not be required for private living quarters or dwellings units. All interceptors shall be of a type and capacity approved by the Director of Public Works or Town Engineer and shall be located as to be easily accessible for cleaning and inspection.
- h. Where preliminary treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner at his/her expense.
- i. Each industry shall be required to install a control or sampling manhole and, when required by the Director of Public Works or Town Engineer, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole,

when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Director of Public Works or Town Engineer. The manhole shall be installed by the owner at his/her expense and shall be maintained by him/her so as to be safe and accessible at all times.

- j. The owner of any property serviced by a building sewer carrying industrial wastes shall provide laboratory measurements, tests and analyses of waters and wastes to illustrate compliance with this ordinance and any special conditions for discharge established by the Director of Public Works or Town Engineer or regulatory agencies having jurisdiction over the discharge.
 - k. The number, type and frequency of laboratory analyses to be performed by the owner shall be as stipulated by the Director of Public Works or Town Engineer, but no less than once per year the industry must supply a complete analysis of the constituents of the wastewater discharge to assure that compliance with the federal, state and local standards are being met. The owner shall report the results of measurements and laboratory analyses to the Director of Public Works or Town Engineer at such times and in such manner as prescribed by the Director of Public Works or Town Engineer. The owner shall bear the expense of all measurements, analyses and reporting required by the Director of Public Works or Town Engineer. At such times as deemed necessary, the Director of Public Works or Town Engineer reserve the right to take measurements and samples for analysis by an outside laboratory service.
 - l. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of [“Standard Methods for the Examination of Water and Wastewater”](#) published by the American Public Health Association and shall be determined at the control manhole provided or upon suitable samples taken at said control manhole.
 - m. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a twenty-four (24) hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composites of all outfalls, whereas Ph’s are determined from periodic grab samples.)
 - n. No statement contained in this ordinance shall be construed as preventing any special agreement or arrangement between the Town Board and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town Board for treatment, subject to payment therefore, in accordance with this ordinance, by the industrial concern, provided such payments are in accordance with federal and state guidelines for the User Charge System.
5. Protection of Sewage Works from Damage. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.
6. Penalties.

- a. Any person found to be violating any provision of this ordinance, except Section 17.02 (5), shall be served by the Town Board with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. The Town Board may revoke any permit for sewage disposal because of any violation of any provision of this ordinance.
 - b. Any person who shall continue any violation beyond the time limit provided for in Subsection (a) above shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in the amount of not less than One Hundred Dollars (\$100.00) nor exceeding Five Hundred Dollars (\$500.00) for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.
 - c. Any person violating any of the provisions of this ordinance shall become liable to the Town Board because of such violation.
7. Documents Adopted by Reference. The following documents, on file with the Town Clerk, are adopted and incorporated herein by reference:
- a. Appendix 2 – Application for Sewer Permits.
 - b. WPDES Permit No. WI – 0026930.

17.03 WASTEWATER SERVICE CHARGES.

1. Charge for Service. Each property owner in the Town of Beloit who has one (1) or more facilities connected to the public sanitary sewer system shall pay a fee for such service or services, to the Town Finance Director/Treasurer in accordance with a rate schedule adopted by resolution of the Town Board. Such rate schedule is to be prepared based on generally accepted accounting principles and the requirements of state law. The rate schedule shall be amended from time to time as necessary to meet the funding needs of the sanitary sewer system.
2. Billing. The Finance Director/Treasurer, or designee shall, on a quarterly basis, prepare and provide each property owner a bill for the use of the sanitary sewer system based on the adopted rate schedule. Such bills shall be due and payable to the Town Finance Director/Treasurer upon delivery to the property owner or system user by any means whatsoever. Delivery of the bill by U.S. Mail, personal delivery or electronic submittal to the place of connection to the system, home of record or address designated by the property owner shall be deemed as service of the bill upon the property owner.
3. Payment. All payments are to be made to the Finance Director/Treasurer of the Town of Beloit within twenty-one (21) days of the billing date. Payment shall be considered made when received by the Finance Director/Treasurer, or designee, during the posted business hours of the Finance Director/Treasurer's office. Payments made or delivered after posted business hours shall be considered received the next business day. Payments post marked on, or before the due date, but delivered after the due date, shall be considered made on the due date.
4. Delinquent Charges. Each and every bill, or portion thereof, which remains unpaid twenty-one (21) days after the date of billing, shall be considered delinquent without further notice to the property owner or service user. A charge of ten percent (10%) shall be added to the total amount of all delinquent bills.

5. Insufficient Funds. If any payment for a sewer bill made by draft, check, or other means, including electronic payments systems, is refused for payment by the financial agent, in part or in whole, a service charge shall be added to the bill. Delinquent charges shall be levied upon any unpaid amounts until the bill is paid in full.
6. Non-payment of Bill. Any sewer bill delinquent as of the first (1st) day of November of any year shall be charged a ten percent (10%) penalty and assessed for collection with the property taxes of the delinquent property owner for that year in accordance with Wis. Stat. 66.089. This does not preclude the Town using the full extent of its authority to collect past due sewer bills by other means.
7. Incidental Sewer Use. Occasional deposit of waste material directly into the Town's waste water treatment system may be approved by the Director of Public Works in accordance with the operating procedures of the sewer utility. The depositor shall make payment for such service to the Town Finance Director/Treasurer an amount sufficient to cover the sewer utilities cost of transporting, treating and disposing of the waste material, plus an administrative and handling fee.
8. Theft of Service. Any person who shall connect, or cause to be connected, a facility to the public sanitary sewer system, or deposit waste of any kind into the sanitary sewer system, without approval of the Town of Beloit, shall be subject to prosecution to the full extent of the law.
9. Definitions. The following definitions shall be applicable in this ordinance:
 - a. Authority. The Town of Beloit, Town Board.
 - b. Biochemical Oxygen Demand (BOD). The quantity of oxygen, expressed in mg/l, utilized in the biochemical oxidation of organic matter under standard laboratory procedures in five (5) days at twenty degrees (20°) C.
 - c. Building Drain. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of a building and conveys it to the building sewer beginning three feet (3') outside the building wall.
 - d. Building Drain- Sanitary. A building drain which conveys sanitary or industrial sewage only.
 - e. Building Drain- Storm. A building drain which conveys storm water or other clear water drainage but no wastewater.
 - f. Building Sewer. The extension from the building drain to the public sewer or other place of disposal (also called house connection).
 - g. Building Sewer- Sanitary. A building sewer which conveys sanitary or industrial sewage only.
 - h. Building Sewer- Storm. A building sewer which conveys storm water or other clear water drainage but no sanitary or industrial sewage.
 - i. Classes of Users. The division of wastewater treatment customers by waste characteristics, and process or discharge similarities.
 - j. Residential. All dwelling units such as detached, semi-detached and row houses, mobile homes, garden and standard apartments, permanent multi-family dwellings. (Transient lodging, considered commercial in nature, is not included.)

- k. Commercial. Transient lodging, retail and wholesale establishments or places engaged in selling merchandise for personal, household or industrial consumption, and/or rendering services to others.
- l. Institutional. Social, charitable, religious and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.
- m. Governmental. Legislative, judicial, administrative and regulatory activities of federal, state and local governments, such as courthouses, police and fire stations, city halls and similar governmental users.
- n. Industrial. Manufacturing activities involving the mechanical or chemical transformation of materials or substances into other products. These activities occur in establishments usually described as plants, factories or mills and characteristically use power-driven machines and material-handling equipment.
- o. Compatible Pollutant. Biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the NPDES permit if the treatment works was designed to treat such pollutants and in fact does remove such pollutants to a substantial degree. The term “substantial degree” is not subject to precise definition, but generally contemplates removals on the order of eighty percent (80%) or greater. Minor incidental removals on the order of ten to thirty percent (10% to 30%) are not considered substantial. Examples of the additional pollutants which may be considered compatible include:
 - i. Chemical oxygen demand;
 - ii. Total organic carbon;
 - iii. Phosphorus and phosphorus compounds;
 - iv. Nitrogen and nitrogen compounds; and
 - v. Fats, oils and greases of animal or vegetable origin (except as prohibited where these materials would interfere with the operation of the treatment works.)
- p. Depreciation. An annual operating cost reflecting capital consumption and obsolescence (reduction of future service potential) of the treatment works.
- q. Easement. An acquired legal right for the specific use of land owned by others.
- r. Fecal Coliform. Any of a number of organisms common to the intestinal tract of man and animals, whose presence in sanitary sewage is an indicator of pollution.
- s. Floatable Oil. Oil, fat or grease in a physical state, such that will separate by gravity from wastewater by treatment in a pretreatment facility approved by the authority.
- t. Garbage. Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the commercial handling, storage and sale of produce.
- u. Incompatible Pollutant. Any pollutant that is not defined as a compatible pollutant, including non-biodegradable dissolved solids.
- v. Infiltration. The water entering a sewer system including building drains and sewers, from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls. (Infiltration does not include and is distinguished from inflow.)
- w. Infiltration/Inflow. The total quantity of water from both infiltration and inflow without distinguishing the source.
- x. Inflow. The water discharged into a sewer system, including building drains and sewers, from such sources as, but not limited to, roof leaders, cellar, yard and area drains, foundation drains, unpolluted cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and combined sewers, catch

basins, storm waters, surface runoff, street wash waters or drainage. (Inflow does not include and is distinguished from infiltration.)

- y. Major Contributing Industry. An industry that:
 - i. Has a flow of ten thousand (10,000) gallons or more per average work day;
 - ii. Has a flow greater than five percent (5%) of the flow carried by the municipal system receiving the waste;
 - iii. Has in its waste a toxic pollutant in toxic amounts as defined in standards issued under [Sections 307\(1\) of PL 92-500](#); or
 - iv. Has a significant impact, either singly or in combination with other contributing industries, on a treatment works or on the quality of effluent from that treatment works.
- z. Natural Outlet. Any outlet including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- aa. Normal Domestic Sewage. As defined for the purposes of determining surcharge, shall mean wastewater or sewage having an average daily suspended solids concentration of not more than two hundred fifty (250) ml/l and average daily BOD of not more than two hundred (200) mg/l (an average daily phosphorus concentration of 11 mg/l and containing not more than 2.5 mg/l of Hexane soluble matter (grease and oil).
- bb. NPDES Permit. A permit issued under the National Pollutant Discharge Elimination system for discharge of wastewaters to the navigable waters of the United States pursuant to [Sections 402 of PL 92-500](#).
- cc. Operation and Maintenance Costs. All costs, direct and indirect (other than debt service) necessary to insure adequate wastewater treatment on a continuing basis, conform to related federal, state and local requirements, and assure optimal long-term facility management. (These costs include depreciation and replacement.)
- dd. Person. Any individual, firm, company, association, society, corporation or group discharging any wastewater to WWTW.
- ee. pH. The reciprocal of the logarithm of the hydrogen ion concentration. The concentration is the weight of hydrogen ions in grams per liter of solution.
- ff. Pretreatment. The treatment of industrial sewage from privately-owned industrial sources prior to introduction into a public treatment works or collection system.
- gg. Properly Shredded Garbage. The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under flow conditions normally prevailing in public sewers with no particle greater than 3/8 inch in any dimension.
- hh. Private Sewer. A sewer which is not owned by a public authority.
- ii. Public Authority. Any governmental agency having jurisdiction by law over construction and use of a wastewater collection treatment facility.
- jj. Public Sewer. A sewer which is owned and controlled by the public authority and will consist of the following increments:
 - i. Collector Sewer. A sewer whose primary purpose is to collect wastewaters from individual point source discharges.
 - ii. Interceptor Sewer. A sewer whose primary purpose is to transport wastewater from collector sewers to a treatment facility.
- kk. Force Main. A pipe in which wastewater is carried under pressure.
- ll. Pumping Station. A station positioned in the public sewer service at which wastewater is pumped to a higher level.

- mm. Replacement. Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the service life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
- nn. Sanitary Sewer. A sewer which carries sanitary and industrial wastes and to which storm, surface and groundwater are not intentionally admitted.
- oo. Sewage. The combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions (including polluted cooling water). The two most common types of sewage are:
 - i. Sanitary Sewage. The combination of liquid and water-carried wastes discharged from toilet and other sanitary plumbing facilities.
 - ii. Industrial Sewage. A combination of liquid and water-carried wastes discharged from any industrial establishment and resulting from any trade or process carried on in that establishment (this shall include the wastes from pretreatment facilities and polluted cooling water).
- pp. Shall is mandatory; May is permissive.
- qq. Significant Industry. Any industry that will contribute greater than ten percent (10%) of the design flow or design pollutant loading of the treatment works.
- rr. Sludge. Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average of twenty-four (24) hours concentration of flows during normal operation.
- ss. Standard Methods. The laboratory procedures set forth in the latest edition, at the time of analysis, of [“Standard Methods for the Examination of Water and Wastewater”](#) prepared and published jointly by the American Water Pollution Control Federation.
- tt. Storm Sewer. A sewer for conveying water, groundwater or unpolluted water from any source and to which sanitary and/or industrial wastes are not intentionally admitted.
- uu. Suspended Solids. Solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.
- vv. Total Solids. The sum of suspended and dissolved solids.
- ww. Toxic Amount. Concentrations of any pollutant or combination of pollutants which, upon exposure to or assimilation into any organism, will cause adverse effects such as cancer, genetic mutation and physiological manifestations as defined in standards issued pursuant to [Sections 307\(a\) of PL 92-500](#).
- xx. 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 discharge to the sanitary sewers and wastewater treatment facilities provided.
- yy. User Charge. A charge levied on users of a wastewater treatment works for the cost of operation and maintenance of such works pursuant to [Sections 204\(b\) of PL 92-500](#).
- zz. Volatile Organic Matter. The material in the sewage solids transformed to gases or vapors when heated at five hundred fifty degrees (550°) C. for fifteen (15) to twenty (20) minutes.
- aaa. Wastewater Treatment Works. The structures, equipment and processes required to collect, transport and treat domestic and industrial wastes and dispose of the effluent and accumulated residual solids.
- bbb. Water Works. All facilities for water supply, storage reservoir, water lines and services and booster stations for obtaining, treating and distributing potable water.

ccc. Watercourse. A natural or artificial channel for the passage of water either continuously or intermittently.

10. Secondary Water Meters.

a. Any person who uses water extensively for lawn or garden purposes has two options with regard to billing and payment for such use of water services within the Town of Beloit.

Those options are as follows:

- i. The third quarter billing of such person may be averaged in accordance with the present averaging policy of the Town of Beloit or amendments thereto; or
- ii. A second water meter may be installed by the person in accordance with the rules and instructions contained herein.
- iii. If a second water meter is installed, the property owner shall no longer have the option of quarterly averaging, but rather shall have the second water meter read in accordance with the rules and regulations set forth herein.
- iv. A second water meter may be installed at any residential, commercial or industrial facility within the Town of Beloit for the purpose of monitoring the use of lawn and garden waters under the following terms and conditions:
 - A. The meter shall be installed indoors on a meter horn with no outside reader; all costs of such installation shall be borne by the property owner.
 - B. The meter shall only be connected to outside faucets and lawn sprinkler systems.
 - C. Installation shall be accomplished in accordance with the plumbing code of the State of Wisconsin, the then-current Public Service Commission Rules and shall be inspected by the Town of Beloit Building Inspector.
 - D. The meter shall be purchased from the Town of Beloit in accordance with their rules and regulations regarding such purchase.
 - E. The water meter shall be calibrated once every eight (8) years in accordance with the rules and regulations of the Town of Beloit for such calibration.
 - F. The owner of the property upon which the water meter is to be installed shall sign a water piping affidavit in accordance with the rules and regulations of the Town of Beloit, such affidavit being available in the office of the Town Clerk.
 - G. There shall be a permit fee for such water meter installation, which fee shall be determined from time to time by resolution of the Town Board.
 - H. The owner of the property upon which a second water meter is installed shall be responsible to contact the Town of Beloit and to give representatives of the Town of Beloit the meter reading for such second water meter between the 1st and 10th days of January, April, and July of each year to receive credit for that quarter. The Town of Beloit will undertake to have an employee read the water meter between the 1st and 10th days of October each year.
 - I. Any person who tampers with the second water meter which has been installed for outdoor use, any person who fails to report his/her meter reading as required herein, or any person who in any other way violates the terms and conditions of this ordinance shall be subject to a fine of not less than Twenty Dollars (\$20.00) nor more than Five Hundred Dollars (\$500.00) for each offense. Each day of violation may be considered to be a separate and distinct offense.

17.04 COMPULSORY CONNECTION TO SEWER AND WATER SYSTEMS.

1. Water System Connection. Owners of buildings used for human habitation and located adjacent to water mains, or in a block through which the water system extends, shall connect their building's water system to the public mains within twelve (12) months of the date when water service is made available.
2. Abandonment of Private Wells. At the time of connection to the public water supply, any private well or other water supply, not a part of the public system, shall be physically disconnected from the building's water supply so as to prohibit the introduction of water other than that supplied by the public purveyor into the system. Private wells may be maintained for personal lawn and garden use after a buildings connection to the public water system so long as there is no possibility of cross connection with the public water supply. Private wells will be abandoned in accordance with Wisconsin Department of Commerce standards when no longer used.
3. Sanitary Sewer Connection. Owners of buildings with sanitary facilities located adjacent to sanitary sewer mains, or in a block through which the sanitary sewer system extends, shall cause their building's system to be connected to the public sanitary sewer system upon failure of their private system, or within ninety (90) days of notice by the Town or County Health Department that their private septic system or drywell has failed or is no longer in compliance with current health regulations. For the purposes of this ordinance, the term "system failure" shall be defined as found in [Section 145.245\(4\)](#), Wis. Stats. In addition, any structure that collects and contains human waste in a holding tank for offsite disposal shall have its waste water facilities connected to a public waste water treatment system as soon as such connection is available, and the holding tank shall be removed from service.
4. Abandonment and Prohibition of Privies, Cesspools, Septic Systems, etc. after Sanitary Sewer Becomes Available. Following connection of any building to the public sanitary sewer system the property owner shall abandon any private sanitary treatment or disposal system on the property in conformance with the rules and regulations of the Town of Beloit, the Rock County Health Department and the Wisconsin Department of Commerce. Following connection to the public sanitary sewer system, and in all cases where sanitary sewer service is reasonably available, no property shall have constructed upon it any privy, cesspool, septic system, waterless toilet or other means of human waste disposal other than by connection to the public sanitary sewer system. For the purposes of this ordinance, the term "reasonably available" shall mean that sanitary sewer main is located adjacent to the property or that the cost of the installation of sewer main and service lateral to the property does not exceed one hundred twenty-five percent (125%) of the cost of constructing or replacing a septic system on the property in compliance with the rules and regulations of the State of Wisconsin and the Rock County Health Department.
5. Enforcement. In addition to such other enforcement measures as are permitted by law, the Town Board may cause the connections and system abandonment herein required to be made, following thirty (30) days mailed notice to the property owner of record of the Boards intent to order such improvement and levy a special assessment against the benefited property for the entire cost of the improvements, plus interest and an administrative fee of twenty-five percent (25%) of the project's cost.