

COMMITTEE OF THE WHOLE MEETING

The Common Council of the City of Ashland will meet as the Committee of the Whole on **March 30, 2021** immediately following the City Council meeting which begins at **5:30 PM**

FOR THE SAFETY FOR OUR CITIZENS AND STAFF, THE CITY OF ASHLAND CONTINUES TO CONDUCT THEIR MEETINGS VIRTUALLY

Please contact the Clerk's office if you require accommodations to attend the meeting.

To join the meeting from your computer, tablet or smartphone:

<https://global.gotomeeting.com/join/181782389>

Or dial in using your phone.

United States (Toll Free): 1-877-309-2073

Access Code: 181-782-389

*Get the app now and be ready when your first meeting starts:
<https://global.gotomeeting.com/install/608341709>*

The following items will be considered:

1. Roll Call
2. Council President's Report
3. Administrator's Report
4. Approval of Agenda
5. Committee Updates
6. Discussion Items
 - A. Discussion and Possible Action and Approval of Correct Grammatical and Numerical Discrepancies within Various Chapters within the City of Ashland Code of Ordinances to Update and Improve Transparency (*Clerk*)
 - B. Continued Discussion and Possible Action Regarding Creating a System for Collection and Analysis of Data Related to the Ashland Police Department
7. Adjournment

The City of Ashland does not discriminate on the basis of sex, race, creed, color, national origin, sexual orientation, age or disability in employment or provision of services, programs or activities.

NOTE: Upon reasonable notice, the City of Ashland will accommodate the needs of disabled individuals or individuals with limited English proficiency through auxiliary aids or services. For additional information or to request this service, contact Denise Oliphant at 715-682-7071 (not a TDD telephone number) or FAX: 715-682-7048

SUBJECT: Committee Updates

RECOMMENDATION: Discussion only

DEPARTMENT OF ORIGIN:

CLEARANCES:

EXHIBITS:

SUMMARY STATEMENT:

Harbor Commission: Pufall
Plan Commission: MacKenzie
Police & Fire: Lewis
Library Board: Jackson
Housing Authority: Franek
Housing Committee: Tochterman
Parks and Rec Committee: Haas
Public Works Committee: Moore
Sustainability Committee: Ullman
Historic Preservation Committee: Franek
Disabled Parking Committee: Whitebird
Source Water Protection Committee: Ortman

SUBJECT: Discussion and Possible Action and Approval of Correct Grammatical and Numerical Discrepancies within Various Chapters within the City of Ashland Code of Ordinances to Update and Improve Transparency (*Clerk*)

RECOMMENDATION: Approve Recommended Changes

DEPARTMENT OF ORIGIN: Clerk

CLEARANCES: Council President
City Attorney

EXHIBITS:

1. Chapter48 Organization of the Public Works, Park and Leisure Services Departments
2. Chapter134. Code of Ordinances
3. Chapter 279 Appendix B Municipal Bond Amounts
4. Chapter476 Ordinance to Annex Land (Town of Eileen)
5. Chapter530 Sidewalk Construction, Maintenance, and Use
6. Chapter536 Salt Use on Streets
7. Chapter602 Regulations for Parking Lot F (Marina Storage)
8. Chapter603 Regulations for Vehicular Parking Lot G (John F. Kennedy Memorial Airport)
9. Chapter612A Special Assessment for the Prentice Heights Development Project.
10. Chapter612B Special Assessment for the Superior View Subdivision Development Project.
11. Chapter612C Special Assessment for Designated Properties Located North of City Heights Road.
12. Chapter705 Water Utility Rules, Rates, and Regulations
13. Chapter711 Ordinance for a POTW and Collection System
14. Chapter721 Septic and Holding Tank Pump Out
15. Chapter782 Change the Classification of Certain Properties in Two Family Residence District
16. Chapter783 Construction of a 3' x 7' Directional Sign
17. Chapter787 Ordinance Allowing Zoning Use Variances
18. Chapter800 Ordinance to Amend the Official Zoning Map of the City of Ashland
19. Chapter806 Ordinance to Approve a PUD-GDP
20. Chapter830 Authentic Ashland 2035 (Comprehensive Plan)
21. Chapter871 Mobile Homes, Manufactured Home Communities (Mobile Home Parks), and Campgrounds
22. Chapter978 Burning of Grass, Leaves, and Garbage
23. Chapter990 An Ordinance to Establishing a Bulkhead Line on Chequamegon Bay in the City of Ashland, Wisconsin

24. Ordinance to Establish Prevailing Wage on City of Ashland Public Construction Projects

SUMMARY STATEMENT:

The Clerk's office has been working to improve the transparency, clarity and availability of the City's Ordinances, Resolutions and UDO Code for the public by engaging Municode software management. During this conversion, some chapters within the ordinances were found to require restructuring to make them more searchable and understandable for the public.

The cost for this software license is \$2,200 annually, plus \$1,000 for initial data conversion of the City's Ordinances, initiated in 2020. The process includes examination of each chapter for readability and searchability. Staff received recommendations for potential modifications that would not interfere or change the meaning or intent of the rule or policy. As examples, throughout years of changes of policies within the chapters, a section may have been removed or added, but the numbering/lettering was not updated at that time; chapters or sections are referenced to but no longer exist; a chapter has since become completely outdated and should be repealed/removed altogether, and so forth. Below is a list of the proposed Chapters to be updated.

Staff elected to not have Municode conduct a legal review at a cost of an additional \$7,400 as this was done by then City Attorney David Siegler in 2015. Modifications, changes, and corrections completed by the Clerk, and any substantive changes were reviewed with the City Attorney. Again, any changes made are not to change the intent, meaning or direction of the rule or policy set by the original chapter or ordinance.

In order to allow time for Council to review before implementing the proposed changes, this item is being presented via the Committee of the Whole in order for Councilors to recommend bringing back any item they feel requires a more in-depth discussion. Attached are the Chapters redlined with the proposed corrections or changes. Final, formal formatting will be conducted via conversion by Municode and a clean hard copy will be kept at City Hall.

Upon Council's approval after review, the cleaned version of each of the chapters would be put into place via Municode to be made public as soon as possible. The link for Ashland's Municode is available for staff only for a preview of the progress made to date although not yet available to the public via the City's website. Other municipalities who have worked with Municode and post a final version of their Code of Ordinances include Superior, Racine, Little Chute, Antigo, and Spooner, among many others.

Chapters to be repealed/removed:

- Ordinance to Establish Prevailing Wage on City of Ashland Public Construction Projects - Obsolete and conflicts with State Statutes
- Ch 612B - Obsolete/closed
- Ch 612C - Obsolete/closed
- Ch 721 Septic and Holding Tank Pump Out - Obsolete

Chapters to be corrected/modified:

- Ch 48 - replace Park and leisure services with Parks and Recreation
- Ch 134 - numbering corrected
- Ch 279 - updated attachment of Bond Amounts
- Ch 476 - numbering corrected, added titles to sections
- Ch 469 - updated attachment (map) of Industrial Park
- Ch 530 - corrected reference to a non-existent item
- Ch 536 - changed reference to paragraph b to paragraph 1
- Ch 602 - combined attachment into the chapter, changed to reference Comprehensive Fee Schedule
- Ch 603 - combined attachment into the chapter, changed to reference Comprehensive Fee Schedule

Ch 612A - renumbered as 620
Ch 705 - numbering corrected
Ch 711 - structured to codify
Ch 782 - combined Chapters 782A and 782K under one chapter
Ch 783 - changed Ch 782G to 783 to stand alone and codify
Ch 787 - combined Chapters 787, 794, 796, 800, and 806 into one to simplify searchability
Ch 800 - combined Chapters 787V, 787W, 787X, 788T, and 801B under one chapter, corrected references to attachments
Ch 806 - combined Chapters 806, 807, 808, and 809 under one chapter, corrected references to attachments
Ch 830 - added titles to sections
Ch 871 - numbering corrected
Ch 978 - redirected reference to additional information as NOTE
Ch 990 - combined Chapters 990 and 993 under one chapter

CHAPTER 48. ORGANIZATION OF THE PUBLIC WORKS, PARKS AND LEISURE SERVICES RECREATION DEPARTMENTS.

48.01. Responsibility of Public Works. The Public Works Department shall be responsible for maintenance of and improvements on the City's streets, alleys, sewers and other property.

48.02. Responsibility of Park Department. The Park Department shall be responsible for the operation, maintenance and improvements of areas included in the City Park System.

48.03. Responsibility of Director of Public Works. The Director of Public Works shall be responsible for supervision of all employees in the Public Works and Park crews and for preparation and administration of the departmental budgets.

48.04. Responsibility of Director of Leisure Parks and Recreation Services Department. The Director of Leisure Parks and Recreation Department Services shall be responsible for planning and coordinating the delivery of recreational and leisure-park services, supervision of Leisure Services Parks and Recreation Department staff, coordination of Parks and facility requirements with leisure-recreation needs, and preparation and administration of Leisure Services Parks and Recreation Department budget, ~~and assisting with preparation of Park budget.~~

48.05. Repeal of Ordinances. This ordinance shall repeal Ordinances 867 and 913 in total. Any and all other ordinances in conflict with this ordinance are repealed to the extent of the conflict.

ADOPTED: 48 (1041) 11/13/1984

AMENDMENTS: 48 (1088) 2/10/1987

CHAPTER 134. CODE OF ORDINANCES.

134.01. Adoption. Pursuant to the powers granted to the Common Council of the City of Ashland by sec. 66.0103, Wis. Stats., the Common Council hereby adopts this Code of Ordinances.

134.02. Copy. A copy of this Code of Ordinances has been on file and open to public inspection in the Office of the City Clerk for the City of Ashland for a period of not less than 2 weeks before the adoption of this ordinance.

~~134.05.~~ 134.03 Access. A copy of this Code of Ordinances shall be permanently on file and open to public inspection in the office of the City Clerk for the City of Ashland.

134.04. Repeal. All prior ordinances in effect on the date of approval of this Code and incorporated in this Code are repealed and replaced by this Code.

134.05. Citation. This Code may be cited as “Ashland City Ordinances.” Chapters or sections of the Code may be cited as “Chapter X of the Ashland City Ordinances” or sec. XX.XX of the Ashland City Ordinances.”

134.06. Amendments.

(a) Amendments shall be made by an amendatory ordinance with a sequential number that includes reference to the year of approval; for example, an ordinance approved in the year 2015 may be numbered “Ordinance No. 2015-XXX.”

(b) Amendatory ordinances shall be styled in substantially the form that follows:

Ordinance No. _____

An ordinance adopted by the Common Council for the City of Ashland at its regular meeting of _____, 20xx, for the purpose of _____, by amending [or creating, or repealing, or repealing and recreating] Sec _____, Ashland City Ordinances.

(c) Only the substantive language of the amendment shall be included in this Code of Ordinances.

~~134.06.~~ 134.07 Section headings. Section and subsection headings are for the convenience of the reader and are not part of the Code.

~~134.07.~~ 134.08 Conflict with statute. If any chapter, section, or subsection of this Code, or any part thereof, or any amendment hereto, is in conflict with any applicable state statute, the statute shall control, and the remainder hereof not in conflict with the statute shall not be affected thereby and shall remain in full force and effect.

~~134.08.~~ 134.09 Severability. If any chapter, section, or subsection of this Code, or any part thereof, or any amendment hereto, is found to be unlawful for any reason by a Court of competent jurisdiction the remainder hereof shall not be affected thereby and shall remain in full force and effect.

ADOPTED: 134 (1011) 6/14/1983

AMENDMENTS: 134 (2015-1840) 3/31/2015

APPENDIX B, Ch 279
Municipal Bond Amounts

<u>Ordinance #</u>	<u>Violation Description</u>	<u>Forfeiture</u>	<u>CC, PS,JS,CL & Drug , CS, JI</u>	<u>Total</u>
614.01	Abandoned vehicle (7 days)	\$100.00	\$163.50	\$263.50
123	Interfere with Public Works	\$50.00	\$150.50	\$200.50
201.01	Obstructing Streets and Sidewalks	\$25.00	\$144.00	\$169.00
201.02	Littering and Garbage Disposal	\$25.00	\$144.00	\$169.00
201.03(c)	D.C. With Motor Vehicle	\$100.00	\$163.50	\$263.50
201.03(a)	Disorderly Conduct	\$100.00	\$163.50	\$263.50
201.03(d)	Obedience to Officers	\$100.00	\$163.50	\$263.50
201.04	Malicious Mischief / Vandalism	\$100.00	\$163.50	\$263.50
201.05	Unlawful Trespass on RR Property	\$30.00	\$145.30	\$175.30
201.06	Trespass on School Grounds	\$30.00	\$145.30	\$175.30
201.07	Lewdness	\$30.00	\$145.30	\$175.30
201.08	Shoplifting	\$100.00	\$163.50	\$263.50
	Shoplifting \$100.00 and over - State Charge - Retail Theft 943.50			
201.09	Spitting in Public Places	\$25.00	\$144.00	\$169.00
201.10	Truancy	\$25.00		\$25.00
	Truancy-2nd Offense	\$50.00		\$50.00
	Truancy-3rd Offense	\$75.00		\$75.00
	Truancy-4th Offense	\$100.00		\$100.00
	Truancy-Habitual	\$263.50		\$263.50
201.11	Possession and Use of Alcohol by Underage Persons (Under 17 yrs of age)	1st Offense		\$175.30
		2nd Offense		\$213.10
		3rd Offense		\$263.50
If using State Citation for Alcohol Offenses Please Use Bond Book amounts				
201.12	Possession and Use of Controlled Sub.	\$100.00	\$163.50	\$263.50
201.13	Curfew Violation	\$25.00	\$25.00	\$25.00
201.14	Bicycle Violation	\$25.00	\$144.00	\$169.00
201.15	Possession or Use of Weapons	\$200.00	\$189.50	\$389.50
201.17	Concealed Weapon	\$500.00	\$267.50	\$767.50
201.18	Possession of Switchblade Knife	\$250.00	\$202.50	\$452.50
201.19	Entry to Locked Vehicle	\$500.00	\$267.50	\$767.50
201.20	Criminal Trespass to Land	\$100.00	\$163.50	\$263.50

APPENDIX B, Ch 279
Municipal Bond Amounts

201.21	Criminal Trespass to Dwelling	\$200.00	\$189.50	\$389.50
201.22	Theft	\$200.00	\$189.50	\$389.50
201.23	Fraud to Hotel or Restaurant Keeper	\$250.00	\$202.50	\$452.50
201.24	Use of Cheating Tokens	\$200.00	\$189.50	\$389.50
201.25	Operate Veh. w/o Owner's Consent	\$250.00	\$202.50	\$452.50
201.26	Issue of Worthless Check	\$200.00	\$189.50	\$389.50
201.27	Receiving Stolen Property	\$200.00	\$189.50	\$389.50
201.28	Unlawful Use of Telephone or Computer	\$100.00	\$163.50	\$263.50
201.29	Contributing to Delinquency of Child	\$250.00	\$202.50	\$452.50
201.30	Prohibiting Swimming at Kreher Park	\$25.00	\$144.00	\$169.00
201.32	Underage Tobacco - Possession	\$25.00		\$25.00
	Underage Tobacco- Possession- 2nd Offense	\$50.00		\$50.00
202	Loud Noises	\$100.00	\$163.50	\$263.50
203.01	Loitering	\$100.00	\$163.50	\$263.50
206	False Fire Alarms	\$100.00	\$163.50	\$263.50
208	Shooting Arrows	\$100.00	\$163.50	\$263.50
209	Watercraft Regulations	\$100.00	\$163.50	\$263.50
210	Unlawful Sheltering of Minors	\$100.00	\$163.50	\$263.50
211	Excessive False Alarms	\$50.00	\$150.50	\$200.50
212	House Numbering			\$0.00
351.02	Dogs and Cats at Large	\$25.00	\$144.00	\$169.00
	2nd offense	\$50.00	\$150.50	\$200.50
351.1	Dogs to be Licensed	\$100.00	\$163.50	\$263.50
351.04	Barking Dogs	\$25.00	\$144.00	\$169.00
351.26	Cruelty to Animals	\$100.00	\$163.50	\$263.50
351.28	Shelter for Animals	\$100.00	\$163.50	\$263.50
354	Prohibiting the Feeding of Deer in City Limits	\$50.00	\$140.10	\$190.10
454	Planting - Maint.- Removing Trees/Shrubs	\$100.00	\$163.50	\$263.50
463	Rules for Use & Conduct in Parks	\$100.00	\$163.50	\$263.50
463.06	Park Hours	\$100.00	\$163.50	\$263.50
491	Vehicles and People at Airport	\$100.00	\$163.50	\$263.50
502	Use of Streets and Sidewalks	\$100.00	\$163.50	\$263.50
503	Heavy Traffic Routes	\$100.00	\$163.50	\$263.50

APPENDIX B, Ch 279
Municipal Bond Amounts

504	Vehicular Traffic Ordinance - See State Bond Schedule			
505	Snowmobile Ordinance - See State Bond Schedule			
507	Operation of ATV's in City Limits	\$100.00	\$163.50	\$263.50
857	Fireworks	\$100.00	\$163.50	\$263.50
862	Unauthorized Connection to Cable	\$100.00	\$163.50	\$263.50
882	Arcade License	\$250.00	\$202.50	\$452.50
889	Peddlers and Transient Merchants	\$500.00	\$267.50	\$767.50
911	Taxi cab Ordinance	\$100.00	\$163.50	\$263.50
921	Alcoholic Beverages in Certain Areas	\$50.00	\$150.50	\$200.50
922	Liquor License	\$100.00	\$163.50	\$263.50
933	Bicycles and Skateboards	\$25.00	\$144.00	\$169.00
978	Burning of Grass and Leaves	\$50.00	\$150.50	\$200.50
201.03(c)	Obstructing Officer or Resisting	\$100.00	\$163.50	\$263.50
922.41	Drinking in Public Places	\$100.00	\$163.50	\$263.50

Mar-21

CHAPTER 476. ORDINANCE TO ANNEX LAND (TOWN OF EILEEN).

476.01. Acquisition. The City of Ashland, pursuant to the authority granted by Wisconsin Statute 66.0223 hereby annexes the following described property owned by the City of Ashland located in the Town of Eileen, Bayfield County, Wisconsin:

Parcel 1. A parcel of land being a part of the SE $\frac{1}{4}$ -NE $\frac{1}{4}$, Section 24, Township 47 North, Range 5 West, Town of Eileen, Bayfield County, Wisconsin, more particularly described as follows: Commencing at the East $\frac{1}{4}$ corner of Section 24, Township 47 North, Range 5 West and being the place of beginning. Thence N $88^{\circ} 30'$ W, along the East-West quarter line of Section 24, 210.74' to a point; Thence N $17^{\circ} 57'$ E, 710.58' to a point on the East Section line of Section 24; Thence S $0^{\circ} 42'$ W along the East section line of Section 24, 681.56' to the place of beginning. Excepting herefrom all lands previously deeded for Town Road purposes along the above described East line.

Parcel 2. A parcel of land being a part of the NE $\frac{1}{4}$ - SE $\frac{1}{4}$, Section 24, Township 47 North, Range 5 West, Town of Eileen, Bayfield County, Wisconsin, more particularly described as follows: Commencing at the East $\frac{1}{4}$ corner of Section 24, Township 47 North, Range 5 West and being the place of beginning; Thence S $0^{\circ} 47'$ W along the East Section line of Section 24, 1006.48' to a point; Thence N $68^{\circ} 51'$ W., 500.00' to a point; Thence N $17^{\circ} 57'$ E., 874.05' to a point on the East-West quarter line of Section 24; Thence S $88^{\circ} 30'$ E along the East-West quarter line of Section 24, 210.74' to the place of beginning. Excepting herefrom all lands previously deeded for Town Road purposes along the above described east line.

476.0302. Filing Copies. Following the passage and publication of this ordinance, the City Clerk shall file seven (7) certified copies of this ordinance together with seven (7) copies of a plat showing the boundaries of the territory annexed to the Office of the Secretary of State of the State of Wisconsin.

ADOPTED: 476 (1584) 11/4/2003

CHAPTER 530. SIDEWALK CONSTRUCTION, MAINTENANCE, AND USE.

530.01. Purpose. The purpose of this policy is to establish objectives, criteria, and procedures for the construction and maintenance of sidewalks. These policies are designed to:

- (a) Establish a policy for locating sidewalks in order to provide the citizens of Ashland with a useful, consistent and safe pedestrian infrastructure while considering special circumstances of neighborhoods;
- (b) Establish a policy of assessments for the costs of constructing, maintaining and repairing sidewalks
- (c) Implement a plan of scheduled City maintenance and inspection of sidewalks;
- (d) Establish design and construction standards;
- (e) Establish a policy of individual responsibility and care;
- (f) Provide a procedure for an orderly system of construction of sidewalks in existing developed areas of the City based on established criteria.

530.02. Sidewalk Location Criteria. The Common Council of the City of Ashland shall determine the location and configuration of sidewalks in the City. It shall be the general practice of the Common Council to provide for sidewalks on all residential and commercial streets and avenues in the City. However, the Common Council recognizes that sidewalks may not be desirable in all circumstances and shall use the following criteria to guide the Common Council and the Department of Public Works in determining whether to locate sidewalks on any particular City street or avenue:

- (a) Streets and avenues in traditional residential neighborhoods or residential neighborhood with densities greater than 2 residential dwelling units per acre shall receive strong consideration by the Common Council for construction of sidewalks.
- (b) Streets and avenues that have a direct relationship with parks, schools, public facilities, places of public assembly or commercial areas shall receive strong consideration by the Common Council for construction of sidewalks.
- (c) Streets and avenues that experience high traffic volume, high traffic speeds and high volumes of pedestrian use that would indicate a safety need shall receive strong consideration by the Common Council for construction of sidewalks.
- (d) Due to the availability of sunlight on the north and east sides of roadways, streets and avenues that are designated to receive a sidewalk on one side only shall have the sidewalk constructed on the north or east side of the roadway.
- (e) The location of sidewalks within the public right-of-way may be adjusted at the direction of the Director of Public Works to accommodate the unique physical characteristics of the

property and to better meet the needs or concerns of abutting property owners.

(f) The Common Council may exercise considerable discretion in determining the location of sidewalks in the City and the Common Council recognizes the right of the City to build sidewalks on any public right-of-way that they may determine appropriate.

530.03. Location of Sidewalks. The Department of Public Works shall prepare and maintain a Sidewalk Location Map that shows where sidewalks will be constructed in the City. The Sidewalk Location Map shall indicate the priority status of the street or avenue and whether a sidewalk will be constructed on both sides, or one side only. The map shall be reviewed and approved annually by a resolution of the Common Council and shall be included in the “Comprehensive Sidewalk Policy” which is incorporated here by reference and shall be on file at the office of the City Clerk.

530.04. Multi-Year Sidewalk Improvement Program. The Public Works Department shall create and maintain a program for the replacement and/or construction of sidewalks. The program shall be a component of the long-range capital improvement program of the City of Ashland. The Public Works Department shall conduct annual inspections of sidewalks located in the public right-of-way. The Department shall maintain a written record regarding the condition of sidewalks in the City and document all removal, repair or replacement activity. In establishing priorities, the Department shall consider the following:

- (a) The condition rating given by the Department during the regular inspections of the sidewalks;
- (b) The estimated pedestrian use that is currently being experienced, or which can reasonably be expected to be experienced, on a designated safe walking route;
- (c) The traffic volume and speed on streets adjoining a designated safe walking route;
- (d) The adequacy of existing safe walking routes to schools;
- (e) The need for sidewalks for one or both sides of the street to establish a safe walking route;
- (f) The capital improvement schedule of adjoining street and utility projects; and
- (g) A property owner or a group of property owners may petition the City for consideration for inclusion and priority status on the Sidewalk Improvement Program.

As part of the annual municipal budget process, the Public Works Director shall present recommendations for the replacement and/or construction of new sidewalks in the City.

530.05. Sidewalk Construction, Maintenance and Repairs. The City of Ashland shall be responsible for construction and physical maintenance and repairs of sidewalks located on the public right-of-way. The City shall assess the costs of sidewalk construction, maintenance and

repairs to abutting property owners in conformance with the Sidewalk Special Assessment Policy. The Sidewalk Special Assessment Policy shall be reviewed and approved annually by a resolution of the Common Council and shall be included in the “Comprehensive Sidewalk Policy” which is incorporated here by reference and shall be on file at the office of the City Clerk. The special assessment policy shall apply to all locations described in Section 530.030 with the following exceptions and criteria:

(a) The developer of any new residential, commercial, or industrial site shall present sidewalk plans to the City for review and approval at the time building plans are submitted and prior to any construction starting. The cost of installing new sidewalks at locations abutting new residential, commercial or industrial construction shall be the responsibility of the developer.

(b) Where sidewalk construction or replacement is incidental to Federal or State highway construction and the costs for the sidewalk construction are borne entirely by the Federal or State Agency.

(c) Where a property owner chooses to construct, replace or repair sidewalk in the abutting right-of-way. The work shall be performed by a pre-approved Contractor or an “experienced and qualified individual” in good standing with the Public Works Department. The total cost of construction, and removal where necessary, shall be borne entirely by the property owner.

(d) No one shall construct or replace sidewalk in the public right-of-way where it is not provided for in section 530.030 of this ordinance.

(e) Funding for sidewalk construction, maintenance, replacement and removal shall be considered each year by the City Council as part of their annual budget deliberations.

530.06. Abandonment of Sidewalks. The Department of Public Works will be responsible for the removal of unsafe sidewalks in the City, where those sidewalks exist on roadways that are not designated for sidewalks in this Ordinance. The Public Works Department shall remove and dispose of the concrete from abandoned sidewalks at no cost to the abutting property owner. Upon removal of the concrete, the Department shall repair improved driveways and/or walkways damaged as a result of the sidewalk removal. The Department will place clean fill material and plant grass seed in the remaining excavated area. Adjoining property owners shall be responsible for the watering and care of the newly landscaped area.

530.07. Sidewalk Construction. All sidewalk construction, on public right-of-ways, shall be in strict compliance with the Standard Specifications for Sidewalk Construction developed and approved by the Public Works Department of the City of Ashland. The Standard Specifications for Sidewalk Construction shall be included in the “Comprehensive Sidewalk Policy” which is incorporated here by reference and shall be on file at the office of the City Clerk. The Department shall provide a copy of this Ordinance and a copy of the “Comprehensive Sidewalk Policy” to any person or contractor intending to complete sidewalk improvements in the City. In addition to the construction requirements listed in the Standard Specifications, the following construction requirements must be followed:

(a) A right of way permit issued under Chapter 501 must be obtained from the Public Works

Department prior to digging, excavating, trenching, auguring, or jacking within any street right of way.

(b) Anyone completing unapproved sidewalk construction shall be subject to a fine or forfeiture as provided by these Ordinances and may be required to remove or replace the unapproved sidewalk at their own expense if the sidewalk does not meet the standards of the City.

(c) The person or contractor holding the right-of-way permit for sidewalk construction or maintenance is responsible for the safety of pedestrians and vehicular traffic in the immediate area of the construction site.

(d) All sidewalks constructed within the City shall meet the requirements and provisions set forth in the Americans with Disabilities Act.

(e) Deviations from the normal placement of sidewalks may be approved by the Director of Public Works/City Engineer after a complete review of the physical conditions of the property and the impacts on the abutting property owners.

(f) It is the intent of this chapter to limit the construction of sidewalks in the City of Ashland to the streets and avenues identified on the approved sidewalk map as referenced in Section 530.03. Changes to the approved sidewalk map may be made by the City Council after a complete review of the public costs and public benefits that would be anticipated from the proposed change.

530.08. Summer Sidewalk Maintenance. Summer maintenance of sidewalks shall be the responsibility of property owners abutting the City sidewalk. Maintenance shall include, but not be limited to:

(a) Removal of encroachments, hazards or obstructions such as grasses, weeds and vegetation across the width and length of sidewalk abutting the property. It will also include sod, leaves, branches, sand and rock.

(b) Overhanging vegetation, ornaments, decorations, or structures shall not hang below a height of eight feet over the sidewalk grade.

(c) No vegetation, structures, ornaments, or decorations shall encroach upon the sidewalk within a vertical line starting at the inner edge of the sidewalk.

(d) The Public Works Director may order the removal of grasses, weeds, vegetation and other encroachments, hazards or obstructions. Removal shall be the responsibility of the owner(s) of the abutting property. If after adequate notification, the abutting property owner(s) fail to remove the encroachments, hazards or obstructions, then the Public Works Director may arrange for a contractor to undertake the removal. The bill for removal shall be provided to the abutting property owner and if unpaid, a lien may be placed on the abutting property in accordance with sec. 66.615, Wis. Stats.

(e) The Public Works Director may order the removal of any tree that may be causing damage to a sidewalk. Trees located on the public right-of-way shall be removed at the expense of the City of Ashland. Removal of a tree located on private property causing damage to the sidewalk shall be the responsibility of the owner(s) of the abutting property. If after adequate notification to remove a tree causing damage, the abutting property owner(s) fail to remove the tree, then the Public Works Director may arrange for a contractor to undertake the removal. The bill for removal of the tree shall be provided to the abutting property owner and if unpaid a lien may be placed on the abutting property in accordance with sec. 66.615, Wis. Stats.

530.09. Winter Sidewalk Maintenance. The property owner abutting a public sidewalk shall be responsible for the removal of snow from the sidewalk. Snow removal shall include the entire width of the sidewalk and shall be completed no later than 48 hours after a snowfall of two (2) inches or greater. In the case of a snow emergency declared by the City, snow removal shall be completed within 48 hours after the City has declared an end to the snow emergency. Snow removal shall be to the lowest level possible to allow safe travel by pedestrians. The Department of Public Works will be responsible for the removal of snow from sidewalks in the following situations:

(a) The Department may cause the removal of snow and ice from sidewalks that have not been removed in the required time period by the responsible property owners. Failure to remove snow and ice from sidewalks as provided by this Ordinance will result in a fine or forfeiture levied against the abutting property owner as provided by these Ordinances. Also, the Department shall bill the abutting property owner for the full cost of removing the snow and ice and if unpaid a lien may be placed on the property in accordance with Wisconsin Statute (66.615).

(b) The Department will remove snow from the Business District of the City in accordance with the provisions and assessments of ~~Municipal Ordinance Number 533~~ the City of Ashland Sidewalk Policy.

Commented [D01]: Refers to Ch 533 which no longer exists.

(c) The City Council may, after a finding of compelling public safety concern and by formal Resolution, direct the Department of Public Works to accept the responsibility for primary snow removal on a designated sidewalk. In cases where the Department provides primary snow removal services, the abutting property owner will be responsible for any and all secondary snow removal activities, including the shoveling of spillage from City equipment and the scraping, sanding and placing melting agents when appropriate.

(d) The Mayor of the City of Ashland may declare by formal Proclamation an extended winter snow emergency and suspend the requirements for abutting property owners to remove snow and ice from City sidewalks.

530.10. Prohibited Acts The following activities shall be prohibited on City sidewalks:

(a) No one shall damage City sidewalks. Anyone damaging a City sidewalk shall be subject to a fine or forfeiture as provided by the Ashland city Ordinances and will be required to repair

or replace the damaged sections of sidewalk in accordance with City standards.

(b) No one shall park motorized vehicles of any type on, or over, a City sidewalk unless for purposes of temporary loading, or unloading, or those vehicles that are intended for the sole use of a child or those vehicles are considered to be medical apparatus.

(c) No one shall allow an ongoing accumulation of toys, debris, bicycles, or any other item that may be considered unsafe for pedestrian movement.

(d) No one shall place electrical cords, garden hoses, ropes, or cords, or unlighted barricades across City sidewalks during hours of darkness.

(e) No person shall operate motorized vehicles of any type on City sidewalks. Motorized toys used by children, as well as, medical apparatus are exempt from this chapter. Motorized vehicles used for the sole purpose of snow removal are exempt while removing snow.

(f) No bicycles, skateboards, roller blades or roller skates shall be operated upon any sidewalk in any portion of the Central Business District in the area described below. Bicycles, skateboards, roller blades and roller skates may be operated on the sidewalks in public parks and in residential districts, but in single file only. Under all circumstances, the users shall yield the right-of way to pedestrians using the sidewalks, and due and proper care shall, at all times, be exercised by the users for the pedestrians. When approaching a pedestrian on a sidewalk, the speed of a bicycle or skate board shall be reduced to a speed which is no greater than necessary to continue the operation of the bicycle or skateboard without the rider dismounting, and shall not be increased until the pedestrian has passed. When approaching a pedestrian, roller blade and roller skate users shall yield the right-of-way to the pedestrian and slow to a speed which allows for safe, controlled passing of the pedestrian. "Central Business District" sidewalks are defined as those sidewalks lying within the area between US Highway #2 and Third Street and bounded on the East by Stuntz Avenue and on the West by Beaser Avenue.

530.11. Enforcement. Enforcement of these Ordinances shall be a cooperative effort between the Ashland Police Department, Ashland Public Works Department and the City Zoning Administrator. The Police Department shall enforce the provisions of this chapter related to bicycles, roller blades, skateboards, roller skates or motorized vehicle violations. The Public Works Department shall enforce the construction standards and maintenance sections of chapter. The Zoning Administrator shall enforce the restrictions related to placement of items on the sidewalk and property maintenance related violations.

530.12. Penalties.

(a) Anyone violating the provisions of these Ordinances shall forfeit not less than the following:

- (1) 1st Offense: \$25.00
- (2) 2nd Offense: \$50.00

(3) 3rd and subsequent offenses: \$100.00

(b) Forfeitures shall be in addition to any bills issued by the City for work performed, either by or under the direction of the City, to correct conditions leading to a violation of these Ordinances.

ADOPTED: 530 (1629) 5/9/2006

AMENDMENTS: 530 (1692) 11/18/2008, 530 (2015-1853) 9/29/2015,
530 (2019-1913) 2/5/2019

CHAPTER 536. SALT USE ON STREETS.

536.01 Intent. The Common Council of the City of Ashland intends to minimize the harmful or corrosive effects of salt upon motor vehicles, city streets, and vegetation, reduce the pollution of the waters of the state and reduce the driving hazards resulting from salt on windshields by regulating the application of salt to city streets and by promoting the use of mechanical and other environmentally safe methods to provide for the treatment and control of ice and snow.

536.02. Non-Chemical Snow Removal. The Department of Public Works shall maximize the use of mechanical and/or non-chemical means to remove snow and ice from the city streets to promote the safety of the traveling public.

536.03. Restrictions on Use of Salt. For the winter driving period of November 1 to April 30, beginning in 1986, and thereafter, the Department of Public Works may not apply salt to the city streets except as follows:

(a) Air Temperature. If the air temperature is 10 degrees Fahrenheit or above, or the pavement temperature is 20 degrees Fahrenheit or above:

(1) Rate. Highway salt consisting of sodium chloride may be applied to a highway at a uniform rate of not more than 300 pounds per traffic lane, per mile of highway, per application.

(2) Mixture. Sand, or salt and sand mixture, shall be used whenever practical.

(3) Rate of Application. The Department of Public Works may vary the rate of application within the limit of paragraph ~~(b)~~1 above in response to the amount of snow or ice on the city street, traffic density and the weather conditions or forecast.

ADOPTED: 536 (1082) 1/13/1987

CHAPTER 602. REGULATIONS FOR PARKING LOT F (MARINA STORAGE).

602.01. City Parking Lot F. The parcel of land southeast of the intersection of Ellis Avenue North and Marina Drive, described as Parcel #1009, Located in Block 31, Ellis Division.

a. Boat Trailer Parking.

1. Boat trailers may be parked on improved parking lot area for up to 24 hours with valid daily or seasonal boat launch sticker, as directed by the Marina Manager.

2. Boat trailers may be parked on unimproved parking area for up to one week with valid seasonal boat launch sticker or payment of transient slip fee at Marina, as directed by the Marina Manager.

3. Boat trailers may be parked on unimproved parking area in excess of one week with payment of slip rental, monthly, or seasonal fee, as directed by the Marina Manager.

b. Boat Storage & Boat Cradles. Boats may be parked for seasonal storage (depending on space availability) under direction of the Marina Manager for a fee.

c. Fees. Summer and winter storage fees, whether on a trailer on a cradle, are defined in the Comprehensive Fee Schedule, Chapter 165.

602.02. Purpose of Lot. City Parking Lot F shall be used for off-street parking of motor vehicles, boats and boat trailers, snowmobiles and snowmobile trailers, and for the storage of boats and cradles, subject to the conditions, limitations, and provisions of this ordinance.

602.03. Parking Area Designations and Fees. Parking areas and fees shall be designated by the Harbor Commission, with approval by the Common Council. The parking policies and fee schedule shall be attached to this ordinance as Addendum I and incorporated as if fully set forth herein. Signs showing the designated parking areas shall be posted. The parking provisions shall be in effect upon posting of said signs.

602.04. Enforcement. The provisions of this ordinance shall be enforced by the City of Ashland Police Department.

602.05. Penalties. The owner of any vehicle, boat, boat trailer, snowmobile, snowmobile trailer, or boat cradle determined to be in violation of the provisions of this ordinance shall pay a forfeiture of not less than Twenty-Five (\$25) Dollars nor more than One-Hundred (\$100) Dollars. Each day that the violation occurs shall be deemed a separate offense. Any person convicted of violation of this ordinance shall be responsible for all court costs and reasonable attorney fees incurred by the City of Ashland in enforcing this ordinance.

ADOPTED: ~~602 (1433) 5/12/1998~~

Page 602-2

ADOPTED: 602 (1433) 5/12/1998

CHAPTER 603. REGULATIONS FOR VEHICULAR PARKING LOT G (JOHN F. KENNEDY MEMORIAL AIRPORT).

603.01. City Parking Lot G. The parcel of land that terminates County Road K, immediately north of the Airport Terminal building.

603.02. Purpose of Lot. City Parking Lot G shall be used for off-street parking of motor vehicles, subject to the conditions, limitations, and provisions of this policy. Vehicular parking is limited to airport users.

603.03. Parking Area Designation and Fees.

The Airport Commission shall designate parking areas and fees. The parking policies and fee schedule ~~shall be attached to this policy~~ “Addendum I” are as follows, and are incorporated as if fully set forth herein.

(a) Parking Area. Signs showing the designated parking area shall be posted. The parking provisions shall be in effect upon posting of said signs.

(b) Long Term Parking. Motor vehicles utilizing Parking Lot G for monthly parking (greater than fourteen (14) days) will be charged a monthly rate as defined in Chapter 165 Comprehensive Fee Schedule. The annual fee of \$150.00 plus tax if paid in January.

(c) Short Term Parking. Motor vehicles may be parked on the south side of the lot area for up to fourteen (14) days without a parking permit.

(d) Permits. Parking permits may be obtained from the Airport Manager.

603.04. Handicap Parking Area. A portion of Lot G may be reserved for parking of vehicles used by persons with physical disabilities. The reserved for disabled parking area shall be designated with the posting of signs.

603.05. Enforcement. The provisions of this ordinance shall be enforced by the City of Ashland Police Department.

603.06. Penalties. Any citation or tickets issued for violation of this ordinance shall carry penalties as follows:

(a) The owner of any vehicle, determined to be in violation of the provisions of this ordinance shall pay a forfeiture of not less than Twenty-Five (\$25.00) Dollars nor more than One-Hundred (\$100.00) Dollars.

(b) Each day that the violation occurs shall be deemed a separate offense.

(c) Any person convicted of violation of this ordinance shall be responsible for all court costs and reasonable attorney fees incurred by the City of Ashland in enforcing this ordinance.

~~ADOPTED: 603 (1518) 6/26/2001~~

(d) Vehicles unlawfully parked in the permit parking area may be towed away at the owner's expense.

(e) It shall be presumed for the purpose of this ordinance that the registered owner is the operator of the vehicle parked in violation of this ordinance.

(f) Any vehicle parking in the designated lot area must be legally licensed and registered. Vehicles not licensed and registered will be treated as "Abandoned" vehicles under Ordinance #750, The Property Maintenance Ordinance of the City.

CHAPTER ~~612A~~620. SPECIAL ASSESSMENT FOR THE PRENTICE HEIGHTS DEVELOPMENT PROJECT.

~~612A.620~~10. Prentice Heights Development. The Common Council of the City of Ashland has adopted an Ordinance to Approve a Planned Unit Development/General Development Plan in agricultural zoning commonly known as Prentice Heights.

~~612A.620~~11. Location. Prentice Heights is located in Government Lot Two (2), Section Six (6), Township Forty-seven (47) North, Range Four (4) West, City of Ashland, Ashland County, Wisconsin. A map of the Prentice Heights development is attached to Ordinance 806N (1391) as an exhibit.

~~612A.620~~12. Improvements. In connection with, and as a direct result of, the Prentice Heights development, the City of Ashland will be installing and constructing public work and improvements to serve the Prentice Heights development.

~~612A.620~~20. Special Assessment for Improvements. Pursuant to its police powers and Wisconsin Statute 66.62, the Common Council of the City of Ashland does hereby levy upon each of the Units of the Prentice Heights development, a special assessment for the cost of installing and constructing the public work and improvements done to benefit the Units in the Prentice Heights development, said special assessments being on the following terms and conditions:

(a) Total Cost. The total cost of installing and constructing the public work and improvements forming the basis of the special assessments are \$207,940.25. An itemization of said costs is contained on attached Exhibit B.

(b) Special Assessment. There are twenty-two (22) residential Units in the Prentice Heights development. The principal amount of a special assessment in the amount of Nine Thousand Four Hundred Fifty One and 83/100 Dollar (\$9,451.83), (1/22nd of total construction cost), is hereby levied upon each of said Units.

(c) Lien. Such special assessment shall be a lien against the Unit from the date of the levy.

(d) Principal Amount. The principal amount of the special assessment shall accrue interest at the rate of five and one-half percent (5.5%) from August 1, 1997 until fully paid.

(e) Special Assessment Payments. The special assessment shall be paid in full on the earliest of the following dates:

- (1) Date of sale of the lot upon which the Unit is located, or
- (2) The date of the issuance of a building permit for construction of the Unit, or
- (3) August 1, 2007.

~~612A~~620.30. Service of Notice on Developer. A copy of this Ordinance shall be served upon the Prentice Heights developer and owner of the real property in the Prentice Heights

development, Prentice, Inc., at least ten (10) days preceding the date of a public hearing on this Ordinance and the special assessment, which public hearing shall be held prior to the Common Council=s final determination on the special assessments and this Ordinance.

~~612A620~~.40. Appeal. Any person against whose land a special assessment is levied under this Ordinance shall have the right to appeal therefrom in the manner prescribed in Wisconsin Statute 66.60(12) within forty (40) days of the date of the final determination and adoption of this Ordinance by the Common Council of the City of Ashland.

~~612A620~~.50. Record. A copy of this Ordinance shall be recorded in the Office of the Ashland County Register of Deeds following its effective date.

ADOPTED: ~~612A620~~ (1401) 7/29/1997

AMENDMENTS: ~~612A620~~ (1427) 1/27/1998

CHAPTER 612B. SPECIAL ASSESSMENT FOR THE SUPERIOR VIEW SUBDIVISION DEVELOPMENT PROJECT.

612B.10. Superior View Subdivision Development. The Common Council of the City of Ashland has adopted an Ordinance to Approve a Planned Unit Development/General Development Plan in agricultural zoning commonly known as "Superior View Subdivision".

612B.11. Location. Superior View Subdivision is located in the SE 1/4 - SE 1/4 of Section 6 & the NE 1/4 - NW 1/4, NW 1/4 - NE 1/4 & NE 1/4 - NE 1/4 of Section 7, All in T. 47 N., R. 4 W., in the City of Ashland, Ashland County, Wisconsin. A copy of the recorded Superior View Subdivision plat is attached as Exhibit A.

612B.12. Improvements. In connection with, and as a direct result of, the Superior View Subdivision development, the City of Ashland will be installing and constructing public infrastructure improvements to serve the Superior View Subdivision development.

612B.20. Special Assessment for Improvements. Pursuant to its police powers and Wisconsin Statutes 66.62, the Common Council of the City of Ashland does hereby levy upon each of the units of the Superior View Subdivision development, a special assessment for the cost of designing, installing, constructing, and financing the public infrastructure improvements done to benefit the Units in the Superior View Subdivision development, said special assessments being on the following terms and conditions:

(a) Cost of Assessment. The total cost of designing, installing, constructing and financing the public infrastructure improvements forming the basis of the special assessments is \$1,013,000. An itemization of said costs is contained on attached Exhibit B.

(b) Principal Amount of Assessment. There are fifty-seven (57) residential units in the Superior View Subdivision Development (including the two (2) small lots along Highway 137). The principal amount of a special assessment in the amount of \$17,771.93 (1/57th of the total construction cost) is hereby levied upon each of said units.

(c) Lien. Such special assessment shall be a lien against the Unit from the date of the levy.

(d) Interest Rate. The principal amount of the special assessment shall accrue interest at the rate of four and 14/100 percent (4.14%), from October 1, 1999 until fully paid.

(e) Paid in Full. The special assessment shall be paid in full on the earliest of the following dates:

- (1) Date of sale of the lot upon which the "Unit" is located, or
- (2) The date of the issuance of a building permit for construction of the "Unit", or
- (3) October 1, 2008.

(f) Purchase Agreement. The developer/owner may enter into a purchase agreement with a builder for purposes of building “spec” homes on lots in the Superior View Subdivision. The City’s Special Assessment would be deferred until the “spec” home is sold or occupied, or for nine (9) months from the date of issuance of a building permit for the “spec” home, whichever comes first. The City agrees to sign an Inter-Creditor Agreement with the holder of the developer’s/owner’s first mortgage lien and with the lending institution that is providing the financing to the builder for construction of the “spec” home which provides that the City’s Special Assessment Lien constitutes a priority security interest over any and all mortgage liens on the property and that the City’s Special Assessment would be paid upon the sale of the “spec” home, sale of the lot to any other person or entity, occupancy of the home by any party, or nine (9) months from the date of the purchase agreement for said lot or the issuance of a building permit for the “spec” home, whichever takes place first.

612B.30. Service of Notice on Developer. A copy of this Ordinance shall be served upon the Superior View Subdivision developer and owner of the real property in the Superior View Subdivision development, at least ten (10) days preceding the date of a public hearing on this Ordinance and the special assessment, which public hearing shall be held prior to the Common Council's final determination on the special assessment and this Ordinance.

612B.40. Appeal. Any person against whose land a special assessment is levied under this Ordinance shall have the right to appeal therefrom in the manner prescribed in Wisconsin Statute 66.60(12) within forty (40) days of the date of the final determination and adoption of this Ordinance by the Common Council of the City of Ashland.

612B. 50. Record. A copy of this ordinance shall be recorded in the office of the Ashland County Register of Deeds following its effective date.

ADOPTED: 612B (1480) 8/31/1999

AMENDMENTS: 612B (1556) 11/5/2002; 612B (1590) 6/29/2004

CHAPTER 612C. SPECIAL ASSESSMENT FOR DESIGNATED PROPERTIES LOCATED NORTH OF CITY HEIGHTS ROAD.

612C.10. City Heights Sanitary Sewer. The City of Ashland has designed, bid and constructed an 8” sanitary sewer to serve certain designated properties located north of City Heights Road.

612C.20. Location. The designated properties abutting and served by the sanitary sewer are listed below:

<u>Property ID #, Property Owner of Record,</u>	<u>Acreage</u>
201-4836-0000, David & Karen Saarinen,	7.10 acre
201-4842-1000, Jerry M. & Donna M. Anderson,	2.36 acre
201-4842-0000, Jon & Mary Bratley Trustees,	4.83 acre
201-4823-0000, Scott & Gail Brown,	2.53 acre
201-4824-0200, Bane & Dana Tyler,	1.25 acre
201-4824-0100, Gary & Kay LaPean,	1.65 acre
201-5167-0000, John & Sheila Schulz,	1.58 acre
201-5162-0000, Barbara & Alvin Bochler,	1.0 acre
201-5161-0000, George D. Anderson,	1.09 acre
201-4856-0000, Randy & Janelle Rust,	1.52 acre
201-4854-0000, Robert & Gail Larson	3.78 acre
201-4853-0000, Presbyterian Congregational Church,	1.72 acre
(see Exhibit C)	

A map showing the designated properties abutting and served by the sanitary sewer is contained on attached Exhibit A.

612C.30. Special Assessment for Improvements. Pursuant to its police powers and Wisconsin Statute 66.0701, the Common Council of the City of Ashland does hereby levy upon each of the properties listed in Section 612C.02, a special assessment for the cost of constructing an 8” sanitary sewer to benefit the designated properties. Said special assessments being on the following terms and conditions:

(a) Total Cost. The total cost of constructing an 8” sanitary sewer forming the basis of the special assessments is \$82,862.25. An itemization of said costs is contained on the attached Exhibit B.

(b) Beneficiaries. There are twelve (12) residential properties that abut and benefit directly from the sanitary sewer. The principal amount of a special assessment in the amount of Six Thousand Nine Hundred and Five and 17/100 Dollars (\$6,905.17), said amount being 1/12th of the total construction cost, is hereby levied equally upon each of the designated residential properties.

(c) Lien. Such special assessment shall be a lien against the property from the date of the levy.

(d) Principal Amount. The principal amount of the special assessment shall be billed to property owners over a Ten (10) year period. The unpaid portion of the principal amount shall accrue interest at the rate of five percent (5%) per annum from October 31, 2000 until fully paid.

(e) Billing Notice. The City Treasurer shall send an annual special assessment billing notice to each property owner by September 1 of each year. The amount of the annual billing shall include the principal and interest amount owing.

(f) Annual Assessment. The annual special assessment shall be due and payable by October 31st of each calendar year. The first annual special assessment shall be due and payable by October 31, 2001. Unpaid annual special assessments shall be listed on the annual property tax bill for collection.

(g) Full Payment. The special assessment shall be paid in full by the property owner by no later than October 31, 2010.

612C.40. Service of Notice. A copy of this Ordinance shall be served on the real property owner of each of the designated properties listed in section 612C.02 at least ten (10) days preceding the date of a public hearing on this Ordinance and the special assessment, which public hearing shall be held prior to the Common Council's final determination on the special assessments and this Ordinance.

612C.50. Appeal. Any person against whose land a special assessment is levied under this Ordinance shall have the right to appeal therefrom in the manner prescribed in Wisconsin Statute 66.0703(12) within forty (40) days of the date of the final determination and adoption of this Ordinance by the Common Council of the City of Ashland.

612C.60. Connection Each assessed property shall be granted one lateral connection to the sewer main with no connection fee charged. Additional connections from an assessed property will be charged the applicable fee.

612C.70. Record. A copy of this Ordinance shall be recorded in the Office of the Ashland County Register of Deeds following its effective date.

ADOPTED: 612C (1503) 11/14/2000

EXHIBIT C
LEGAL DESCRIPTION FOR PARCELS LISTED

201-4836-0000 DAVID & KAREN SAARINEN

A PARCEL OF LAND IN THE E $\frac{3}{4}$ OF N $\frac{1}{2}$ OF SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7 T47N R4W Desc
In V266 P573 LESS THE E 200' DESC IN V359 P325

201.4842.1000 JERRY & DONNA ANDERSON

A PARCEL OF LAND LOCATED IN THE W1/4 N1/2 SE1/4 NE1/4 SECTION 7 T47N R4W
V483 P599 2.36 AC M/L

201-4842-0000 JON & MARY BRATLEY TRUSTEES

PART OF W1/4 N1/2 SE1/4 NE1/4 DESC V 503 PGS 573 & 911, SECTION 7 T47N R4W
2.36A

201-4823-0000 SCOTT & GAIL BROWN

E1/2 NE1/4 SW1/4 NE1/4 LESS E1/2 SECTION 7 T47N R4W 2.5A V 506 PG 200

201-4824-0200 BANE & DANA TYLER

LOT 2 1.25A CERTIFIED SURVEY 296 V 494 PG 278 WITH EASEMENT A PT SW NE
SEC 7 T47N R4W

201-4824-0100 GARY & KAY LAPEAN

LOT 1 1.65A CERTIFIED SURVEY 296 A PT SW NE SEC 7 T47N R4W V 518 PG 77

201-5167-0000 JOHN & SHEILA SCHULTZ

THE N 218.80' OF LOT 4 & THE N 90' OF THE S 440' OF THE E 126.35' OF LOT 4
CERTIFIED SURVEY #83 EASEMENT INCL. PT. SW NE SECTION 7 T47N R4W V 440
PG 18 & V 497 PG 15

201-5162-0000 BARBARA & ALVIN BOCHLER

E 200' OF LT 1 W/EASEMENT CERTIFIED SURVEY #83 LOCATED SEC 7-T47-R4W

201-5161-0000 GEORGE D. ANDERSON

W 218' OF LT 1 W/EASEMENT CERTIFIED SURVEY #83 LOCATED IN SEC 7-T47-R4W

201-4856-0000 RANDY & JANELLE RUST

N1/2 OF EAST 200' OF N1/2 OF SE1/4 NW1/4 & A 30' EASEMENT DESC V 492 PG 653
SECTION 7 T47N R4W 1.51A

201-4854-0100 ROBERT & GAIL LARSON

PART OF THE N1/2 SE1/4 NW1/4 DESC V 519 PG 455 SECTION 7 T47N R4W 2.27A

201-4853-0000 PRESBYTERIAN CONGREGATIONAL CHURCH

W 150' OF E 500' OF THE N1/2 OF SE1/4 NW1/4 SECTION 7 T47N R4W V269 P242 &
V297 P53 & V484 P773

CHAPTER 705. WATER UTILITY RULES, RATES, AND REGULATIONS.

705.01. Definitions.

(a) Available Utilities. Municipal utilities shall be deemed available when a water or wastewater main exists within a Right-of-Way abutting a property line.

(b) Well Failure. Private or non-community water system producing water containing contaminant levels in excess of the primary drinking water standards contained in Wis. Admin. ch. NR 809, WI Administrative Code.

705.02. Management of Water System. The management, operation and control of the water system for the City of Ashland, hereinafter “City,” is vested in the Common Council of said City. All records, minutes and all written proceedings thereof shall be kept by the City Clerk of the City. The Finance Director of the City shall keep all the financial records.

705.201. Lead & Galvanized Water Service Line Replacement.

- a) Purpose and Intent: The Common Council finds that it is in the public interest and for the protection of public health, safety, and welfare to establish a program for the removal and replacement of lead and galvanized water service laterals within the Ashland Water Utilities System and to that declares the purpose of this ordinance to be as follows:
1. To ensure the water quality at every tap of Utility customers meets the water quality standards under the Federal Safe Drinking Water Act; and
 2. To reduce the lead in City drinking water to meet Environmental Protection Agency (EPA) standards and to protect the health of City residents; and
 3. To meet the Wisconsin Department of Natural Resource (WDNR) requirements for local compliance with the Lead and Copper Rule (see 56CFR6460; Title 40 CFR part 141.80-141.91 and Chapter NR 809.54-809.55 Wisconsin Administrative Code.
- b) Definitions. The following definitions shall apply to this section, in addition to those terms defined in Section 705.01 of this Chapter:
1. Customer-side service line. The property owner’s water service line, from the outlet of the curb stop to the inlet of the customer’s water meter.
 2. Eligible service line. A customer-side water service line that is existing of led or galvanized material, for which the service lateral or main has already been replaced, or in the process of being replaced, with material approved by the City.
 3. Lead service line. A water service line constructed of lead. This term includes the customer-side service line, mains, and service laterals.
 4. Property. Real property as defined in WI § 70.03.
 5. Property owner. A person or legal entity having a possessory interest, legal or equitable, in property which shall include an estate, trust, or lien.

- c) Lead service line replacement requirement. All eligible lead service lines connected to city water service shall be replaced with water service laterals made of material approved by the city, at the property owner's expense or through available financial assistance for customer-side lead service line replacements, in accordance with the requirements of this section.
- d) Identification of lead service lines. For city projects involving water mains or replacement of service laterals, property owners affected by the city project shall be notified in writing at least 30 days prior to commencement of construction. The Director of Public Works or her/his designee shall inspect all connections to the mains for the presence of lead prior to, if possible, or at the time that the mains are to be reconstructed and if unable to gain access for inspection, may pursue an inspection warrant or any other steps necessary to conduct the inspection, and shall collect the cost therefor from the property owner, including by imposition of a special charge.
- e) Customer-side lead service line replacements.
 - 1. In the event that a customer-side service line is found to contain lead or galvanized material, the Director of Public Works or her/his designee shall immediately notify the property owner, in writing, of that fact, whether it is an eligible lead service line, and available funding options. The Director of Public Works or her/his designee shall further provide information to the affected property owner regarding an effective flush of all water lines within the affected property. The affected property owner shall provide proof of arrangements for replacement of the eligible lead service line to the Director of Public Works or her/his designee within 30 days of the date of the notification letter.
 - 2. Replacement of eligible lead service lines shall be completed either in conjunction with the replacement of the city's side of the water service during a utility replacement project, or, shall be replaced within 90 days of notice to the property owner of the presence of lead.
- f) Financial assistance for customer-side lead service line replacements.
 - 1. Customers may apply for financial assistance for lead service line replacement through any available grant source, including those funds provided through the State of Wisconsin's Safe Drinking Water Loan Program.
 - 2. The city may provide financial assistance for customer-side lead service line replacements in the form of grants, loans, or other funding sources. Funds shall be paid directly to a licensed contractor on behalf of the property owner. The total amount of the funds provided shall not exceed the actual cost of replacement of the customer-side lead service line.
- g) Penalty. Failure to commence work on the replacement of the customer-side lead service line when required pursuant to this ordinance, or for such work to be completed within a reasonable time after commencement of the work, shall result in a citation to the property owner. A property owner shall, upon conviction, forfeit to the City a penalty of \$100 per

offense, together with the taxable costs of such action plus reasonable attorney's fees. Each day of continued violation shall constitute a separate offense.

705.03. Construction of Water Lines. The Water Utility of the City shall have the power to construct water lines for public use, and shall have the power to lay water pipes in and through the alleys, streets, and public grounds of the City; and generally, to all such work as may be found necessary or convenient in the management of the water system. The Common Council shall have power by themselves, their officers, agents, and servants to enter upon any land for the purpose of making examination or supervise in the performance of their duties under this Chapter, without liability therefore; and the Common Council shall have the power to purchase and acquire for the City all real and personal property which may be necessary for construction of the water system, or for any repair, remodeling, or additions thereof.

705.04. Condemnation of Real Estate. Whenever any real estate or any easement therein, or use thereof, shall in the judgment of the Common Council be necessary to the water system; and whenever, for any cause, an agreement for the purchase thereof, cannot be made with the owner thereof, the City Attorney shall proceed with all necessary steps to take such real estate, easement, or use by condemnation in accordance with the Wisconsin Statutes, and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if Federal Funds are used.

705.05. Title to Real Estate and ~~Personalty~~Personal Property. All property, real, personal, and mixed, acquired for the construction of the water system, and all plans, specifications, diagrams, papers, books, and records connected with said water system, and all buildings, machinery, and fixtures pertaining thereto, shall be the property of the said City.

705.06. User Rules and Regulations. The rules, regulations, and water rates hereinafter set forth shall be considered a part of the contract with every person, company, or corporation who is connected with the water system and every such person, company, or corporation by connection with the water system shall be considered as expressing his or their assent to be bound thereby. Whenever any of said rules and regulations, or such others as the said Common Council may hereafter adopt are violated, the service shall be shut off from the building or place of such violation (even though two or more parties are receiving service through the same connection) and shall not be re-established except by order of the Common Council, and on payment of all arrears, the expenses and established charges of shutting off and putting on, and such other terms as the Common Council may determine, and a satisfactory understanding with the party that no further cause for complaint shall arise. In case of such violation, the said Common Council furthermore, may declare any payment made for the service by the party or parties committing such violation, to be forfeited, and the same shall thereupon be forfeited. The right is reserved to the Common Council to change the said rules, regulations, and water rates from time to time as they may deem advisable; and to make special rates and contracts in all proper cases, all subject to the authority of the Wisconsin Public Service Commission.

705.07. Rules and Regulations. The following rules and regulations for the government of

licensed plumbers, water takers and other, are hereby adopted and established.

705.08. Plumbers. No plumber, pipe fitter, or other person will be permitted to do any plumbing or pipe fitting work in connection with the water system without first receiving a license from the State of Wisconsin.

705.09. Lateral Charges. “Street Laterals” will be installed by the Utility (on existing mains) upon payment in advance according to the schedule of charges set by the Public Service Commission of Wisconsin Rate Schedule. If a request for an extension to the system is granted, the cost for such extension, including laterals, will be paid for by the requestor. Upon inspection and approval by the Utility, the extension will be dedicated to the Utility. There will be no additional charge for laterals installed by this method. All plans and specifications must be approved by the Utility before construction begins.

705.10. Tap Permits. After water connections have been introduced into any building or upon any premises, no plumber shall make any alterations, extensions, or attachments, unless the party ordering such tapping or other work shall exhibit the proper permit for the same from the City.

705.11. User to Keep in Repair. All users shall keep their own service pipes in good repair and protected from frost, at their own risk and expense, and shall prevent any unnecessary waste of water.

709705.12. User to Permit Inspection. Every user shall permit the City Building Inspector or their duly authorized agent, at all reasonable hours of the day, to enter their premises or building to examine the pipes and fixtures and the manner in which the water is used, and they must at all times, frankly and without concealment, answer all questions put to them relative to its use.

709705.13. Utility Responsibility. It is expressly stipulated that no claim shall be made against said City by reason of the breaking, clogging, stoppage, or freezing of any service pipe; nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary. The right is hereby reserved to cut off the service at any time for the purpose of repairs or any other necessary purpose, any permit granted or regulation to the contrary notwithstanding. Whenever it shall become necessary to shut off the water service within any district of the said City, the City shall, if practicable, give notice to each and every consumer within said district, of the time when such service will be so shut off.

709705.14. Meters. It shall be the duty of the owner of any premises to provide a location for a water meter, and to maintain such locations and passageway thereto, clean and sanitary and free from any obstruction or any conditions of a hazardous nature. No connection for water meters shall be installed in any location not easily accessible, or which is or may be, unclean, unsanitary, or in any manner unsafe to utility employees in the discharge of their duties.

705.15. Excavations.

(a) Placement of removed pavement and earth. In making excavations in streets or highways for laying service pipe or making repairs, the paving and earth removed must be deposited in a manner that will occasion the least inconvenience to the public.

(b) Barricades and lights. No person shall leave any such excavation made in any street or highway open at any time without barricades; and during the night, warning lights must be maintained at such excavations.

(c) Refilling. In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than nine inches in depth, and each layer thoroughly compacted to prevent settling. This work, together with the replacing of sidewalks, ballast and paving, must be done so as to make the street as good, at least, as before it was disturbed, and satisfactory to the City. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.

705.16. Tapping the Mains.

(a) Tapping water mains. No persons, except those having special permission from the City, or persons in their service and approved by them will be permitted, under any circumstances to tap the water mains or distribution pipes. The kind and size of the connection with the pipe shall be that specified in the permit or order from said City.

(b) Location of tap. Pipes should be tapped on the top half of the pipe, and not within six inches (15cm) of the joint, or within 24 inches (60cm) of another connection.

705.17. Installation of House Laterals.

(a) Water lines on private property. All water lines on private property, whether underground or within a structure, will be installed in accordance with State of Wisconsin Administration Code.

(b) Building water lines. The building's water line shall be inspected upon completion of placement of the pipe and before backfilling and, tested before or after backfilling.

705.18. Water Service Rates. So called standard rules published by the Public Service Commission of Wisconsin (small utility rules), and the rates as provided by the Public Service Commission Finding of Fact, Certification, and Order are hereby adopted by the Common Council, as applicable to the Water Utility.

705.19. Mandatory Hook-up.

(a) Connection to public water system. The Owner or Occupant of any building, used for residential, commercial, industrial, governmental, or other use that requires water, situated within the City which is abutting to or having a permanent right of access to any street, alley, or right-of-way in which there is located a Municipal Water System shall, if applicable, cease using any

other method of domestic potable water service and at the owner's expense shall connect the Private Water System to the Municipal Water System in accordance with the provisions of this chapter within one hundred eighty (180) days after official notice from the City to do so.

(b) Annexed property. Notwithstanding the foregoing requirement, any Property annexed into the City or adjacent to a new Water Main may request a delay in complying with the mandatory connection provided for herein by means of application to the Public Works Director. Delayed compliance shall be granted by the Public Works Director only if the applicant establishes to the satisfaction of the Public Works Director that the applicants' existing water system functions properly and meets all current health and safety requirements. To demonstrate the well meets health and safety standards, the applicant shall submit laboratory test results from a state certified laboratory indicating the well is free from Coliform Bacteria and the nitrate levels are below 5mg/l. Any delay granted pursuant to this section shall be for a period of 6 (six) years. At the end of this period, the applicant may request from the Public Works Director additional 6 (six) year extensions. Each additional delay shall be granted so long as the applicant again establishes to the satisfaction of the Public Works Director that applicant's existing water system functions properly and meets all current health and safety requirements as defined above. Any delay granted pursuant to this section shall be automatically terminated if said property meets any of the provisions listed in subsection (d) below.

(c) Failure to comply with the above requirements. The City may opt to impose a penalty for the period the violation continues, after ten (10) days written notice to any owner failing to make a connection to the water system in an amount equal to the average residential user cost (per residential unit equivalent) per month plus 12% for administrative cost, for each residential unit equivalent for the period in which the failure to connect continues, and upon failure to make such payment said charge shall be assessed as a special tax lien against the property, all pursuant to Section 144.06 Wisconsin Statutes.

(d) Newly installed mains. Properties served by newly installed water main adjacent to the property and which have been granted a delay in compliance per subsection 705.19 (b), need not hook up to the City of Ashland water system until the occurrence of the earliest of the following events:

(1) Failure of the private well or the inability to use the private well for human consumption;

(2) Sale, transfer, change in title, or subdivision of the subject property or any part thereof

(3) Construction of a new dwelling on the property.

705.20. Maintenance of Services. All water services within the limits of the City from the street main to the property line and including all controls between the same will be maintained by the Water Utility without expense to the property owner, except when they are damaged as a result of negligence or carelessness on the part of the property owner, a tenant, or an agent of the

owner, in which case they will be repaired at the expense of the property owner. All water services from the point of maintenance by the Utility to and throughout the premises must be maintained free of defective conditions, by and at the expense of the owner or occupant of the property.

705.21. Payment of Bills.

(a) Failure to Receive Bill No Penalty Exemption. Every reasonable care will be exercised in the proper delivery of water bills. Failure to receive a water bill, however, shall not relieve any person of the responsibility for payment of water rates within the prescribed period, nor exempt any person from any penalty imposed for delinquency in the payment thereof.

(b) Billing. The property owner is held responsible for all water bills on the premises owned. All water bills and notices of any nature, relative to the water service, will be addressed to the owner and delivered to the premises referred to on such bill or notice.

705.22. Penalty for Improper Use.

(a) Pollution. It shall be unlawful for any person to willfully pollute or otherwise injure any water supplied by the water system.

(b) Cross-connections. Cross-connections are not permitted between the water utility system and any other source of water as set forth in Wisconsin Administrative Code.

(c) Private Wells. All private wells which are unused, unsafe, or do not comply with appropriate Wisconsin Administrative Code must be abandoned in compliance with the Code.

705.23. Damage Recovery. The utility shall have the right to recover from all persons any expense incurred by said utility for the repair or replacement of any water pipe, curb stop, gate valve, hydrant, or valve box damaged in any manner by any person by the performance of any work under their control, or by any negligent act. Owners or operators of motor vehicles will be held liable for the cost of repair of any hydrant damaged by them and the utility will not be responsible for the damage due the motor vehicle by reason of such accident.

705.24. Penalties. Any person who shall violate any of the provisions of this chapter or rules or regulations of the City of Ashland; or who shall connect a service pipe without first having obtained a permit therefore; or who shall violate any provisions of the Wisconsin Statutes, Wisconsin Administrative Code, or any other materials which are incorporated by reference, shall upon conviction thereof forfeit not less than \$10 nor more than \$200 and the costs of prosecution. This, however, shall not bar the City from enforcing the connection duties set out in Section 705.19 for mandatory hookup.

705.25. Charges are a Lien on Property. All water services, charges, and special assessments shall be a lien on a lot, part of a lot, or land on which water services were supplied. All sums

which have accrued during the preceding year, and which are unpaid by the first day of October of any year, shall be certified to the City Clerk to be placed on the tax roll for collection as provided by Section 66.069 (1) of Wisconsin Statutes.

705.26. Adoption of Other Rules. There are hereby adopted all the rules and regulations of the State Plumbing and State Building Codes and the building rules of the Department of Safety and Professional Services; and the Department of Natural Resources of the State of Wisconsin, and the rules of the Public Service Commission, insofar as the same are applicable to the City of Ashland. In the event of any conflict between any statute or administrative rule of the State of Wisconsin and the provisions of this chapter, the state statute or rule shall control.

ADOPTED: 705 (1415) 9/30/1997

AMENDMENTS: 705 (1559) 2/11/2003; 705 (1689) 10/28/2008 2021-1940 2/9/2021

CHAPTER 711. ORDINANCE FOR A POTW AND COLLECTION SYSTEM.

711.01 INTENT. An ordinance establishing a sewer use and user charge system in the City of Ashland, County of Ashland, State of Wisconsin, to provide procedures, safeguards and funds to operate and maintain and meet WPDES permit limits at the City of Ashland wastewater collection system and pay for wastewater treatment costs; and

Whereas, the City of Ashland Wastewater Utility, Wisconsin, owns and operates a wastewater treatment works; and

Whereas, the Wastewater Utility must pay all the operation and maintenance expenses associated with said treatment works and charge the users of said treatment works accordingly; and

Whereas the Wastewater Utility by accepting wastewater and septage assumes all risk for treatment and meeting their WPDES permit but reserve the right to permit reasons; and immediately discontinue acceptance of wastewater or septage for operational and

Now, therefore, be it ordained by ~~the Mayor and~~ Common Council of the City of Ashland that the following Sewer Use Ordinance be established.

SEWER USE ORDINANCE
City of Ashland, Wisconsin

CONTENTS

<u>ARTICLE</u>	<u>TITLE</u>
I	Introduction and General Provisions
II	Definitions
III	Management, Operation, and Control — Construction of Sewer Lines — Maintenance of Services — Condemnation of Real Estate — Title to Real Estate and Personality
IV	User Rules and Regulations — General — Plumbers — Users
V	Regulations — General Discharge Prohibitions — Limitations on Strength
VI	Sewer User Charge System
VII	Control of Industrial and Septage Wastes — Industrial Discharges — Control Manholes — Waste Sampling — Analyses
VIII	Payment for Charges
IX	Audit (Charge System Review)
X	Violations and Penalties
XI	Validity (Repeal Conflicting Ordinances, Etc.)
XII	Effective Date

~~ARTICLE I~~

711.02 INTRODUCTION AND GENERAL PROVISIONS

a. This Ordinance regulates the use of public and private sewers and drains, discharge of septage into the public sewerage system, and the discharge of waters and wastes into the public sewerage systems within the City of Ashland. It provides for and explains the method used for levying and collecting wastewater treatment service charges, sets uniform requirements for discharges into the wastewater collection and treatment systems and enables the City of Ashland to comply with administrative provisions, and other discharge criteria which are required or authorized by the State of Wisconsin or Federal law. Its intent is to derive the maximum public benefit by regulating the characteristics of wastewater discharged into the City of Ashland sewerage system.

b. This Ordinance provides a means for determining wastewater and septage volumes, constituents and characteristics, the setting of charges and fees, and the issuing of permits to certain users. Revenues derived from the application of this Ordinance shall be used to defray the costs of operating and maintaining adequate wastewater collection and treatment systems and to provide sufficient funds for capital outlay, debt service costs and capital improvements. The charges and fees herein have been established pursuant to requirements of the Wisconsin Statutes. This Ordinance shall supersede any previous Ordinance, Rules or Regulations; and shall repeal all parts thereof that may be inconsistent with this Ordinance. If there is any conflict between this Ordinance and any applicable Statute, the State Statute shall be controlling.

~~ARTICLE II~~

711.03

DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

a. ~~APPROVING AUTHORITY~~ Approving Authority shall mean the City of Ashland, or its duly authorized committee, agent, or representative.

b. Ammonia Nitrogen (NH . -N) shall mean one of the oxidation states of nitrogen, in which nitrogen is combined with hydrogen in molecular form as NH₃ or in ionized form as NH₄. Quantitative determination of ammonia nitrogen shall be made in accordance with procedures set forth in “standard methods” or Chapter NR 149 of the Wisconsin Administrative Code.

c. Available Utilities: Municipal utilities shall be deemed available when a water or wastewater main exists within a Right-of-Way abutting a property line.

d. ~~BIOCHEMICAL OXYGEN DEMAND~~ Biochemical Oxygen Demand (BODE) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees Centigrade, expressed as milligrams per liter. Quantitative determination of

BOD shall be made in accordance with procedures set forth in the most recent edition of “Standard Methods.”

~~e. BUILDING DRAIN~~Building Drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the wall of the building and conveys it to the building sewer.

~~f. BUILDING SEWER~~Building Sewer shall mean the extension from the public sewer or other place of disposal beginning outside the inner face of the building wall.

~~g. CHEMICAL ELEMENTS AND COMPOUNDS~~Chemical Elements and Compounds that are typically found in wastewater and may be regulated by this ordinance: These are as follows:

Aldrin	C ₁₂ H ₅ Cl ₆
Ammonia Nitrogen	NH ₃
Arsenic	As
Benzene	C ₆ H ₆
Benzo(a) Anthracene	C ₁₈ H ₁₂
Benzo(a) pyrene	C ₂₀ H ₁₂
Beryllium	Be
BIS(2-Ethylhexyl) Phthalate	C ₂₄ H ₃₈ O ₄
Cadmium	Cd
Carbon Tetrachloride	CCl ₄
Chlordane	C ₁₀ H ₆ Cl ₈
Chloroform	CHCl ₃
Copper	Cu
Chromium	Cr
Cyanide	CN
DDT	(C ₁₄ H ₉ Cl) ₂

DDD	(C1C6H4)2CHCHC12
DDE	(C1C6H42)CCC12
Dieldrin	C12H10OC16
3,3-Dichlorbenzidine	C6H3CINH2C6H3CINH2
Dichloromethane	CH2C12
2,4-D	C6H3(OCH2 OOH)C12
Dimethyl Nitrosoamine	(CH 3)2NNO
Endrin	C12H10 O C16
Heptachlor	C10H7Cl7
Hexachlorobezene	C6C16
Hexachlorobutadiene	C4C16
Lead	Pb
Lindane	C6H6C16
Malathion	C10H19O6PS2
Mercury	Hg
Molybdenum	Mo
Nickel	Ni
Nitrogen	N
PCB's	C12H10 C12H9C1 C12HBC12 C12H7 C13 C12H6C14 C12H5C15 C12H4C16 C12H3Cl7 C12H2C18 C12HIC19 C12ClI0

Pentachlorophenol	C6Cl5OH
Phenanthrene	C14H10
Phenol	C6H5OH
Phosphorous	P
Phosphate	PO4
Radium	Ra
Selenium	Se
Tetrachloroethylene	CCl2CCl2
Toxaphene	C10H10Cl8
Trichloroethylene	CHClCCl2
2, 4, 6-trichlorophenol	C6H2Cl3OH
Vinyl Chloride	CH2CHCl
Zinc	Zn

~~h. COMBINED SEWER~~Combined Sewer shall mean a sewer intended to serve as a sanitary sewer and a storm sewer.

~~i. COMPATIBLE POLLUTANTS~~Compatible Pollutants shall mean biochemical oxygen demand, suspended solids, phosphorus, ammonia, or pH, plus additional pollutants identified in the WPDES permit for the publicly owned treatment works receiving the pollutant if such works were designed to treat such additional pollutants to a substantial degree.

~~j. Failing Private Sewage System:~~ System defined under § 145.245 (4), Wisconsin Statute. A holding tank which discharges sewage to the ground surface, including intentional discharges and discharges caused by neglect, shall be considered a failing private sewage system.

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

~~l. GARBAGE~~Garbage shall mean the residue from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of food products and produce.

~~m. GROUND GARBAGE~~Ground Garbage shall mean the residue from the preparation, cooking, and dispensing of food that has been shredded to such degree that all particulates will no greater than one-half (1/2) inch in any dimension and will be carried freely in suspension under normal flow conditions in sewers.

~~n. HOLDING TANK SERVICE AREA~~Holding Tank Service Area — shall mean the area outside the POTW's sewer service area, but inside or equal to the POTW's planning area where a contract has been developed for holding tank wastewater to be treated at the Wastewater Treatment Facility.

~~o. INCOMPATIBLE POLLUTANTS OR WASTEWATER~~Incompatible Pollutants or Wastewater shall mean wastewater or septage with pollutants of such a strength that will adversely affect or disrupt the wastewater treatment processes or effluent quality or sludge quality if discharged to the sewerage system facility.

~~p. INDUSTRIAL WASTE~~Industrial Waste shall mean the wastewater from industrial process, trade, or business, as distinct from sanitary sewage, including cooling water and the discharge from sewage pretreatment facilities.

~~q. LICENSED DISPOSER~~Licensed Disposer shall mean a person or business holding a valid license to do septage servicing under NR 113.

~~r. MAY~~May is permissible.

~~s. MUNICIPAL WASTEWATER~~Municipal Wastewater shall mean the wastewater of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water, and storm water that may have inadvertently entered the sewerage system.

~~t. NATURAL OUTLET~~Natural Outlet shall mean any outlet, including storm sewers, into a water course, pond, ditch, lake or other body of surface water or groundwater.

~~u. "Normal Domestic Strength Wastewater or NdsW"~~"Normal Domestic Strength Wastewater or NdsW" – Wastewater that is primarily introduced by residential users with a BOD5 concentration not greater than 250 mg/l, a suspended solids (TSS) concentration not greater than 250 mg/l and a phosphorous (P) concentration not greater than 10 mg/l.

~~v. "Operation and Maintenance Costs"~~"Operation and Maintenance Costs" – Expenditures for operation and maintenance, including replacement.

~~w. Parts Per Million~~Parts Per Million shall mean a weight-to-weight ratio; the parts per million value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

x. ~~PERSON~~ Person shall mean any and all persons, including any individual, firm, company, municipal or private corporations, association, society, institution, enterprise, government agency, or other entity.

y. pH shall mean the logarithm of the reciprocal or 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} .

z. Public Sewer shall mean any sewer provided by or subject to the jurisdiction of the City of Ashland Wastewater Utility. It shall also include sewers within or outside the corporate boundaries that serve one or more personnel and ultimately discharge into the City of Ashland sanitary sewer system, even though those sewers may not have been constructed with City of Ashland Wastewater Utility funds.

aa. Replacement – Obtaining and installing of equipment, accessories, or appurtenances which are necessary during the design or useful life of the treatment works, whichever is longer, to maintain the capacity and performance for which such works were designed and constructed.

bb. Replacement Costs – Expenditures for replacement.

cc. Sanitary Sewage shall mean a combination of liquid and water-carried wastes discharged from toilets and/or sanitary plumbing facilities, together with such ground, surface, and storm waters as may have inadvertently entered the sewerage system.

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

ee. Septage shall mean the wastewater or contents of septic or holding tanks, dosing chambers, grease interceptors, seepage beds, seepage pits, seepage trenches, privies or portable restrooms.

ff. Sewage is the spent water of a community. The preferred term is “municipal wastewater”.

gg. Sewer Service Areas are the areas presently served and anticipated to be served by a municipal wastewater collection system. State regulations (NR 121.05) require that water quality management plans delineate sewer service areas of urban areas with a population of over 10,000. Approved facility plans contain less detailed sewer service areas for communities under 10,000 population.

hh. Sewer Service Charge is a service charge levied on users for the wastewater collection and treatment facilities for payment of use-related capital expenses as well as the operation and maintenance costs, including replacement of said facilities.

ii. Sewer System means the common sanitary sewers within a sewerage system which are primarily installed to receive wastewaters directly from facilities which convey wastewater from individual structures or from private property, and which include, service connection “Y” fittings designed for connection with those facilities. The facilities which convey wastewater from individual structures, from private property to the public sanitary sewer, or its equivalent, are specifically excluded from the definition of “sewerage collection system”; except that pumping units and pressurized lines for individual structures or groups of structures may be included as part of a “sewer system” when such units are cost effective and are owned and maintained by the sewerage owner.

jj. Sewerage System means all structures, conduits and pipes, by which sewage is collected, treated, and disposed of, except plumbing inside and in connection with buildings served, and service pipes, from building to street main.

kk. “Shall” is mandatory.

ll. Slug Load shall mean any substance release at a discharge rate and/or concentration which cause interference to wastewater treatment processes or plugging or surcharging of the sewer system.

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

nn. Storm Drain (sometimes termed “storm sewer”) shall mean drain or sewer for conveying surface water, groundwater, subsurface water or unpolluted water from any source.

oo. Storm Water Runoff shall mean that portion of the rainfall that is collected and drained into the storm sewers.

pp. Suspended Solids shall mean solids that either float on the surface of, or are in suspension in, water, wastewater, septage, or other liquids, and that is removable by laboratory filtering as prescribed in “Standard Methods” and is referred to as nonfilterable residue.

qq. User – Any person who discharges, or causes or permits the discharge of, wastewater into the City’s wastewater treatment works.

rr. User Charge – A charge levied on users of the wastewater treatment works for the user’s proportionate share of the cost of operation and maintenance, including replacement.

ss. Wastewater Facilities shall mean the structures, equipment, and processes required to collect, carry away, store, and treat domestic and industrial waste and septage and dispose of the effluent and sludge.

tt. Wastewater Treatment Works shall mean an arrangement of devices and structures for treating wastewater, septage, industrial waste, and sludge. Sometimes used as synonymous with waste treatment.

uu. Watercourse shall mean a natural or artificial channel for the passage of water, either continually or intermittently.

vv. Wisconsin Pollutant Discharge Elimination System (Wpdes) Permit is a document issued by the Wisconsin State Department of Natural Resources which establishes effluent limitations and monitoring requirements for the municipal wastewater treatment facility.

ARTICLE III

711.04 MANAGEMENT, OPERATION AND CONTROL

1a. —The management, operation and control of the sewer system for the City of Ashland vested in the Wastewater Utility; all records, minutes and all written proceedings thereof shall be kept by the Wastewater Utility; the City Finance office shall keep all the financial records.

2b. —Construction. The City of Ashland Wastewater Utility shall have the power to construct sewer lines for public use, and shall have the power to lay sewer pipes in and through the alleys, streets, and public grounds for the City of Ashland; and generally, to do all such work as may be found necessary or convenient in the management of the sewer system. The City of Ashland shall have power by themselves, their officers, agents, and servants, to enter upon any land for the purpose of making examination or supervise in the performance of their duties under the Ordinance, without liability therefore; and the City of Ashland shall have power to purchase and acquire for the Wastewater Utility all real and personal property which may be necessary for construction of the sewer system, or for any repair, remodeling, or additions thereto.

3. c. —Maintenance of Services.

The Owner shall maintain sewer service from the street main to the house and including all controls between the same, without expense to the Wastewater Utility, except when they are damaged as a result of negligence or carelessness on the part of the City of Ashland. All sewer services must be maintained free of defective conditions, by and at the expense of the Owner or occupant of the property. When any sewer service is to be re-laid and there are two or more buildings on such service, each building shall be disconnected from such service and a new sewer service shall be installed for each building.

4d. —Condemnation of Real Estate. Whenever any real estate or any easement therein, or use thereof, shall in the judgment of the City of Ashland be necessary to the sewer system, and whenever, for any cause, an agreement for the purchase thereof, cannot be made with the Owner thereof, the City of Ashland shall proceed with all

necessary steps to take such real estate easement, or use by condemnation in accordance with the Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if Federal Funds are used.

~~5e.~~ ~~—~~ ~~Title t~~ ~~To~~ Real Estate ~~a~~ ~~And~~ Personality. All property, real, personal, and mixed, acquired for the construction of the sewer system, and all plans, specifications, diagrams, papers, books and records connected therewith said sewer system, and all buildings, machinery, and fixtures pertaining thereto, shall be the property of the City of Ashland.

ARTICLE IV

711.05 USER RULES AND REGULATIONS

~~GENERAL.~~ The rules, regulations, and sewer rates of the City of Ashland Wastewater Utility hereinafter set forth shall be considered a part of the contract with every person, company or corporation who is connected to or uses the City of Ashland sewer system or wastewater treatment facility and every such person, company or corporation by connecting with the sewer system or wastewater treatment facility shall be considered as expressing their assent to be bound thereby. Whenever any of said rules and regulations, or such others as the Wastewater Utility may hereafter adopt, are violated, the use or service shall be shut off from the building or place of such violation (even though two or more parties are receiving service through the same connection) and shall not be re-established except by order of the Wastewater Utility and on payment of all arrears, the expenses and established charges of shutting off and putting on, and such other terms as the Wastewater Utility may determine, and a satisfactory understanding with the party that no further cause for complaint shall arise. In case of such violation, the Wastewater Utility, furthermore, may declare any payment made for the service by the party or parties committing such violation, to be forfeited, and the same shall thereupon be forfeited. The right is reserved to the City of Ashland to change these said rules, regulations, and sewer rates from time to time as they may deem advisable; and make special rates and contracts in all proper cases.

~~The following rules and regulations for the government of licensed plumbers, sewer users and others, are hereby adopted and established.~~

~~a.~~ Plumbers. No plumber, pipe fitter, or other person will be permitted to do any plumbing or pipe fitting in connection with the sewer system without first receiving a license from the State of Wisconsin and obtaining permission from the City of Ashland. All service connections to the sewer main shall comply with State plumbing code.

~~(+)~~ ~~b.~~ Mandatory Hook-Up. The owner of each parcel of land adjacent to a waste water main on which there exists a building usable for human habitation or in a block through which such system is extended, shall connect to such system within 180 days of notice in writing from the City. Upon failure to do so, the City may cause such connection to be made and bill the property owner for such costs. If such costs are not paid within 30 days, another said cost shall be assessed as a special tax lien against the property pursuant to Wisconsin Statute 281.45

provided, however, that the owner may, within 30 days after the completion of the work file a written opinion with the City Clerk stating that he or she cannot pay such amount in one sum and ask that the property owner be levied in not to exceed equal annual installments, and the amount shall be so collected with interest at the rate not to exceed 15% per year from the completion of the work, the unpaid balance to a special tax lien.

In lieu of the above, the City of Ashland at its option may impose, after ten (10) days written notice to any owner failing to make a connection to the sewer system, a penalty in the amount of \$1,000 for the period that the violation continues. Upon failure to make such payment, said charge shall be assessed as a special tax lien against the property, all pursuant to Section 144.06.

This ordinance ordains that the failure to connect to the sewer system is contrary to the minimum health standards of the City of Ashland and fails to assure preservation of public health, comfort, and safety of the City of Ashland.

c. **Septic Tank Prohibited.** The maintenance and use of septic tanks, holding tanks and other private sewage disposal systems within the area of the City of Ashland serviced by its sewer system are hereby declared to be a public nuisance and a health hazard. The use of septic tanks, holding tanks or any private sewage disposal system within the area of the City of Ashland serviced by the sewerage system shall be prohibited.

d. **Inflow Connections Prohibited.** No person(s) shall make connection of roof downspouts, foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or indirectly to the wastewater disposal system.

e. **Application For Sewer Service.** Every person desiring to connect or alter an existing connection to the sewer system shall file an application in writing to the Wastewater Utility on such forms as is prescribed for that purpose. Blanks for such applications will be furnished at the office of the Wastewater Utility. The application must state fully and truthfully all the wastes which will be discharged. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. Persons connected to the sewer system of the City of Ashland are referred to herein as “Users”.

Any new connection(s) to the sanitary sewer system shall be prohibited unless sufficient capacity is available in all downstream facilities including, but not limited to, capacity for flow, BODS, and TSS, as determined by the Superintendent.

If it appears that the service applied for will not provide adequate service for the contemplated use, the Wastewater Utility may reject the application. If the Wastewater Utility approves the application, it shall issue a permit for services as shown on the application.

f. **Application For Septage Disposal.** Between August 1 and September 1 of each year every licensed disposer wishing to discharge septage to the City of Ashland sewer system shall file a nonrefundable filing fee and an application in writing to the Wastewater Utility on such a form as is prescribed for that purpose. During the months of July and August, forms for such application will be furnished at the office of the Wastewater Utility. The application must state

fully and truly the type, frequency, quantity, quality and location of generated septage to be disposed in the City of Ashland sewerage system.

During the month of September, the Wastewater Utility will evaluate the applications and make a determination as to the amount and conditions of septage disposal in the City of Ashland sewerage system. The Wastewater Utility shall approve or reject all applications by October 1 of each year. If the WWTF cannot accept all the proposed septage disposal then consideration shall be given first to those generators of septage that are within the sewer service or holding tank service areas [see NR 205.07(2)(h)].

All Wastewater Utility approvals for septage disposal shall have the conditions that anytime the sewerage system has operational problems, maintenance problems, or threat of WPDES permit violations that are indirectly or directly related to septage disposal, the Wastewater Utility may immediately restrict septage disposal until such time as corrective action or mitigative measures have been taken.

g. Connection Charge.

~~A.~~ 1. Persons attaching to a sewer main shall have the lateral from the sewer main installed at their own expense.

~~B.~~ 2. In addition to all other fees and service charges, every person attaching a lateral to a sewer main shall pay the City of Ashland a one-time connection charge in the amount of \$800 if any of the following conditions apply:

1. The sanitary sewer was constructed with City funds and special assessments were not levied.
2. The sanitary sewer was constructed with City funds and special assessments were levied against the property more than twenty (20) years prior.
3. The property was not identified to be serviced by a sanitary sewer which was constructed and paid for by a private individual or developer.

h. Tap Permits. After sewer connections have been introduced into any building or upon any premises, no plumber shall make any alterations, extensions or attachments, unless the party ordering such tapping or other work exhibits the proper permit for the same from the Wastewater Utility.

i. User ~~t~~Fo Keep ~~H~~In Repair. All users shall keep their own service pipes in good repair and protected from frost, at their own risk and expense, and shall prevent any unnecessary overburdening of the sewer system.

j. Backflow Preventer. All floor drains shall have a backflow prevention valve installed at the owner's expense.

k. User Use Only. No user shall allow other persons or other services to connect to the sewer system through their lateral.

l. Vacating ~~Of~~ Premises ~~And~~ Discontinuance ~~of~~ Service. Whenever premises served by the system are to be vacated, or whenever any person desires to discontinue service from the system; the Wastewater Utility must be notified in writing. The owner of the premise shall be liable for any damages to the property of the system other than through the fault of the system or its employees, representative, or agents.

m. User ~~To~~ Permit Inspection. Every user shall permit the City of Ashland or its duly authorized agent, at all reasonable hours of the day, to enter their premises or building to examine the pipes and fixtures, and the manner in which the drains, and sewer connections operate; and they must at all times, frankly and without concealment, answer all questions put to them relative to its use, all in accordance with this Ordinance and Section 196.71, Wisconsin Statutes.

711.06 INSTALLATION OF HOUSE LATERALS.

All service pipes (laterals) on private property will be installed in accordance with City of Ashland Building Inspection Ordinance 748 and, with State of Wisconsin Administrative Code Chapter ILHR 82 "Design, Construction, Installation, Supervision, and Inspections of Plumbing", especially, Section ILHR 82.04, "Building Sewers".

As required by Section ILHR 82.04(5), all laterals shall be inspected: "The building sewer and/or private interceptor main sewer shall be inspected upon completion of placement of the pipe and before backfilling and tested before or after backfilling."

a. Extensions. The Wastewater Utility shall extend sewer mains to a new person(s) in accordance with the following charges and the following conditions:

When an extension of a sewer main is required by the prospective user, said person shall make an application on such a form as it prescribed for that purpose for such an extension in writing to the Wastewater Utility by filing of such an application, the Wastewater Utility shall first determine the logical location of the next manhole or manholes. Next, the Wastewater Utility shall determine the length and location of the extension, taking into consideration the prospective demands for service, the capacity of downstream facilities, and the orderly development of the particular area. No extension shall be made for a distance less than to the next manhole. All sewer extensions shall be constructed in compliance with local and state laws, ordinances, and regulations.

The person who requests the extension shall pay the entire cost of said extension including the manhole or manholes that are part of the extension. If more than one user is involved, the entire cost shall be divided among these users.

After making the decision as to the length and location of the extension and prior to the time of making the charge to the person(s), the City of Ashland shall determine the benefits to be received by any parcel that can be served by said extension. Before making a determination as to benefits received, the City of Ashland shall first divide the area to be served into logical building lots. The City of Ashland may consider the recommendations of the landowner in determining said building lots if the landowner as part of his or her application accompanies said application with a proposed division of said land into lots for sale or use. In determining the amount to be paid by the original users, if more than one user is involved, the division of the charge shall be made by considering each building lot as a separate user. Payments are to be considered contributions to construction.

b. Utility Responsibility. It is expressly stipulated that no claim shall be made against the City of Ashland or acting representative by reason of the breaking, clogging, stoppage, or freezing of any service pipes; nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary. The right is hereby reserved to cut off the service at any time for the purpose of repairs or any other necessary purpose, any permit granted or regulations to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer within any district of the City of Ashland, the Wastewater Utility shall, if practicable, give notice to each and every consumer within the district, of the time when such service will be shut off.

711.07 EXCAVATIONS.

In making excavations in streets or highways for laying service pipe or making repairs, the paving and the earth removed must be deposited in a manner that will result in the least inconvenience to the public.

No person shall leave any such excavation made in any street or highway open at any time without barricades; and during the night, warning lights must be maintained at such excavations.

In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than nine inches in depth, and each layer thoroughly compacted to prevent settling. This work together with the replacing of sidewalks, ballast and paving, must be done so as to make the street as good, at least, as before it was disturbed, and satisfactory to the City of Ashland. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.

711.08 TAPPING THE MAINS.

No persons, except those having special permission from the Wastewater Utility or persons in their service and approved by them, will be permitted, under any circumstances to tap the mains or collection pipes. The kind and size of the connection with the pipe shall be that specified in the permits or order from the Wastewater Utility to ensure that new sewers and connections to the sewer system are properly designed and construction.

Pipes should always be tapped on top, and not within six inches (15 cm) of the joint, or within 24 inches (60 cm) of another lateral connection. All service connections to mains must comply with State plumbing code. Lateral connections to existing sewers shall be made with saddles and by coring the existing sewer or by inserting (cutting-in) a wye or tee into the existing sewer. The lateral/tee connection shall be made with approved adaptors or couplings.

In addition to the charge made as above provided to each lot, each user shall pay the full cost of the lateral from the main to their building.

a. Septage Acceptance Location. Septage shall only be discharged to the City's sewerage system by City-approved and State of Wisconsin licensed disposers and at locations, times, and conditions as specified by the City of Ashland Wastewater Utility.

Septage discharges to Wastewater Utility specified manholes may, under special circumstances, be allowed provided discharge rates are restricted as necessary to facilitate mixing, prevent a backup in the receiving sewer and prevent a slug load to the wastewater treatment facility. Discharges may be limited to the normal working hours of the Wastewater Utility and shall require written documentation of the discharge to be submitted to the Wastewater Utility within one working day of the discharge to the City of Ashland Wastewater Utility sewerage system.

Septage discharges to the septage dumping facility at the wastewater treatment facility shall be limited to the posted normal working hours of the facility. Documentation of the discharge shall be submitted to the Wastewater Utility within one working day of the discharge to the WWTF septage dumping facility.

Forms are prescribed for the purpose of documentation of the discharge will be furnished at the WWTF and will include the following information:

- 1) Name, address and telephone number of the hauler
- 2) License Number
- 3) Type of septage
- 4) Quantity of septage
- 5) Estimated quality of septage
- 6) Location, date, time and feed rate of discharge to the sewerage system
- 7) Source of septage
- 8) Name and address of septage generator
- 9) Other information as required by the Wastewater Utility

b. Additional Authority. The Wastewater Utility may at any time establish specific connection and lateral charges for any main not covered by other provisions in this Ordinance or when the Wastewater Utility has made an extension and the Wastewater Utility has failed to provide lateral or connection charges. It is further provided that Wastewater Utility may amend or alter any connection or lateral charge after its establishment under the terms of this Ordinance or previous Ordinance or Resolutions.

~~ARTICLE V~~

711.09 REGULATIONS

a. General Discharge Prohibitions.

No Discharger shall contribute or cause to be discharged, directly or indirectly, any of the following described substances into the wastewater disposal system or otherwise to the facilities of the Authority:

~~a~~(1) Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction to cause fire or explosion or be injurious in any other way to the operation of the City of Ashland wastewater facilities or wastewater treatment works.

~~b~~(2) Solids or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater system.

~~e~~(3) Any wastewater having a pH less than 5.0 or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel of the system.

~~d~~(4) Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction to injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, or to exceed the limitation set forth in State or Federal Categorical Pretreatment Standards.

A toxic pollutant shall include but not be limited to any pollutant identified in the Toxic Pollutant List set forth in NR 215 of the Wisconsin Administrative Code.

~~e~~(5) Any noxious or malodorous liquids, gases, or solids which either singly or by interaction are capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for their maintenance and repair.

~~f~~(6) Any substance which may cause the City of Ashland effluent or treatment residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process.

~~g~~(7) Any substance which will cause the City of Ashland to violate its WPDES and/or other Disposal System Permits.

~~h~~(8) Any substance with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.

~~i~~(9) Any wastewater having a temperature which will inhibit biological activity in the City of Ashland treatment works resulting in interference; but in no case, wastewater

with a temperature at the introduction into the Publicly Owned Treatment Works which exceeds 40°C (104°F).

j(10) Any slugload, which shall mean any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a single extraordinary discharge episode of such volume or strength as to cause interference to the Publicly Owned Treatment Works.

k(11) Any unpolluted water including, but not limited to non-contact cooling water.

l(12) Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as exceed limits established by the Authority in compliance with applicable State or Federal regulations.

m(13) Any wastewater which causes a hazard to human life or creates a public nuisance.

n(14) Any storm water, surface water, groundwater, roof run-off or surface drainage or any other connections from inflow sources to the sanitary sewer. Such waters may be discharged to a storm sewer or other waterway with permission of the Wastewater Utility.

b. LIMITATIONS ON WASTEWATER STRENGTH

a(1) National Categorical Pretreatment Standards

National categorical pretreatment standards as promulgated by the U.S. Environmental Protection Agency shall be met by all Dischargers of the regulated industrial categories.

b(2) State Requirements

State requirements and limitations on discharges to the Public Owned Treatment Works shall be met by all Dischargers which are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this or any other applicable ordinance.

c(3) Right of Revision

The Authority reserves the right to amend this Ordinance to provide for more stringent limitations or requirements on discharges to the Publicly Owned Treatment Works where deemed necessary to comply with the objectives set forth in this Ordinance.

d(4) Dilution

No Discharger shall increase the use of potable or process water in any way nor mix separate waste streams for the purpose of diluting a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the standards set forth in this Ordinance.

e(5) Supplementary Limitations

No Discharger shall discharge wastewater containing concentrations [and/or mass limitations] of the following enumerated materials, exceeding the following values:

<u>Materials</u>	<u>Concentration (ms/l)</u>	<u>[Mass Limitation]</u>
------------------	-----------------------------	--------------------------

¶(6) Accidental Discharges

Each Discharger shall provide protection from accidental discharge of prohibited or regulated materials or substances established by this Ordinance. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained as the Discharger's cost and expense. Detailed plans showing facilities and operating procedures to provide this protections shall be submitted to the Authority for review, and shall be approved by the Authority before construction of the facility. Review and approval of such plans and operating procedures by the Authority shall not relieve the Discharger from the responsibility to modify its facility as necessary to meet the requirements of this Ordinance.

Dischargers shall notify the Authority immediately upon the occurrence of a "slugload", or accidental discharge of substances prohibited by this Ordinance. The notification shall include location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any Discharger who discharges a slugload of prohibited materials shall be liable for any expense, loss or damage to City of Ashland wastewater facilities or wastewater treatment works, in addition to the amount of any fines imposed on the Authority on account thereof under State or Federal law.

Signs shall be permanently posted in conspicuous places on Discharger's premises, advising employees whom to call in the event of a slug or accidental discharge. Employers shall instruct all employees who may cause or discover such a discharge with respect to emergency notification procedure.

ARTICLE VI

711.10 SEWER USER CHARGE SYSTEM

a. Definitions. The following terms shall have the following meaning under this Ordinance.

(1) Benefitted Users are all residential users and those other users which would use a residential size water service.

(2) Debt Service Charges shall include all costs associated with repayment of debts incurred for the construction and/or rehabilitation of wastewater collection system and treatment facility.

(3) Non-Benefitted users are those which would need a one inch or larger water meter.

(4) Normal Domestic Strength Wastewater shall mean wastewater with concentrations of BOD's and suspended solids no greater than 250 milligrams per liter (mg/l) and concentrations of phosphorus no greater than 6 mg/l.

(5) Normal User shall be a user whose contributions to the sewerage system consist only of normal domestic strength waste water originating from a house, apartment, flat, or other living quarters occupied by a person or person constituting a distinct household, business or commercial enterprise.

(6) Operation and Maintenance Costs shall include all costs associated with the operation and maintenance of the wastewater collection and treatment facilities.

(7) Replacement Costs shall include all costs necessary to accumulate the resources to replace equipment, the collection system, and other fixed assets as required to maintain capacity and performance during the design life of the facility. A separate, segregated, distinct replacement fund shall be established and used only for replacement of equipment.

(8) Sewer Service Charge is a service charge levied on users of the sewerage system for payment of capital expenses as well as operation and maintenance costs, including replacement of said facility.

(9) Policy. It shall be the policy of the utility to obtain sufficient revenues to pay the costs of operation and maintenance of the sewerage facilities, including a replacement fund, through a system of sewer service charges as defined in this Article. The system shall assure that each user of the sewerage system pays their proportionate share of the cost of such facilities.

(10) Basis for Service Charge. Service charges are based on an annual revenue requirement consisting of operation and maintenance expenses, replacement costs, taxes and debt service. These costs are to be recovered through a volume charge and a fixed charge. The cost allocation between volume and fixed charges shall be according to best management estimates and practices.

b. Fixed Charge.

The fixed charge shall be a minimum monthly charge for all users based on the user's meter size, meter equivalency ratio, monthly equivalency factor and benefitted/non-benefitted status. .

The fixed charge calculation is described below. The fixed charge shall be revised to reflect the actual number and size of users and actual cost no less often than biennially.

Benefitted Monthly Fixed Charge = (Meter) X (Benefitted Monthly)
(Equivalency Ratio) (Equivalency Ratio)

Monthly Non-Benefitted Fixed Charge = (Meter) X (Non-Benefitted Monthly)
(Equivalency Ratio) (Equivalency Ratio)

The meter equivalency ratios are as follows:

<u>Meter Size</u>	<u>Meter Equivalency Ratio</u>
5/8" and 3/4"	1.0
1"	2.5
1-1/2"	5.0
2"	8.0
3"	15.0
4"	25.0
6"	50.0

c. Volume Charge

The volume charge shall be a monthly charge based upon the volume and strength of wastewater discharged by a user to the sewer system. The normal domestic strength volume charge shall be calculated as described below. The normal domestic strength volume charge shall be revised to reflect actual volume cost no less often than biennially.

$$\frac{\text{Annual Cost Allocation to Volume Charge}}{\text{Total Annual Wastewater Volume}} = \frac{\text{Normal Domestic Strength}}{\text{Volume Charge}}$$

The monthly volume charge shall be calculated as follows:

a1) Normal Domestic Strength User

$$\text{Monthly Volume Charge} = \frac{(\text{Normal Domestic Strength}) \times (\text{Monthly Volume of Wastewater Discharged to the Sewer System})}{(\text{User Charge})}$$

b2) Greater Than Domestic Strength Users

Charges to users discharging wastewater greater than normal domestic strength shall be assessed a surcharge based on the amount by which the wastewater exceeds normal domestic strength in accordance with the following formula:

$$\text{Monthly Volume Charge} = (\text{NDS} \times \text{V}) + ((.00834 \times \text{V}) \times [(\text{B\$} \times \text{B\#}) + (\text{S\$} \times \text{S\#}) + (\text{P\$} \times \text{P\#})])$$

NDS	= Normal domestic strength volume charge
V	= Wastewater volume in CCF
B\$	= Cost per pound of BOD above normal domestic strength
B#	= Concentration of BOD from a user above normal domestic strength
S\$	= Cost per pound of SS above normal domestic strength
S#	= Concentration of SS from a user above normal domestic strength
P\$	= Cost per pound of phosphorus above normal domestic strength
P#	= Concentration of phosphorus from a user above normal domestic strength
.00834	= Conversion factor (mg/l to pounds)

In no event will a user pay less than the charge for normal domestic strength wastewater.

e3) Holding Tank Discharges

Charges to licensed dischargers of holding tank wastes shall be computed on the basis described below. Strengths of holding tank discharges shall be monitored on a continuing, ongoing basis and the holding tank volume charge shall be revised to reflect results of the monitoring no less often than biennially.

$$\text{Holding Tank Charge} = (\text{Holding Tank Volume Charge}) \times (\text{Holding Tank Volume}) + \text{Administrative Charge}$$

d4) Septic Tank Discharges

Changes to licensed dischargers of septic tank wastes shall be computed on the basis described below. Strengths of septic tank discharges shall be monitored on a continuing, ongoing basis and the septic tank volume charge shall be revised to reflect results of the monitoring no less often than biennially.

$$\text{Septic Tank Charge} = (\text{Septic Tank Volume Charge} \times \text{Septic Tank Volume}) + \text{Administrative Charge}$$

e5) Leachate Discharges

Charges to licensed dischargers of leachate shall be computed on the basis described below. Strengths of leachate discharges shall be monitored on a continuing, ongoing basis and the leachate volume charge shall be revised to reflect results of the monitoring no less often than biennially.

$$\text{Leachate Charge} = (\text{Volume Charge} \times \text{Leachate Volume}) + \text{Administrative Charge}$$

See Appendix A-Attachments at end of the ordinance.

ARTICLE VII

711.11 CONTROL OF INDUSTRIAL AND SEPTAGE WASTES

a. Industrial Discharges. If any waters, wastes or septage are discharged, or proposed to be discharged, to the public sewerage system contain substances or possess the characteristics enumerated in Article V and which, in the judgment of the Wastewater Utility may be detrimental to the sewerage system, the Wastewater Utility may:

- (1) Reject the wastes.
- (2) Require pretreatment to an acceptable condition for discharge to the sewerage system.
- (3) Require a control over the quantities and rates of discharge.
- (4) Require payment to cover the added cost of handling and treating the waste not required by existing taxes or sewer charges under the provisions of Section IV (C).

b. Control Manholes

- (1) Each person discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement, and sampling their waste, including domestic sewage.

(2) Control manholes or access facilities shall be located and built in a manner acceptable to the Wastewater Utility. If measuring devices are to be permanently installed, they shall be of a type acceptable to the Wastewater Utility.

(3) Control manholes, access facilities, and related equipment shall be installed by the person discharging the industrial waste, at their expense, and shall be maintained by the person discharging the waste so as to be in safe condition, accessible, and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the Wastewater Utility prior to the beginning of construction.

c. Measurement of Flow. The volume of flow used for computing the sewer service and the cost recovery charges for nonseptage disposal shall be based upon the water consumption of the person as shown in the records of meter readings maintained by the City of Ashland Water Utility.

d. Provisions for Deductions. In the event that a person discharging industrial waste into the public sewers produces evidence satisfactory to the Wastewater Utility that more than 10 percent of the total annual volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the Wastewater Utility and the industrial waste discharger.

e. Metering of Waste. Devices for measuring the volume of waste discharged may be required by the Wastewater Utility if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of water shall be installed, owned, and maintained by the person discharging the wastewater. Following approval and installation, such meters may not be removed without the consent of the Wastewater Utility.

f. Waste Sampling

(1) Industrial wastes and septage discharge into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said waste at least quarterly. The determination shall be required by the Wastewater Utility.

(2) Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the Wastewater Utility. A minimum schedule of sampling may be set up by the Wastewater Utility to determine sewer service charges.

(3) Testing facilities shall be the responsibility of the person discharging the waste or septage and shall be subject to the approval of the Wastewater Utility or its duly authorized representatives at all times. Every care shall be exercised in the collection of samples to ensure their preservation in a state comparable to that at the time the sample was taken.

g. Pretreatment. When required, in the opinion of the Wastewater Utility, to modify or eliminate wastes that are harmful to the structures, processes, or operation of the sewerage system, the discharger shall provide at their expense such preliminary treatment or processing facilities as may be required to render this waste acceptable for admission to the public sewers.

h. Grease ~~a~~And/~~o~~Or Sand Interceptors. Grease, oil, and sand interceptors shall be provided by the industrial discharger and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the discharger 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 Wastewater Utility. Any removal and hauling of the collected materials not performed by the discharger(s) personnel, must be performed by currently licensed disposal firms.

i. Analysis

(1) All measurements, tests, and analysis of the characteristics of water, waste and septage to which reference is made in the Ordinances 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 "Guidelines Establishing Test Procedures for Analysis of pollutants," (1978, 40 CFR 136). Sampling methods, locations, times, durations, and frequencies are to be determined on an individual basis subject to approval by the Wastewater Utility.

(2) Determination of the character and concentration of the industrial waste shall be made by the person discharging them or their agent, as designed and required by the Wastewater Utility. The Wastewater Utility may also make its own analysis of the wastes and these determinations shall be used as a basis for charges. If the person discharging the waste contests the determination, the Wastewater Utility may elect to have an independent laboratory determine the character and concentration of the waste. Said independent laboratory shall be certified under NR 149 and be acceptable to both the Wastewater Utility and the person discharging the waste. All costs incurred by the independent laboratory in making the determination shall be assumed by the discharger.

j. Submission Of Information. Plans, specifications, and any other pertinent information relating to proposed flow equalization, pretreatment, or processing facilities shall be submitted for review by the Wastewater Utility prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

k. Submission ~~of~~OF Basic Data. Within three (3) months after passage of this Ordinance, each person who discharges industrial wastes to a public sewer shall prepare and file with the Wastewater Utility a report that shall include pertinent data relating to the quantity and characteristics of the waste discharged to the sewerage system.

Similarly, each person desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and file with the Wastewater Utility a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.

1. Extension ~~Of~~ Time: When it can be determined that circumstances exist which would create an unreasonable burden on the person proposing to discharge a waste, to comply with the time schedule imposed herein, a request for extension of the time may be presented for consideration to the Wastewater Utility.

~~ARTICLE VIII~~

711.12 PAYMENT FOR CHARGES

a. Payment ~~And~~ Penalty. The sewerage service charge shall be Monthly, corresponding to the period of the water bills, and shall be payable to the Wastewater Utility not later than 20 days from the date of the bills are issued. A penalty of 1 percent per month shall be added to all bills not paid by the date fixed for final payment.

b. Charges ~~as a~~ Lien. All sewage charges shall be a lien upon the property serviced pursuant to Section 66.076(7), Wisconsin Statutes, and shall be collected in the manner therein provided.

c. Disposition ~~Of~~ Revenue. The amounts received from the collection of charges authorized by this Ordinance shall be credited to a sanitary sewerage account which shall show all receipts and expenditures of the sewerage system. Charges collected for equipment replacement expenses shall be credited to a segregated, nonlapsing replacement account. These funds are to be used exclusively for replacement. When appropriated by the Wastewater Utility, the credits to the sanitary sewerage account shall be available for the payment of the requirements for operation, maintenance, and replacement of the sewerage system. Any surplus in said account, shall be available for the payment of principal and interest of bonds issued and outstanding, or which may be issued, to provide funds for said sewerage system, or part thereof, and all or a part of the expenses for additions and improvements and other necessary disbursements or indebtedness, and the Wastewater Utility may resolve to pledge each surplus or any part thereof for any such purposes. All present outstanding sewer system general obligation bonds, including the refunding bonds, shall be paid from this fund as to both principal and interest.

d. Additional Charges. Additional charges shall be imposed upon each lot, parcel of land, building, or premises served by public sewer and wastewater facilities located outside the boundaries of the City of Ashland to equalize local capital costs. Such additional charges shall result in a minimum charge for each user according to the schedule for debt repayment from utility revenues. Such additional charges shall be added to the sewer bill for each billing period.

e. Excess Revenues. Excess revenues collected from a user class will be applied to operation and maintenance costs attributable to that class for the next year.

ARTICLE IX

711.13 AUDIT

a. Annual Audit. ~~ANNUAL AUDIT.~~ The Wastewater Utility shall have conducted, an independent Annual Audit, the purpose of which shall be to verify the reasonableness of Utility's financial statements, and also to maintain the proportionality between users and user classes of the user charge system and ensure that adequate revenues are available relative to increasing operation, maintenance and replacement costs and debt retirement. Copies of Audit Reports shall be maintained at the Utility's office and made available to the public upon request.

ARTICLE X

711.15 VIOLATIONS AND PENALTIES

a. Damages. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure of pertinence or equipment which is a part of the sewerage system. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

b.. Written Notice Of Violation. Any person connected to the sewerage system found to be violating a provision of this Ordinance shall be served by the Wastewater Utility with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

Any licensed disposer discharging to the sewerage system, found to be violating a provision of this ordinance or of any conditions of the Wastewater Utility approval for septage disposal, may have their approval immediately revoked. This revocation shall be done in writing and state the reasons for revoking the septage disposal approval.

c. Accidental Discharge. Any person found to be responsible for accidentally allowing a deleterious discharge into the sewerage system which cause damage to the sewerage system and/or receiving water body shall, in addition to a fine, pay the amount to cover all damages, both of which will be established by the Wastewater Utility.

d. Accidental Discharge Reporting. Any person responsible for an accidental discharge, that may have a detrimental impact on the sewerage system, shall immediately report the nature and amount of the discharge to the Wastewater Utility.

e. Continued Violations. Any persons, 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, forfeit not less than \$100 dollars, (\$100), together with the costs of prosecution. Each day in which any violation is continues beyond the aforesaid notice time limit shall be deemed a separate offense.

f. Liability To Wastewater Utility For Losses. Any person violating any provision of this Ordinance shall become liable to the Wastewater Utility for any expense, loss, or damage occasioned by reason of such violation which the Wastewater Utility may suffer as a result thereof.

g. Damage Recovery. The system shall have the right of recovery from all persons, any expense incurred by said system for the repair or replacement of any part of the sewerage system damaged in any manner by any person by the performance of any work under their control, or by any negligent acts.

h. Penalties. Any person who shall violate any of the provisions of this Ordinance or rules or regulations of the City of Ashland or who shall connect a service pipe or discharge without first having obtained a permit thereof; or who shall violate any provisions of the Wisconsin Statutes, Wisconsin Administrative Code, or any other materials which are incorporated by reference, shall upon conviction thereof forfeit not less than \$100 nor more than \$500 and the costs of prosecution. This, however, shall not bar the Wastewater Utility from enforcing the connection duties set out in Section III (C) for mandatory hookup.

i. Appeal Procedure. Any user, affected by any decision, action, or determination including cease and desist orders, made by the interpreting or implementing provisions of this Ordinance may file with the City Clerk a written request for reconsideration within ten (10) days of the date of such decision, action, or determination, setting forth in detail the facts supporting the user's request for reconsideration. The City Clerk upon receiving the request for reconsideration shall publish the request in the official newspaper. The City of Ashland shall render a decision on the request for reconsideration to the user in writing within fifteen (15) days of receipt of request.

ARTICLE XI

711.16 VALIDITY

a. Repeal Of Conflicting Ordinances. All ordinances, resolutions, orders or parts thereof heretofore adopted, enacted or entered in conflict with this Ordinance shall be and the same are hereby repealed.

b. Savings Clause. If any provision of this Ordinance is found invalid or unconstitutional or if the application of this Ordinance to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other

provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision of application.

c. Amendments. The City of Ashland, through its duly qualified governing body, may amend this Ordinance in part or in whole whenever it may deem necessary.

ARTICLE XII

711.17 EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after its passage, approval, and publication as provided by law.

ADOPTED: 711 (1252) 3/25/1991

AMENDMENTS: 711 (1265) 11/12/1991; 711 (1353) 8/8/1995; 711 (1458) 2/2/1999;
711 (1542) 5/14/2002; 711 (1559) 2/11/2003; 711 (1690) 10/28/2008;
711 (1776) 3/13/2012; 711 (1806) 5/28/2013; 711 (1822) 1/14/2014;
711 (2016-1869) 5/10/2016;

ASHLAND WASTEWATER UTILITY

SEWER USE ORDINANCE

APPENDIX A

SANITARY SEWER SERVICE CHARGES

(Part I Effective May 26, 2016)

(Part II Effective May 24, 2017)

A sanitary sewer service charge is hereby imposed upon each lot, parcel of land, building, or premise service by the public sanitary sewer and wastewater facilities or otherwise discharging sewage, including industrial wastes, into the public sanitary sewer system. Such sanitary sewer charge shall be payable as hereinafter provided and in the amount determinable as follows:

APPENDIX A PART I

Schedule 1 – Volume and Strength Rate Calculation Effective May 26, 2016

VOLUME CHARGE

Volume	\$1,078,166
BOD (Biological Oxygen Demand)	\$ 181,789
SS (Suspended Solids)	\$ 163,608
Phosphorous	\$ 99,983

<u>COMPONENT</u>	<u>Volume</u> <u>(1,000 Gallons)</u>	<u>Conversion</u> <u>Factor</u> <u>(lb*L)/(gal*mg)</u>	<u>Assumed</u> <u>Strength</u>	<u>Billed Units</u>
Volume – Domestic Strength	166,576			166,576 (1,000 gal)
BOD	166,576	x 0.00834538	x 250 mg/L	= 347,535 pounds
SS	166,576	x 0.00834538	x 250 mg/L	= 347,535 pounds
Phosphorous	166,576	x 0.00834538	x 6 mg/L	= 8,341 pounds

<u>COST PER UNIT</u>	<u>Allocated Cost</u>	<u>Billed Units</u>	<u>Rate per Unit</u>
Volume Cost per 1,000 gallons	\$1,078,166 /	166,576	= \$ 6.47 / 1000 gallons
BOD	\$181,789 /	347,535	= \$ 0.52 / pound
SS	\$163,608 /	347,535	= \$ 0.47 / pound
Phosphorous	\$ 99,983 /	8,341	= \$11.99 / pound

CALCULATED DOMESTIC STRENGTH RATES

<u>COMPONENT</u>	<u>Assumed</u> <u>Strength</u>	<u>Conversion</u> <u>Factor</u> <u>(lb*L)/(gal*mg)</u>	<u>Rate per</u> <u>Pound</u>	<u>Rate per 1,000</u> <u>Gallons</u>
Volume				= \$ 6.47 / 1,000 gal
BOD	250 mg/L	x 0.00834538	x \$ 0.46	= \$ 1.08 / 1,000 gal
SS	250 mg/L	x 0.00834538	x \$ 0.42	= \$ 0.98 / 1,000 gal
Phosphorous	6 mg/L	x 0.00834538	x \$10.80	= <u>\$ 0.60 / 1,000 gal</u>

Total Calculated Domestic Rate	\$ 9.14 / 1,000 gal
Total Calculated Domestic Rate	\$ 6.83 / CCF
Authorized Domestic Rate	\$ 5.51 / CCF

APPENDIX A PART I - CONTINUED
Schedule 2 – Customer Charge Calculation Effective May 26, 2016

	<u>Customer Fixed</u>	<u>Customer Demand</u>
Customer Related Costs	\$129,016	\$326,061

<u>Meter Size</u>	<u>Meters</u>	<u>Equivalent Ratio</u>	<u>Meter Equivalents</u>
< 1 Inch Meter	2900	1.0	2900
1 Inch Meter	71	2.5	178
1.5 Inch Meter	37	5.0	185
2 Inch Meter	41	8.0	328
3 Inch Meter	15	15.0	225
4 Inch Meter	<u>2</u>	25.0	<u>50</u>
Total	3066		3866

Customer Fixed Monthly Rate per Meter	\$3.51
Customer Demand Monthly Rate per Meter Equivalent	\$7.03

<u>Meter Size</u>	<u>Customer Fixed</u>	<u>Customer Demand</u>	<u>Calculated Monthly Customer Charge</u>
< 1 Inch Meter	\$ 3.51	\$ 7.03	\$ 10.54
1 Inch Meter	\$ 3.51	\$ 17.58	\$ 21.09
1.5 Inch Meter	\$ 3.51	\$ 35.15	\$ 38.66
2 Inch Meter	\$ 3.51	\$ 56.24	\$ 59.75
3 Inch Meter	\$ 3.51	\$105.45	\$108.96
4 Inch Meter	\$ 3.51	\$175.75	\$179.26

<u>Meter Size</u>	<u>Calculated Monthly Customer Charge</u>	<u>Authorized Benefitted Charges</u>	<u>Authorized Non-Benefitted Charges</u>
< 1 Inch Meter	\$ 10.54	\$ 13.52	\$ 13.52
1 Inch Meter	\$ 21.00	\$ 34.00	\$ 66.00
1.5 Inch Meter	\$ 39.00	\$ 68.00	\$132.00
2 Inch Meter	\$ 60.00	\$108.00	\$211.00
3 Inch Meter	\$109.00	\$203.00	\$396.00
4 Inch Meter	\$179.00	\$338.00	\$661.00

APPENDIX A PART I CONTINUED

Schedule 3 – Septic and Holding Tank Rate Calculation Effective May 26, 2016

Assumed holding tank strength is 550 mg/L of BOD, 550 mg/L of SS, and 6 mg/L of Phos.

<u>Component</u>	<u>Concentration (mg/L)</u>	<u>Concentration in Domestic Rate (mg/L)</u>	<u>Conversion Factor (lb*L)/(gal*mg)</u>	<u>Pounds per 1,000 Gallons</u>	<u>Rate per Pound</u>	<u>Rate per 1,000 Gallons</u>
Volume						\$ 9.14
BOD	550	(250)	0.00834538	2.504	\$ 0.52 =	\$ 1.30
SS	550	(250)	0.00834538	2.504	\$ 0.47 =	\$ 1.18
Phosphorus	6	(6)	0.00834538	-	\$11.99 =	\$ -
Total Rate per 1,000 Gallons						\$ 11.61

Assumed septic tank strength is 4500 mg/L of BOD, 12,000 mg/L of SS, and 71 mg/L of Phos.

<u>Component</u>	<u>Concentration (mg/L)</u>	<u>Concentration in Domestic Rate (mg/L)</u>	<u>Conversion Factor (lb*L)/(gal*mg)</u>	<u>Pounds per 1,000 Gallons</u>	<u>Rate per Pound</u>	<u>Rate per 1,000 Gallons</u>
Volume						\$ 9.14
BOD	4,500	(250)	0.00834538	35.468	\$ 0.52 =	\$18.44
SS	12,000	(250)	0.00834538	98.058	\$ 0.47 =	\$46.09
Phosphorus	71	(6)	0.00834538	0.542	\$11.99 =	\$ 6.50
Total Rate per 1,000 Gallons						\$80.17

Administrative Charge per Load

Loaded Labor Rates

<u>Office Billing and Collection</u>	<u>WWTP Dumping Supervision</u>	<u>Hours</u>	<u>Administrative Charge</u>
\$29.98	\$32.64	0.25	\$15.66

APPENDIX A PART I CONTINUED

Schedule 4 – Summary of Authorized User Fees Effective May 26, 2016

Authorized Benefitted and Non-Benefitted Monthly Customer Charges

<u>Meter Size</u>	<u>Authorized Benefitted Charges</u>	<u>Authorized Non- Benefitted Charges</u>
< 1 Inch Meter	\$ 13.52	\$ 13.52
1 Inch Meter	\$ 34.00	\$ 66.00
1.5 Inch Meter	\$ 68.00	\$132.00
2 Inch Meter	\$108.00	\$211.00
3 Inch Meter	\$203.00	\$396.00
4 Inch Meter	\$338.00	\$661.00

Authorized Volume Charges

Domestic Volume Charge	-	\$ 5.51 / CCF
High Strength Charges per pound BOD (Biological Oxygen Demand)	-	\$ 0.52 / pound
SS (Suspended Solids)	-	\$ 0.47 / pound
Phosphorous	-	\$11.99 / pound

Authorized Suburban Customer Charges

Suburban customer charges are at a rate of 1.25 times (x) the rates charged to customers located within the corporate limits of the City of Ashland.

Authorized Holding Tank Charges

Charge per 1,000 gallons	-	\$11.61
Administrative Fee / Load	-	\$15.66

Authorized Septic Tank Charges

Charge per 1,000 gallons	-	\$80.17
Administrative Fee / Load	-	\$15.66

APPENDIX A PART II

Schedule 1 – Volume and Strength Rate Calculation - May 24, 2017

VOLUME CHARGE

Volume	\$1,126,384
BOD (Biological Oxygen Demand)	\$ 189,360
SS (Suspended Solids)	\$ 170,424
Phosphorous	\$ 104,149

<u>COMPONENT</u>	<u>Volume</u> <u>(1,000 Gallons)</u>		<u>Conversion</u> <u>Factor</u> <u>(lb*L)/(gal*mg)</u>		<u>Assumed</u> <u>Strength</u>		<u>Billed Units</u>
Volume – Domestic Strength	166,576						166,576 (1,000 gal)
BOD	166,576	x	0.00834538	x	250 mg/L	=	347,535 pounds
SS	166,576	x	0.00834538	x	250 mg/L	=	347,535 pounds
Phosphorous	166,576	x	0.00834538	x	6 mg/L	=	8,341 pounds

<u>COST PER UNIT</u>	<u>Allocated Cost</u>		<u>Billed Units</u>		<u>Rate per Unit</u>
Volume Cost per 1,000 gallons	\$1,126,384	/	166,576	=	\$ 6.76 / 1000 gallons
BOD	\$ 189,360	/	347,535	=	\$ 0.54 / pound
SS	\$ 170,424	/	347,535	=	\$ 0.49 / pound
Phosphorous	\$ 104,149	/	8,341	=	\$12.49 / pound

CALCULATED DOMESTIC STRENGTH RATES

<u>COMPONENT</u>	<u>Assumed</u> <u>Strength</u>		<u>Conversion</u> <u>Factor</u> <u>(lb*L)/(gal*mg)</u>		<u>Rate per</u> <u>Pound</u>		<u>Rate per 1,000</u> <u>Gallons</u>
Volume						=	\$ 6.76 / 1,000 gal
BOD	250 mg/L	x	0.00834538	x	\$ 0.54	=	\$ 1.13 / 1,000 gal
SS	250 mg/L	x	0.00834538	x	\$ 0.49	=	\$ 1.02 / 1,000 gal
Phosphorous	6 mg/L	x	0.00834538	x	\$12.49	=	<u>\$ 0.63 / 1,000 gal</u>

Total Calculated Domestic Rate \$ 9.53 / 1,000 gal

Total Calculated Domestic Rate \$ 7.13 / CCF

Authorized Domestic Rate \$ 5.90 / CCF

APPENDIX A PART II CONTINUED **Schedule 2 – Customer Charge Calculation Effective May 24, 2017**

	<u>Customer Fixed</u>	<u>Customer Demand</u>
Customer Related Costs	\$134,530	\$340,746

<u>Meter Size</u>	<u>Meters</u>	<u>Equivalent Ratio</u>	<u>Meter Equivalents</u>
< 1 Inch Meter	2900	1.0	2900
1 Inch Meter	71	2.5	178
1.5 Inch Meter	37	5.0	185
2 Inch Meter	41	8.0	328
3 Inch Meter	15	15.0	225
4 Inch Meter	<u>2</u>	25.0	<u>50</u>
Total	3066		3866

Customer Fixed Monthly Rate per Meter	\$3.66
Customer Demand Monthly Rate per Meter Equivalent	\$7.34

<u>Meter Size</u>	<u>Customer Fixed</u>	<u>Customer Demand</u>	<u>Calculated Monthly Customer Charge</u>
< 1 Inch Meter	\$ 3.66	\$ 7.34	\$ 11.00
1 Inch Meter	\$ 3.66	\$ 18.35	\$ 22.01
1.5 Inch Meter	\$ 3.66	\$ 36.70	\$ 40.36
2 Inch Meter	\$ 3.66	\$ 58.72	\$ 62.38
3 Inch Meter	\$ 3.66	\$110.10	\$113.76
4 Inch Meter	\$ 3.66	\$183.50	\$187.16

<u>Meter Size</u>	<u>Calculated Monthly Customer Charge</u>	<u>Authorized Benefitted Charges</u>	<u>Authorized Non-Benefitted Charges</u>
< 1 Inch Meter	\$ 11.00	\$ 13.52	\$ 13.52
1 Inch Meter	\$ 22.00	\$ 34.00	\$ 66.00
1.5 Inch Meter	\$ 40.00	\$ 68.00	\$132.00
2 Inch Meter	\$ 62.00	\$108.00	\$211.00
3 Inch Meter	\$114.00	\$203.00	\$396.00
4 Inch Meter	\$187.00	\$338.00	\$661.00

APPENDIX A PART II CONTINUED

Schedule 3 – Septic and Holding Tank Rate Calculation Effective May 24, 2017

Assumed holding tank strength is 550 mg/L of BOD, 550 mg/L of SS, and 6 mg/L of Phos.

<u>Component</u>	<u>Concentration</u> <u>(mg/L)</u>	<u>Concentration</u> <u>in Domestic</u> <u>Rate (mg/L)</u>	<u>Conversion</u> <u>Factor</u> <u>(lb*L)/(gal*mg)</u>	<u>Pounds per</u> <u>1,000</u> <u>Gallons</u>	<u>Rate</u> <u>per</u> <u>Pound</u>	<u>Rate per</u> <u>1,000 Gallons</u>
Volume						\$ 9.53
BOD	550	(250)	0.00834538	2.504	\$ 0.54 =	\$ 1.35
SS	550	(250)	0.00834538	2.504	\$ 0.49 =	\$ 1.23
Phosphorus	6	(6)	0.00834538	-	\$12.49 =	\$ -
Total Rate per 1,000 Gallons						\$ 12.11

Assumed septic tank strength is 4500 mg/L of BOD, 12,000 mg/L of SS, and 71 mg/L of Phos.

<u>Component</u>	<u>Concentration</u> <u>(mg/L)</u>	<u>Concentration</u> <u>in Domestic</u> <u>Rate (mg/L)</u>	<u>Conversion</u> <u>Factor</u> <u>(lb*L)/(gal*mg)</u>	<u>Pounds per</u> <u>1,000</u> <u>Gallons</u>	<u>Rate</u> <u>per</u> <u>Pound</u>	<u>Rate per</u> <u>1,000 Gallons</u>
Volume						\$ 9.53
BOD	4,500	(250)	0.00834538	35.468	\$ 0.54 =	\$19.15
SS	12,000	(250)	0.00834538	98.058	\$ 0.49 =	\$48.05
Phosphorus	71	(6)	0.00834538	0.542	\$12.49 =	\$ 6.77
Total Rate per 1,000 Gallons						\$83.51

Administrative Charge per Load

Loaded Labor Rates

<u>Office Billing and</u> <u>Collection</u>	<u>WWTP Dumping</u> <u>Supervision</u>	<u>Hours</u>	<u>Administrative</u> <u>Charge</u>
\$29.98	\$32.64	0.25	\$15.66

APPENDIX A PART II CONTINUED

Schedule 4 – Summary of Authorized User Fees Effective May 24, 2017

Authorized Benefitted and Non-Benefitted Monthly Customer Charges

<u>Meter Size</u>	<u>Authorized Benefitted Charges</u>	<u>Authorized Non- Benefitted Charges</u>
< 1 Inch Meter	\$ 13.52	\$ 13.52
1 Inch Meter	\$ 34.00	\$ 66.00
1.5 Inch Meter	\$ 68.00	\$132.00
2 Inch Meter	\$108.00	\$211.00
3 Inch Meter	\$203.00	\$396.00
4 Inch Meter	\$338.00	\$661.00

Authorized Volume Charges

Domestic Volume Charge	-	\$ 5.90 / CCF
High Strength Charges per pound		
BOD (Biological Oxygen Demand)	-	\$ 0.54 / pound
SS (Suspended Solids)	-	\$ 0.49 / pound
Phosphorous	-	\$12.49 / pound

Authorized Suburban Customer Charges

Suburban customer charges are at a rate of 1.25 times (x) the rates charged to customers located within the corporate limits of the City of Ashland.

Authorized Holding Tank Charges

Charge per 1,000 gallons	-	\$12.11
Administrative Fee / Load	-	\$15.66

Authorized Septic Tank Charges

Charge per 1,000 gallons	-	\$83.51
Administrative Fee / Load	-	\$15.66

CHAPTER 721. SEPTIC AND HOLDING TANK PUMP OUT.

721.01. Locations. Septic tanks and holding tanks that are located within the City of Ashland may be pumped out at the lift station located on 17th Avenue East and at no other location, except that the Council may, in their discretion, give permission to pump out at some other locations.

721.02. Rates. The rates to be charged for pump out pursuant to this ordinance are as follows:

500 gallon	\$ 5.00
1000 gallon	7.50
1500 gallon	10.00
2000 gallon	12.50

721.03. Portable Tanks. This ordinance is not intended to cover portable tanks carried by motor vehicles or trailers.

ADOPTED: 721 (850) 8/12/1975

**CHAPTER 782A. CHANGE THE CLASSIFICATION OF CERTAIN PROPERTIES
FROM IN TWO FAMILY RESIDENCE DISTRICT ~~TO INDUSTRIAL DISTRICT.~~**

782A.01 Property Changed from Two-Family Residence District to Industrial District.

Commented [DO1]: 782A

a. Location and Legal Description. The following described property is hereby changed from the classification of Two Family Residence District as provided in Zoning Ordinance No. 781 (formerly Chapter 679) to Industrial District, to-wit:

The area located on the south side of Sixth Street, between 14th and 15th Avenues West, consisting of Lots 4, 5 and 6, Block 66, Ashland Proper, City of Ashland, County of Ashland, Wisconsin.

782A.02 b. Change Effectuated Purpose. The change effected by this Ordinance is to allow construction on the described lots of a 40' x 80' steel building, and to allow for razing and replacement of the frame building now situated thereon, and to allow for the continued use of the premises for storage and draying purposes. Should the proposed steel building not be constructed or should the described lots be used other than for storage and dray line purposes, the classification thereof shall revert to that of Two Family Residence District.

c. Effective Date. Adopted 6/13/1967 (782A (772))

782.02 Property Changed from One-Family Residence District to a Two-Family Residence District.

Commented [DO2]: 787K

a. Location and Legal Description. The following described property is hereby amended so as to change the designation of the property hereinafter described from a one family residence district to a two family residence district. The property affected is described as follows:

Lots 15 and 16, Block 257, Ellis Division, City of Ashland.

b. Effective Date. Adopted 11/10/1970 (787K (810))

ADOPTED: ~~782A (772) 6/13/1967~~

CHAPTER 782G783. CONSTRUCTION OF A 3' X 7' DIRECTIONAL SIGN.

782G783.1001. Location. A 3' x 7' lighted directional sign for the hospital may be erected on property described as:

The unplatted portion of Government Lot 2 lying between Block 100 and 101
North of right-of-way line of Front Street Section 5-47-4.

ADOPTED: 782G (932) 1/8/1980

CHAPTER 787E. AN ORDINANCE ALLOWING ZONING USE VARIANCES TO ALLOW CONSTRUCTION OF A COMMERCIAL GARAGE IN A TWO-FAMILY RESIDENTIAL DISTRICT.

787E.01. To Allow Construction of an Addition onto a Residence Located in an Area Zoned Industrial A

Commented [D01]: 787E

a. Variance. A 25 foot by 35 foot commercial garage addition may be built on the following described property:

Lots 23 and 24, Block 196, Ellis Division, City of Ashland.

b. Effective Date. Adopted 05/09/1978 (787E (901A))

787.02 To Allow Construction for a Parking Lot at 1322 Front Street East

Commented [D02]: 787F

a. Variance. A parking lot shall be allowed to be constructed at the following site:

Lots 11 and 12, Block 54, Ellis Division

b. Effective Date. Adopted 10/10/1978 (787F (908))

787.03 To Allow Construction of an Addition onto a Residence Located in an Area Zoned Industrial A.

Commented [D03]: 787G

a. Variance. An addition for residential use may be built onto the existing residence at 816 Water Street, legally described as lots 16-17, Block 42, Ellis Division.

b. Effective Date. Adopted 05/08/1979 (787G (921))

787.04 To Allow Reconstruction of a Residence Located in an Area Zoned Industrial A.

Commented [D04]: 787H

a. Variance. A residence may be reconstructed at 816 Water Street, legally described as lots 16 - 17, Block 42, Ellis Division.

b. Effective Date. Adopted 07/10/1979 (787H (924))

787.05 To Allow Construction Of A Pole Building For Equipment Storage Purposes On Land Zoned As Two-Family Residential District, And To Reduce The Sideyard Setback Requirement For This Building.

Commented [D05]: 787R

a. Steel Pole Building. A 100' x 50' steel pole building shall be allowed to be erected on Lots 1 and 2, Block 55, Ellis Division, to store equipment and vehicles.

b. **Sideyard Setback.** The sideyard setback bordering 12th Avenue East, and Lot 1, Block 55, Ellis Division shall be reduced to 0 feet, for the construction of said building.

c. Effective Date. Adopted 01/11/1977 (787R (882))

787.06 To Allow A Commercial Print Shop In A Central Business District.

Commented [D06]: 787S

a. Property. The following described property shall be allowed to be used for the purpose of a commercial job printing shop:

The west 45 feet of the East 70 feet of Lots 1, 2, and 3 and the south 10 feet of the east 70 feet of Lot 4, Block 83, Ellis Division.

b. Effective Date. Adopted 02/08/1977 (787S (885))

787.07 To Allow Relocation Of Certain Advertising Panels.

Commented [D07]: 787T

a. Advertising Panels. Advertising panels located on Lots 1 and 2, Block 48, Ellis Division, City of Ashland, may be relocated to Lots 13 and 14, Block 53, Ellis Division, City of Ashland.

b. Effective Date. Adopted 06/15/1977 (787T (890))

787.08 To Allow Relocation Of Advertising Panels On The South Side Of Front Street Between 28th And 29th Avenue.

Commented [D08]: 794E

a. Variance. A zoning use variance is hereby granted to relocate two 12' x 25' advertising panels to Lot 5, Block 17, Lake Shore Division, City of Ashland.

b. Effective Date. Adopted 07/11/1978 (794E (904))

787.09 To Allow Certain Uses and Operations in an Agricultural District Classification.

Commented [D09]: 796C

a. Variance. A variance be granted to allow the following uses by Land O' Lakes, Inc., in a zoned Central Business District on Lots 9 thru 13, inclusive, and the South 100 feet of Lot 17, Block 2, Phillips Addition: bulk petroleum storage, including gas, oil, diesel fuel, kerosene, and L.P. gas; a fertilizer blending plant; and feed mill construction and operation.

b. Effective Date. Adopted 07/13/1976 (796C (859)) with amendments approved 05/10/1994 (796C (1318))

787.10 To Allow Construction Of A Commercial Storage Garage In Two-Family Residential.

Commented [D010]: 800A

a Variance. The following described property within the City of Ashland is granted a zoning use variance to allow construction of a commercial storage garage: The east sixty (60) feet

of fractional Block 117, Vaughn Division and the part of Wilmarth's unplatted land in Section 5, Township 47, Range 4 West, as described in Volume 298, pp. 400-405.

b. Effective Date. Adopted 03/15/1978 (800A (898))

787.11 To Allow for Warehousing of Carpeting.

Commented [D011]: 806A

a. The Following Described Property May Be Used for Warehousing of Carpeting. The existing 28 foot by 50 foot wooden structure at 507 Sanborn Avenue. The legal description of the property boundaries on which the building is located is a parcel of land in the SE ¼, SE ¼ as described in Vol. 202, p. 439, Section 6, T47, R4W. (Agricultural).

b. Effective Date. Adopted 04/10/1979 (806A (920))

787.12 To Allow The Construction Of Three Eight-Plex Multi-Family Dwelling Units In An Agricultural Zoned District.

Commented [D012]: 806G

a. Zoning Use Variance. The construction of three eight-plex apartment structures shall be allowed to be erected on the following described property:

Those portions of the Southwest Quarter of the Northeast Quarter (SW ¼ NE ¼) of Section Four (4), Township Forty-seven (47) North, Range Four (4) West, and of Fractional Lots Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16) in Block Three Hundred Six (306) of Ellis Division, all being within the City of Ashland, Ashland County, Wisconsin, described as follows:

The point of beginning is that point marked by an iron pipe, on the easterly line of Third Avenue East, as extended, which is 200 feet southerly, as measured along said easterly line Third Avenue East and of such easterly line as extended, from the northwest corner of said Block 306. From said point of beginning proceed South 32 degrees 24' 15" East, 261 feet to a point marked by an iron pipe; thence North 57 degrees 33' 45" East, to a point on the west line of Prentice Avenue; thence North 32 degrees 24' 45" West, 261 feet to a point marked by an iron pipe which is the northeast corner of Lots Sixteen (16) in said Block 306 of Ellis Division; thence South 57 degrees 33' 45" West, 300.21 feet to the point of beginning.

b. Lot Size Requirement. The lot requirement shall be 3,262 square feet per family dwelling unit.

c. Effective Date. Adopted 02/08/1977 (806G (886))

ADOPTED: ~~787E~~ (901A) 5/9/1978

CHAPTER 800. AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF ASHLAND

800.01 To Plat A Street In Ellis Division

Commented [D01]: 787V

a. Location and Legal Description. The official zoning map of the City of Ashland shall be amended in order to plat a street which shall be located in Blocks 25, 26, 27, 28, 29, and 30 in Ellis Division of the City of Ashland which shall be legally described as follows:

To locate the point of beginning commence at a 1" iron pipe at the intersection of the westerly R/W line of Prentice Avenue and the northerly R/W line of C&NW Railroad, (said northerly R/W line being 50 feet from the center line of the C&NW Railroad tract), run N 32°-00'-00" W, 133.78 feet along said westerly R/W line of Prentice Avenue to a 1" iron pipe which is the point of beginning.

Thence from said point of beginning S 58° -00'-00" W, 315.00 feet to a wooden hub.

Thence S 43°-20'-00" W, 741.15 feet to a wooden hub marking the intersection with the easterly R/W line of Ellis Avenue.

Thence N 32°-00'-00" W, 66.00 feet along the easterly R/W line of Ellis Avenue to a point.

Thence N 43°-20'-00" E, 741.15 feet to a point.

Thence S 32°-00'-00" E, 6.00 feet to a point.

Thence N 58°-00'-00" E, 315.00 feet to a wooden hub on the westerly R/W line of Prentice Avenue.

Thence S 32°-00'-00" E, 60.00 feet to the point of beginning.

Said parcel contains approximately 1.56 acres.

Bearings are based on the center line of Prentice Avenue bearing S 32°-00'-00" E.

b. Purpose. This street shall provide access from Prentice Avenue to the Ashland Marina.

c. Effective Date. Adopted 11/10/1987 (787V (01116))

800.01-800.02 To Plat And Open A Street Located In Blocks 120 And 121, Ellis Division

Commented [D02]: 787W

a. Location and Legal Description. The official zoning map of the City of Ashland shall be amended in order to plat and open a street which shall be located in Blocks 120 and

121 in Ellis Division and also a portion of platted but unopened 4th Street West in the City of Ashland, Ashland County, Wisconsin, which may be legally described as follows:

Commencing at the northwesterly corner of said Block 120, thence southerly along the westerly R/W line of said Block 120, 150 feet more or less to a point that intersects with the south line of Lot 7; thence easterly along said south line of Lot 7 150 feet more or less to a point on the center line of the vacated alley; thence S 78° 15' 01" E to the north line of Lot 13; thence easterly along said north line of Lot 13 to the easterly R/W line of Block 121; thence southerly along said easterly R/W line of Block 121 to a point 10 feet (measured at right angles) from the center line of Wisconsin Central Track number 8; thence westerly and parallel to the south line of Block 121 to a point; thence N 78° 15' 01" W 54.40 feet to the southerly line of said Block 120; thence continuing N 78° 15' 01" W 128.44 feet to a point 9.99 feet south of the southerly line of Lot 5, Block 120; thence westerly and parallel to said southerly line of Lot 5, 125.19 feet to a point on the westerly line of Block 120; thence northerly 60 feet more or less to the point of beginning.

b. Purpose. This street shall provide access from Ellis Avenue to Third Avenue West and shall henceforth be known as Depot Drive.

c. Effective Date. Adopted 04/12/1988 (787W (1130))

800.03. To Plat And Open The Connecting Road Between Front Street To The Entrance To The Marina Parking Area

Commented [D03]: 787X

a. Location and Legal Description. . The official zoning map of the City of Ashland shall be amended in order to plat a street which shall be located in Ellis Division of the City of Ashland which shall be legally described as follows:

To locate the point of beginning commence at a point on the intersecting center lines of Ellis Avenue (State Highway 13) and Front Street (U.S. Highway 2); thence S 58° 14' 22" W, 30.00 feet to a point on the Front Street center line; thence N 31° 45' 38" W, 54.00 feet to a point which is the point of beginning.

Thence from said point of beginning N 31° 45' 38" W, 523.22 feet to a point; thence N 58° 14' 22" E, 15 feet to a point; thence N 44° 57' 25" W 622.34 feet to a point; thence S 45° 02' 35" E 40.00 feet to a point; thence S 44° 57' 25" E 622.34 feet to a point; thence N 58° 14' 22" E 25.00 feet to a point on the easterly right-of-way line of North Ellis Avenue; thence S 31° 45' 38" E 523 feet more or less to a point at the intersection of the easterly right-of-way line of North Ellis Avenue and the northerly right-of-way line of Front Street; thence S 58° 14' 22" W 80.00 feet to the point of beginning.

Bearings are based on the center line of Front Street (U.S. Highway 2) bearing N 58° 14' 22" E.

b. Purpose. This street shall provide a connection from Front Street to the Marina Parking area and shall henceforth be known as North Ellis Avenue.

c. Effective Date. Adopted 07/12/1988 (787X (1140))

800.04 To Conditionally Rezone: 623 2nd Ave East, Parcel 201-02187-0000. to C-2 Neighborhood Commercial The Following Property

Commented [D04]: 788T

a. Conditions. Parcel 201-02187-0000 is hereby changed from the zoning classification of R-2 Single- and Two-Family Residential District to C-2 Neighborhood Commercial subject to all of the following conditions:

1. The rezone to C-2 Neighborhood Commercial shall only be valid so long as the property is used as a community-based organization administering and offering services to the needy (said rezone is not specific to NWCSA—only to such use);

2. Said use shall be established within one year; and

3. If either or both of the foregoing conditions are not met, the zoning of said property shall revert to the R-2 Single- and Two-Family Residential District or equivalent district.

b. Future Development. All future development in the area shall comply with all City Ordinances.

c. Effective Date. Adopted 08/25/2009 (788T (1712))

800.05 To Plat An Alley In Vaughn And Humbirds Addition.

a. Location and Legal Description. The official zoning map of the City of Ashland shall be amended in order to plat an alley in Block 6, Vaughn and Humbirds Addition adjacent to Lots 1 through 6 and Lots 18 through 20 and the E 55' of Lots 15, 16, and 17.

b. Purpose. This alley shall provide access from 6th Street West to 7th Street West.

c. Effective Date. 06/13/1989 (801B (1186))

ADOPTED: ~~801B (1186) 6/13/1989~~

CHAPTER 806N. AN ORDINANCE TO ~~APPROVE~~ APPROVE A PUD-GDP (PLANNED UNIT DEVELOPMENT - GENERAL DEVELOPMENT PLAN) ~~IN AGRICULTURAL ZONING/PRENTICE, INC./LOCATED EAST OF TURNER ROAD IN GOVERNMENT LOT #2, SECTION 6, T47N, R4W.~~

806.01 Prentice Heights.

Commented [D01]: 806N

806N.01. a. Plan approval. **Location and Legal Description** General Development Plan is hereby approved on the following described property which is zoned Agricultural:

EAST OF TURNER ROAD IN GOVERNMENT LOT #2, SECTION 6, T47N, R4W.

b. Attachments A. A copy of the combined PUD-GDP and PUD-SIP, dated April 8, 1997, shall be attached to this ordinance and is incorporated by reference. A copy of the Prentice Heights Site Plan shall be attached to this ordinance and is incorporated by reference.

806N.02.c. Revocation. If substantial development progress has not occurred within one year of passage of this ordinance, the Council may, following Planning Commission recommendation, revoke the PUD-GDP approval and revert the site zoning to its previous zoning district classification.

d. Effective Date. Adopted 4/8/1997 (806N (1391))

806.02 Elk's Club Golf Course Expansion and Housing Project aka Superior View Subdivision

Commented [D02]: 807B

a. Location and Legal Description. General Development Plan is hereby approved on the following described property which is zoned Agricultural:

ON THE SOUTH SIDE OF HIGHWAY 137 IN SECTIONS 6 & 7, T47N, R4W.

(b) Attachment B. A copy of the PUD-GDP dated June 4, 1998, and the PUD-SIP (Amended Declaration of Restrictions & Covenants) dated March 16, 2002, shall be attached to this ordinance and incorporated by reference. A copy of the Elk's Club Development plan shall be attached to this ordinance and is incorporated by reference.

c. Effective Date. Adopted 06-16-1998 (807B (1436)) and amendments approved 807B (1500) 8/8/2000; 807B (1520) 7/31/2001; 807B (1540) 4/16/2002

806.03 Salem Church of Ashland

a. Location and Legal Description. A Planned Unit Development-General Development Plan is hereby approved on the following described property which is zoned Planned Residential/Institutional:

LOCATED WEST OF FARM ROAD, LOT 1 OF CSM 652

b. Attachment C. A copy of the Salem Church of Ashland PUD-GDP and associated Site Plan is attached to this ordinance and is incorporated by reference.

c. Conditions. The following conditions shall be incorporated into the PUD-GDP:

1. The deviation from the parking lot screening shall not be approved, and screening shall include 1) a 3' high berm with landscaping features to include deciduous and/or coniferous shrubs and may also include other decorative features and is subject to approval at time of SIP review, not per the developer; or 2) maintained lawn with planting 3' high or greater plantings to be predominantly coniferous shrubs and/or trees to provide year-round screening and to be spaced to allow growth, but also to ensure screening is adequate at the onset of development, which is subject to approval at the time of the SIP review, not per the developer. The parking lot screening is required because of the significantly increased number of parking spaces provided on the site and the reduction being requested for interior parking lot landscaping.

2. The parking area behind the building is to be paved by the time the first residential apartment is approved for occupancy, to protect the visual integrity of the development for future renters and minimize dust.

3. Revise the sign requirements as follows: 1) Signs within a PUD are to have a unified appearance that is integral to the PUD design concept. Therefore, the sign requirements identified for Area 1 shall also be applicable to Area 2, and there should be a statement added in the sign requirements that all signs within the PUD must be unified in appearance/design; 2) Free-standing signs (monument) should be limited to one per building, must include some landscaping/plantings at the base of the sign; may not exceed 20' in height, and may not exceed 75 square feet in area for institutional uses or 32 square feet for residential uses; 3) More than one wall sign may be installed on a building wall as long as the total area of the signage does not exceed 2 square feet per lineal foot of building wall on which it is attached; 4) Electronic message center signs are permitted within the PUD by right but may not comprise more than 30% of the total sign area of the sign which they are part of; 5) Only one temporary informational sign may be allowed to be displayed on a property at a time, and such sign shall not exceed 32 square feet in area; and 6) interior or exterior sign lighting is permitted, however such lighting must be designed, located, or shielded to not cast glare/direct light onto adjacent roadways or surrounding properties; and 7) all other sign standards not addressed shall be as per the city's UDO.

4. Revise lighting as follows: All light trespass shall be contained to go no further than 10' from the property line on which the lighting is located; all fixtures be full cut-off or shielded; light fixtures within the PUD shall be of the same or similar style/fixture type so as to result in a unified development appearance throughout the development.

5. The minimum landscape requirements are to be one-half of the planting

requirements as identified in the UDO to ensure a minimum level of landscaping is provided.

6. If it is intended that the private street may be become a public street in the future, the roadway must be completed in conformance with the City's minimum construction standards, and the road design and related elements (ditch, trail, sidewalks, etc.) must receive approval from the Public Works Department. Depict the 66' r-o-w width for the private street (Salem Drive) on the CSM to identify the area that comprises the private street and related elements that are subject to access and maintenance agreements between the private parties, and to grant the City an easement to use the private street and associated right-of-way for any reasonable public purpose, including but not limited to travel by emergency vehicles and installation of public utilities and conveniences that may be needed.

7. Depict the future private street extension area should be depicted on the GDP site plan identifying where the street is proposed to terminate in the future or if the street is anticipated to allow for future connection to the property to the south.

8. The design/construction of the bike path is subject to review and approval by Public Works if it is desired that the private street/r-o-w is to potentially be dedicated to the public in the future. If it is to remain private, the bike path can be constructed to private development standards. Also, the future extension of the bike path on the south side of the private street should be depicted on the GDP site plan.

9. Indicate the sidewalk on the north side of the private street will be constructed in conjunction with the development of the residential buildings on the north side (i.e., as a building is constructed, so shall the public sidewalk that is proposed adjacent to the building), not per discretion of the developer.

10. Provide the public easement for pedestrian access on the CSM to be created for the property development as that is the appropriate time to place easements and ensure they are depicted and in place on a property.

11. Provide the easement for public trail use in the existing trail area that cuts across the back corner of the property on the CSM for the property development.

12. Indicate that building materials are subject to review and approval as part of the SIP or by the Plan Commission for each portion of development.

13. Public utilities are subject to review and approval by the Public Works Department and any revisions necessary will be incorporated into the GDP.

14. Stormwater/drainage is subject to review and approval by the WDNR and with the City's Public Works department, and any revisions to the stormwater plans will be incorporated into the GDP.

15. Rooftop mechanical screening is required to protect the public interest and nearby future development.

d. The PUD-GDP is an interim zoning classification that does not enable any development until the PUD-Specific Implementation Plan (SIP) is approved

e. Effective Date. Adopted 10/25/2016 (808 (2016-1884))

806.04 Salem Church of Ashland.

Commented [DO3]: 809

a. Location and Legal Description. A Planned Unit Development-Specific Implementation Plan is hereby approved for Area 1 of the PUD-GDP on the following described property which is zoned Planned Residential/Institutional:

LOCATED WEST OF FARM ROAD, LOT 1 OF CSM 652

b. Attachment D. A copy of the Salem Church of Ashland PUD-SIP and associated Site Plan is attached to this ordinance and is incorporated by reference.

c. Conditions. The following conditions shall be incorporated into the PUD-SIP:

1. Provide a bike rack on-site.

2. Snow storage areas have not been identified on the plan, however there is substantial area on the site to accommodate snow storage. Staff will work with the developer to ensure appropriate snow storage areas are provided for and depicted on the site plan.

3. Receive final approval of the stormwater management plan from the WDNR and City Public Works Department

4. The design/construction of the bike path is subject to review and approval by the Public Works Department if it's desired that the private street may possibly become a public road. In addition, the future extension of the bike path along the church frontage on Salem Drive must be depicted on the site plan

5. At this time, public sidewalk is not provided for along the Farm Road frontage; the developer shall work with the Department of Public Works to discuss the provision for public sidewalk in this location and determine if it is to be provided, and if so, the timing of construction.

6. Proposed utilities are depicted on the site plan are subject to review and approval by the Public Works department.

7. Following final design of the plans, the applicant shall provide a CD copy of the final building floor plan layout and utility plan (in a .dxf format). Such information shall be provided to the Fire Department prior to the issuance of an Occupancy permit.

8. Parking lot screening shall be revised to include either 1) a 3' high berm with landscaping features to include deciduous and/or coniferous shrubs and may also include other decorative features; or 2) maintained lawn with planting 3' high or greater plantings to be predominantly coniferous shrubs and/or trees to provide year-round screening and to be spaced to allow growth, but also to ensure screening is adequate at the onset of development, (if amendment to the GDP is approved).

9. Provide the architectural detail of the dumpster enclosure. Amendments to the landscape plan are subject to review and approval by Planning & Development staff.

10. Details of the proposed signage shall be submitted to the Department of Planning & Development for review and approval and conformance to the GDP.

11. The height of the light poles shall be provided to the Planning Department. The wall packs proposed on the west and south building walls shall be the full cut-off lighting option, not the refractive lens.

12. Building materials are subject to review and approval by the Plan Commission.

13. Any private street constructed as part of this project may be dedicated to the public only upon acceptance by the City. Whether or not such street is accepted shall be determined at the time that it is offered. Nothing in this Chapter or in Chapter 808 shall be construed as a promise or commitment to accept any such street.

d. The PUD-SIP constitutes the final zoning for the subject property.

e. Effective Date. Adopted 10/25/2016 (809 (2016-1885))

ADOPTED: ~~806N (1391) 4/8/1997~~

CHAPTER 830. AUTHENTIC ASHLAND 2035 (COMPREHENSIVE PLAN)

830.01 Recitals.

WHEREAS,

(a) Wisconsin Statutes 66.23(2) and (3) authorizes the City to prepare and adopt a Comprehensive Plan as defined in Section 66.1001(1)(a) and 66.1001(2) Wisconsin Statutes, for the general purpose of guiding and accomplishing coordinated development that is harmonious with existing development in the City of Ashland, which will, in accordance with existing and future needs, best promote the public health, safety, morals, and the general welfare, as well as efficiency and economy in the process of development; and

(b) The City of Ashland Comprehensive Plan, *Authentic Ashland 2035*, has been prepared in accordance with the requirements and elements of Wisconsin Statutes Sec. 66.1001 (Smart Growth Legislation); and

(c) The Ashland City Council has adopted a resolution identifying the procedures designed to foster public participation in the development of the Comprehensive Plan, as required by Section 66.1001(4)(a) of the Wisconsin Statutes; and

(d) *Authentic Ashland 2035* contains data, maps, goals and objectives for the nine elements specified in Wisconsin Statutes Sec. 66.1001(2); and

(e) The City noticed and held a public hearing for members of the public to make comments on the proposed Comprehensive Plan before the Plan Commission and City Council on February 16, 2017, in compliance with the procedures in Section 66.1001(4) of the Wisconsin Statutes; and

(f) The City of Ashland Plan Commission, by majority vote of the entire Commission, has adopted a resolution approving and recommending to the City Council the adoption of the document entitled *Authentic Ashland 2035*; and

NOW, THEREFORE the City Council of the City of Ashland, Ashland County, Wisconsin do ordain as follows:

830.02 Adoption. The City Council of the City of Ashland, Wisconsin, does, by enactment of this ordinance, formally adopt the document entitled *Authentic Ashland 2035* as the Comprehensive Plan of the City of Ashland pursuant to Section 66.1001(4)(c) of the Wisconsin Statutes; and

830.03 Effective Date. This Ordinance shall become effective upon passage by a majority vote of the members-elect of the City Council and publication of notice thereof as required by law.

ADOPTED: 830 (2017-1888) 2/16/2017

~~ADOPTED: 830 (2017-1888) 2/16/2017~~

ADOPTED: 830 (2017-1888) 2/16/2017

CHAPTER 871. MOBILE HOMES, MANUFACTURED HOME COMMUNITIES (MOBILE HOME PARKS), AND CAMPGROUNDS.

871.01. Intent. The intent is to establish and enforce by ordinance, reasonable standards and regulations to protect and promote the public health, morals and welfare of its citizens. In accordance with Sec. 66.0435, Wis. Stats., the City of Ashland has also been granted authority to equitably defray the cost of municipal and educational services required by persons and families using manufactured home communities (mobile home parks) for living, dwelling, or sleeping purposes.

871.02. Definitions.

(a) Campground. Any parcel or tract of land owned by any person, individual, partnership, firm, company, corporation or governmental unit designed, maintained, used or intended to be used for the purpose of supplying accommodations for nonpermanent overnight use by a camping unit.

(b) Camping Site. A defined area located within a campground designated for a single camping unit or multiple camping units (also referred to as group camping sites).

(c) Camping Unit. Any portable device used as a temporary dwelling, including but not limited to, a recreational vehicle, bus, van or tent.

(d) Field Office. A transportable structure used as a temporary headquarters such as at a construction site.

(e) Mobile Home. A vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid, uncollapsible construction, which has an overall length in excess of forty-five (45) feet. This term includes the mobile home structure, its plumbing, heating, air conditioning and electrical systems, and all appliances and all other equipment carrying a manufacturer's warranty.

(f) Manufactured Home Community (Mobile Home Park). Any plot or plots of ground owned by an individual, partnership, firm, company or corporation upon which two (2) or more units, occupied for a dwelling or sleeping purposes regardless of mobile home ownership, are located and, whether or not a change is made for such accommodation. This term does include a farm where the occupants of the mobile/manufactured homes are the father, mother, son, daughter, brother, or sister of the farm owner or operator, or where the occupants of the mobile/manufactured homes work on the farm. This definition does not apply to any plot or plots of ground owned by the City of Ashland.

(g) Manufactured Home Community (Mobile Home Park) Management. The owner or person/s legally responsible for the operation of the community/park.

(h) Occupancy (Permanent). For the purpose of this ordinance, permanent occupancy shall mean the use of, or intended use of, all or a portion of a building, recreational vehicle or structure for thirty (30) days or more in a calendar year.

(i) Person. An individual, partnership, firm, company, corporation, whether tenant, owner,

lessee, licensee or their agent, heir or assign.

(j) Premises. A lot, plot, or parcel of land including a manufactured home community (mobile home park), and including the building or structures thereon, including a recreational vehicle or mobile home.

(k) Recreational Vehicle (RV) - Recreational vehicle means any of the following:

(1) Travel trailer means a vehicular, portable structure built on a chassis and on wheels; that is between ten (10) and thirty-six (36) feet long, including the hitch and eight (8) feet or less in width; designed to be used as a temporary dwelling for travel, recreation, vacation or other uses and towed by a car, station wagon or truck. It includes so-called fifth wheel units.

(2) Pick-up coach means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, vacation or other uses.

(3) Motor-home means a portable, temporary dwelling to be used for travel, recreation, vacation or other uses, constructed as an integral part of a self-propelled vehicle.

(4) Camping trailer means a canvas or folding structure mounted on wheels and designed for travel recreation, vacation or other uses.

(l) Sanitary Station. A facility used for removing and disposing of wastes from a recreational vehicle holding tank.

(m) Service Building. A structure housing toilet, lavatory, and such facilities as required by the Wisconsin Department of Health Services.

(n) Site. A plot or plots of ground within a manufactured home community (mobile home park) of not less than one-thousand (1000) square feet complete with a concrete pad, designed for placement of one mobile home unit and space for the parking of one vehicle. A concrete pad shall be defined as a full length runner or 2' x 2' concrete pads installed for support of the mobile home per manufacturer recommendations.

(o) Tent. A portable lodge or, canvas or strong cloth, stretched and sustained by poles.

(p) Unit. A mobile home excluding hitch, awnings, storage unit, non-winterized porch or similar appurtenant structures.

871.03. Permanent Occupancy.

(a) Parking. No mobile home may be parked outside of an approved, licensed manufactured home community (mobile home park).

(b) Double-Wide Mobile Homes. Double-wide mobile/manufactured homes may be parked outside of manufactured home communities (mobile home parks) if they are attached to a foundation and meet the requirements of the State Uniform Dwelling Code, Federal HUD Codes, and the requirements set forth in the City of Ashland's Unified Development Ordinance.

(c) Recreational Vehicles. Recreational Vehicles (RVs) shall not be used for permanent occupancy.

871.04. Temporary Occupancy.

(a) Permits. Permitting of on-site or off-site mobile homes used as a field office or for temporary occupancy of a mobile/manufactured home by a college or other educational institution is regulated under the City of Ashland's Unified Development Ordinance.

(b) Occupation for Over 24 hours. Parking and occupying recreational vehicles or other camping units for more than twenty-four (24) hours shall be prohibited in areas other than campgrounds or private residences. The purpose of this subsection is to prohibit camping on City streets or parking lots in the City of Ashland. This subsection is not intended to prohibit overnight parking of semi-trucks at locations approved by owners, such as, truck stops and industrial parking lots. This subsection shall not take away the right of a parking lot owner to prohibit parking on their lot.

(c) Occupation for More Than 30 Days. A recreational vehicle (RV), tent, or other camping unit may not be occupied at a residence for more than thirty (30) days.

871.05. License for Manufactured Home Community (Mobile Home Parks) and Campgrounds: Applications and Issuance.

(a) Permits. It shall be unlawful for any person to establish, operate or maintain or permit to be established, operated or maintained upon any property owned, leased or controlled by that person, a manufactured home community (mobile home park) or campground within the limits of the City of Ashland without having first obtained all necessary approvals and/or permits from the Wisconsin Department of Safety and Professional Services (Safety and Buildings Division), the Department of Health Services and/or Ashland County Health & Human Services (in accordance with Wisconsin State Statute 254.47), the City of Ashland, and any other applicable local, state or federal agency.

(b) Licenses. A license for each such manufactured home community (mobile home park) or campground shall be obtained from the Office of the City Clerk pursuant to this ordinance. Such license shall expire on June 30th of each year, but may be renewed, under the provisions of this ordinance for additional periods of one year. The City Clerk is hereby authorized to prorate license fees from the date of original licensing until June 30th of the licensing year.

(c) Required Information. It shall be the duty of any person intending to operate a manufactured home community (mobile home park) or campground to report to the County Health and Human Resources and the City Clerk the following information: Name of the mobile home park or campground, name and address of owner, agent, or operator, number of persons that may be accommodated and location of the manufactured home community (mobile home park) or campground.

(d) Application for License. The application for such license or the renewal thereof shall be filed with the City Clerk and shall be accompanied by a fee as identified in the City of Ashland's Comprehensive Fee Schedule for each space in the existing or proposed court or campground, and a surety bond in the sum of five thousand dollars (\$5,000). This bond shall guarantee the collection of the monthly parking permit fee provided for in Section 871.14 and the payment of

such fees to the City Treasurer, the payment by the license of any fine or forfeiture including legal costs imposed upon or levied against said licensee for a violation of the ordinances of the City of Ashland, and shall also be for the use and benefit of others who may be prosecuted and recovery had thereon by any person who may be injured or damaged by reason of the licensee violating the provisions of this ordinance. A fee as identified in the City of Ashland's Comprehensive Fee Schedule, shall be paid for each transfer of a license.

(e) Number of Licenses. The Common Council may limit the number of licenses for communities in any common school district, if the development of a community would cause the school costs to increase above the state average or if an exceedingly difficult or impossible situation exists with regard to providing adequate and proper sewage disposal in the particular area.

871.06. Inspection and Enforcement.

(a) Inspections. No manufactured home community (mobile home park) or campground license shall be issued until upon notification by the City Clerk, the Planning & Development, Fire and Police Departments or their authorized agents have inspected each application and the premises on which mobile homes or camping units will be located to ensure compliance with the regulations, ordinances and laws applicable thereto. No license shall be renewed without a re-inspection of the manufactured home community or campground. For the purposes of making inspections and securing enforcement, such officials or their authorized agents shall have the right and are hereby empowered to enter on any premises on which a mobile home or service building is located, or about to be located, and to inspect the same and all accommodations connected thereon with at any reasonable time. All mobile homes, manufactured home community (mobile home parks), and campgrounds shall be open to inspection at all reasonable hours by the County Health and Human Services Department, City Building Inspector, Parks & Recreation Director, Police and Fire Chiefs, or their authorized agents.

(b) Moving mobile homes. Each manufactured home community (mobile home park) licensee and/or its managing agent shall apply for and receive a Building Permit before a mobile home is moved out of a manufactured home community (mobile home park) and another mobile home is moved in to take its place. The purpose of this notice is to permit the Building Inspector to make inspections to determine that newly placed mobile homes have been placed in compliance with this ordinance and to permit proper fair market value assessment of the newly placed mobile home.

871.07. Manufactured Home Community (Mobile Home Park) and Campground Plans.

(a) Manufactured Home Community (Mobile Home Parks) And Sites.

(1) Every mobile home and manufactured home community (mobile home park) shall be located on a well-drained area, and the premises shall be properly graded so as to prevent the accumulation of storm or other waters.

(2) Each community and site shall be clearly defined or delineated and shall be consistent with the standards and regulations pursuant to Section 5.1, G.: Mobile Home and Mobile/Manufactured Home Communities of the City of Ashland Unified Development Ordinance.

(3) For every new, or changes to an existing, manufactured home community (mobile home park), five sets of site plans, which indicate where mobile homes and other structures will be placed in the community (park) with a numbering system for the mobile homes, will be distributed to the Fire Department, Police Department, Public Works Director, City Assessor and Planning & Development Department for review and approval as required by the Unified Development Ordinance. The placement of new mobile homes shall also comply with the Unified Development Ordinance.

(b) Campgrounds and Sites.

(1) Every campground and every camp site and provided facility shall be located on a well-drained area not subject to intermittent flooding. The premises shall be properly graded so as to prevent the accumulation of storm or other waters that may create hazards to the property or the health and safety of the occupants.

(2) Every campground shall comply with the following:

(A) Exposed ground surfaces in all parts of every parking area shall be constructed with a durable, hard compact surface or otherwise protected to prevent soil erosion and eliminate objectionable dust.

(B) Camping sites shall be separated from each other and from other structures by at least fifteen (15) feet.

(C) All camping sites shall be located at least twenty-five (25) feet from any public street or highway right-of-way line.

(D) Principal and accessory buildings shall comply with all applicable building codes and zoning requirements, including but not limited to, setbacks and building height.

(E) Access to camp spaces shall be designed to mitigate congestion and hazards at their entrance or exit to allow free movement on adjacent streets.

(F) Surfaced roadways shall be adequate width to accommodate anticipated traffic and maintained so as to be free from potholes and ruts.

871.08. Mobile Home Additions and Accessory Structures. Additions, attachments, utility sheds and garages are allowed if permitted by the mobile home park owner or designated park manager and comply with the requirements of the City of Ashland's Unified Development Ordinance. Dimensional and setback requirements apply to all new, rebuilt, or enlarged additions, accessory buildings and garages in the mobile home park pursuant to Section 4.7: MHC Manufactured Home Community District of the Unified Development Ordinance.

871.09. Water Supply.

(a) Access to Water. An adequate supply of pure water, furnished through a pipe distribution system connected with the public water main or if public main is not available at the property line, a Wisconsin Department of Natural Resources approved well shall be furnished for drinking and domestic purposes in all mobile home communities and campgrounds. The

applicable requirements of the State Plumbing Code, the State Department of Health and Social Services, and the Department of Natural Resources shall apply.

(b) Water Service. A separate valved water service shall extend to each mobile home site.

(c) Fire Hydrants. Fire hydrants in mobile home courts shall be maintained in proper working order as determined by the Public Works Director or designated authorized agent at the owner's expense, and no mobile home shall be installed unless a hydrant is available within four-hundred (400) feet.

(d) Metered Water. Water shall be metered at the property line. If a private well is used, it too shall be metered for the purpose of determining sewage billing.

871.10. Service Building and Accommodations.

(a) Service Buildings. Campgrounds shall have a central service building, which complies with Wisconsin Department of Health Services requirements for service buildings, located within a radius of one-thousand (1000) feet to the spaces to be serviced.

(b) Fire Extinguishers. Service buildings shall be provided with at least two (2) fire extinguishers placed so they are easily accessible.

871.11. Sewage and Garbage Disposal.

(a) Manufactured Home Communities (Mobile Home Parks).

(1) When public sewage facilities are available at the property line, connection and use is required. If public sewage facilities are not available, a treatment system approved by the Wisconsin Department of Safety and Professional Services (Safety and Buildings Division) shall be used.

(2) Every site designed for the use of a mobile home shall be provided with sewer connections which comply with the State Plumbing Code. The sewer connection shall be provided with the suitable fittings so that a water-tight connection can be made, such connections shall be so constructed so that they can be closed when not connected and trapped in such a manner as to be maintained in an odor-free condition.

(3) All garbage which is not disposed of through a garbage disposal unit connected with the sewerage system shall be kept in separate, ~~leakproof~~leak-proof, metal or plastic garbage containers. The requirements of applicable City ordinances, refer to Ordinance 750: Property Maintenance, which govern garbage disposal shall apply.

(b) Campgrounds.

(1) Every campground containing camping sites for recreational vehicle use shall provide a sanitary station, at the owner's expense, for removing and disposing of wastes from recreational vehicle holding tanks. For City owned campgrounds, a fee may be charged as identified in the City's Fee Schedule.

(2) Campground garbage and refuse shall be stored in covered containers which are

durable, easily cleanable, and insect, rodent and water resistant. One (1) container, which complies with City of Ashland Ordinance 905, shall be provided by the campground's owner for every two (2) camp sites. The contents of the can shall be removed and disposed of in a sanitary manner by the camp custodian as often as necessary to prevent an excessive accumulation, but not less than twice weekly. If a properly operated and maintained central collection point system is established, one (1) container shall be provided for every five (5) sites.

871.12. Limitations on Length of Stay and Number of Occupants.

(a) Location. It shall be unlawful for any person to occupy any mobile home within the City of Ashland for permanent occupancy unless such mobile home is located in a manufactured home community (mobile home park) licensed and permitted under this ordinance and the Unified Development Ordinance.

(b) Number of Occupants. The City Council or Plan Commission may, in its discretion, and by a uniform rule, limit the number of occupants in any mobile home occupying a space in a licensed court, for reasons of health and public welfare.

871.13. Management.

(a) Office. In every manufactured home community (mobile home park) or campground there shall be located at the office of the owner, attendant or person in charge of said mobile home park or campground, a copy of the manufactured home community (mobile home park) or campground license, a copy of this ordinance and a register that complies with subparagraph (b) (1) below.

(b) Duties of Owner/Manager. It is hereby made the duty of the owner, attendant or person in charge together with the licensee to:

(1) Keep a register of all guests, on-site and to be open at all times to inspections by state and federal officers and by authorized agents of Ashland's Fire or Police Departments, Public Works Director, City Assessor and Planning & Development Department which shall show for all guests the following:

(A) Names and addresses;

(B) Number of children of school age;

(C) State of legal residence;

(D) Dates of entrance and departure;

(E) License number of all trailers and towing or other vehicles; and

(F) States issuing such license.

(2) Maintain the community or campground in a clean, orderly and sanitary condition at all times.

(3) Ensure that the provisions of this ordinance are complied with and enforce and report promptly to the proper authorities any violations of law which may come to their attention.

(4) Maintain in convenient places, approved by the Fire Chief or authorized agent, hand fire extinguishers in the ratio of one to each six mobile home units or camping sites.

(5) Collect the monthly parking permit fee as provided in Section 871.14 of this ordinance. A book shall be kept current showing the names of the persons paying said service charge and the amount paid, which monies are the property of the City of Ashland.

(6) Prohibit the lighting of open fires on the premises. All campfires or burning shall comply with City of Ashland Ordinance 978.

871.14. Application of Plumbing, Electrical and Building Ordinances. All plumbing, electrical, building, and other work done on or at any manufactured home community (mobile home park) or campground shall be in accordance with the ordinances of the City of Ashland and the requirements of the state board of health. Licenses issued under this ordinance grant no right to erect or repair any building or structure, or allow any plumbing or electrical work.

871.15. Monthly Parking Fee.

(a) Monthly Fee. There is hereby imposed on each owner of a nonexempt, occupied mobile home in the City of Ashland a monthly parking fee as listed in the City's Comprehensive Fee Schedule and as determined in accordance with Sec. 66.0435 (3), Wis. Stats., which is hereby adopted by reference and made part of this ordinance as if fully set forth herein. It shall be the full and complete responsibility of the licensee to collect the proper amount from each mobile homeowner. Licensees and owners of mobile homes permitted to be located on land outside a manufactured home community (mobile home park) shall pay to the City Treasurer such parking permit fees on or before the 10th of the month following the month for which such fees are due in accordance with the terms of this ordinance and such regulations as the treasurer may reasonable promulgate.

(b) Reporting. Licensees of manufactured home community (mobile home parks) and owners of land on which are parked any occupied, nonexempt mobile homes shall furnish information to the City Clerk and City Assessor on such homes added to their community (park) or land within five (5) days after arrival of such home on forms furnished by the City Clerk in accordance with Sec. 66.0435 (3), Wis. Stats.

(c) Penalty. Any manufactured home community (mobile home park) operator who fails to comply with the reporting requirements of Sec. 66.0435 (3), Wis. Stats., shall be liable for a forfeiture of twenty-five (\$25.00) per violation and each day the violation continues. Each failure to report shall be regarded as a separate offense.

871.16. Revocation and Suspension. The City Council is hereby authorized to revoke any license or permit issued pursuant to the terms of this chapter in accordance with Sec. 66.0435, Wis. Stats.;

875871.17. Penalties for Violation of Ordinance. Except as otherwise provided in this chapter,

any person violating any provision of this chapter shall be liable for a forfeiture of not less than fifty- dollars (\$50.00) nor more than five-hundred (\$500.00) per offense plus the actual costs of prosecution, including attorney fees. Each day of violation shall constitute a separate offense.

ADOPTED: 871 (1767) 1/10/2012

CHAPTER 978. BURNING OF GRASS, LEAVES, AND GARBAGE.

978.01. Purpose. This chapter is intended to promote the public health, safety and welfare and to safeguard the health, comfort, living conditions, safety and welfare of the citizens of and visitors to the City of Ashland due to the air pollution and fire hazards of open burning, outdoor burning, and refuse burning.

978.02. Applicability. This chapter applies to all outdoor burning and refuse burning within the City of Ashland, except as provided below

(a) This chapter does not apply to grilling or cooking using charcoal, wood, propane or natural gas in cooking or grilling appliances.

(b) This chapter does not apply to burning in a stove, furnace, fireplace or other heating device within a building used for human or animal habitation unless the material being burned includes refuse as defined in Section 978.04.

(c) This chapter does not apply to the use of propane, acetylene, natural gas, gasoline or kerosene in a device intended for heating, construction or maintenance activities.

(d) This chapter does not apply to an outdoor wood fired furnace as defined in Section 978.04.

(e) Sec. 978.08 does not apply to:

(1) The fire area located on the Northland College campus west of Wheeler Hall; and

(2) Campfires built within 20 feet of the Lake Superior shore on snow or ice or, before June 1, on sand, provided such fires are not built on Maslowski Beach, Sixth Avenue Beach, Kreher Park beach, or Bayview Park beach west of the pier, as such parks and beaches are designated under Section 463.04, Ashland City Ordinances.

978.03. Reserved.

978.04. Definitions.

(a) "Campfire" means a small outdoor fire intended for recreation or cooking not including a fire intended for disposal of waste wood or refuse.

(b) "Clean Wood" means natural wood which has not been painted, varnished, or coated with a similar material, has not been pressure treated with preservatives, and does not contain resins or glues as in plywood or other composite wood products.

(c) "Confidential papers" means printed material containing personal identification or financial information that the owner wishes to destroy.

(d) "Extinguished" in relation to a fire means that there are no flames, glowing embers, smoke, or steam, and that all combustible materials are cold to the touch.

(e) "Fire Chief" means the Chief of the Ashland Fire Department or other person authorized by the Fire Chief.

(f) "Outdoor Burning" means open burning or burning in an outdoor wood-fired furnace.

(g) "Open Burning" means kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or a chimney.

(h) "Outdoor Wood-fired Furnace" means a wood-fired furnace, stove or boiler that is not located within a building intended for habitation by humans or domestic animals.

(i) "Refuse" means any waste material except clean wood.

978.05. General prohibition on outdoor burning and refuse burning. Open burning, outdoor burning, and refuse burning are prohibited in the City of Ashland unless the burning is specifically permitted by this chapter.

978.06. Materials that may be burned. Unless a specific written approval has been obtained from the Fire Chief or the Department of Natural Resources, only the following materials may be burned in an open fire, incinerator, burn barrel, furnace, stove or any other indoor or outdoor incineration or heating device: ~~1. *~~

(a) Clean wood.

(b) Brush.

(c) Weeds, as allowed under Section 978.07 and papers as allowed under Section 978.11.

978.07. Burning brush, clean wood, and weeds. Open burning of weeds, brush, stumps, and clean wood is allowed only in accordance with the following provisions: ~~1.~~

(a) All allowed open burning shall be conducted in a safe, nuisance free manner, when wind and weather conditions are such as to minimize adverse effects and not create a health hazard or a visibility hazard on roadways, railroads, or airfields. Open burning shall be conducted in conformance with all local and state fire protection regulations.

(b) No open burning shall be undertaken during periods when either the Fire Chief or the Wisconsin Department of Natural Resources has issued a burning ban applicable to the area, except for barbecue gas, and charcoal grills, unless such fires are included in the burning ban.

(c) Grass, leaves, weeds, brush, and tree trunks, stumps, and limbs may be burned in areas zoned for agricultural use, upon receiving permission from the Fire Chief, provided that the

burning is for agricultural purposes only. Prior to the actual start of burning, the permittee shall notify the Fire Department and the Dispatch Center for the Ashland Police Department. The permittee and the property owner where the burning occurs shall be responsible for any damage caused by the fire. Refuse other than grass, leaves, weeds, brush and tree trunks, stumps, and limbs, may not be burned pursuant to this section.

(d) Grass, leaves, weeds, brush, and tree trunks, stumps, and limbs may be burned in areas zoned for industrial use, upon receiving permission from the Fire Chief, provided that the burning is for the purpose of site development for new construction only. Before issuing any permit under this section, the Fire Chief shall perform an on-site inspection of the area where the burning is to occur and may impose conditions on the permit, including but not limited to requirements for on-site fire suppression equipment and personnel, and time and weather requirements. Prior to the actual start of burning, the permittee shall notify the Fire Department and the Dispatch Center for the Ashland Police Department. The permittee and the property owner where the burning occurs shall be responsible for any damage caused by the fire. Refuse other than grass, leaves, weeds, brush and tree trunks, stumps, and limbs, may not be burned pursuant to this section.

(e) Fires set for forest, prairie or wildlife habitat management are allowed with the approval of the Department of Natural Resources.

(f) Bonfires are allowed only if approved by and in accordance with provisions established by the Fire Chief.

(g) Burning of trees, trunks, stumps and limbs, brush, or weeds is allowed only when snow cover is present at the burn site, or if it is not, then only if approved by the Fire Chief and if in accordance with other provisions of this chapter.

(h) In emergency situations such as natural disasters burning that would otherwise be prohibited is allowed if specifically approved by the Department of Natural Resources.

(i) Except for barbecue gas, and charcoal grills, open burning under this section shall only be conducted at a location at least 10 feet from the property line.

(j) Open burning shall be constantly attended and supervised by a competent person of at least eighteen (18) years of age until the fire is extinguished, as defined in Section 978.04(d). The person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire.

(k) No materials may be burned upon any street, curb, gutter or sidewalk.

(l) Except for barbecue, gas and charcoal grills, no burning shall be undertaken within 25 feet of any combustible material, combustible wall or partition, exterior window opening, exit access or exit unless authorized by the Fire Chief.

(m) No open burning may be conducted on days when the Fire Chief issues a burning ban.

(n) Any otherwise lawful fire may be prohibited, or if already in progress, may be ordered extinguished, by the Fire Chief or any law enforcement officer of the City of Ashland, if the atmospheric conditions are such as to make the fire a hazard to public health or safety or to public or private property, or if the fire is producing excessive flame or smoke so as to endanger public health or safety or public or private property.

978.08. Backyard fire rings. Outdoor campfires and small bonfires for cooking, ceremonies, or recreation are allowed provided:

(a) The fire is confined by a control device or structure such as an enclosure, fire ring, or fire pit, no more than three feet wide at its widest point.

(b) All other provisions contained in this chapter are followed.

(c) No complaints related to such fires are received. If a complaint is received while a fire is burning, the Fire Chief or any law enforcement officer may order the fire extinguished. The Fire Chief may also prohibit all outdoor campfires and small bonfires at the address based on safety, health, or nuisance concerns, or may place specific conditions on allowing outdoor campfires and small bonfires at the address. The Fire Chief shall inform the complainant of any action taken as a result of the complaint. Any party aggrieved by the Fire Chief's response to a complaint may have that response reviewed by the City Council's Committee of the Whole. Upon review, the Committee of the Whole shall determine if safety, health, or nuisance concerns make it advisable to prohibit, limit, or condition outdoor campfires and small bonfires at the address. The decision of the Committee of the Whole shall be the final decision of the City.

978.09. Burn barrels. No person shall use or maintain a burn barrel in the City of Ashland.

978.10. Fire department practice burns. The Ashland Fire Department or Wisconsin Indianhead Technical College may burn a standing building if necessary or useful for fire-fighting practice upon compliance with any applicable requirements of the Department of Natural Resources.

978.11 Exemption for burning certain papers.

(a) Notwithstanding Section 978.06, paper and cardboard products may be used as a starter fuel for a fire that is allowed under this ordinance.

(b) Small quantities of confidential papers from a residence may be burned if necessary to prevent the theft of financial records, identification or other confidential information.

(c) Confidential papers from a commercial enterprise shall be shredded or destroyed in a manner other than burning.

(d) A fire set for burning of a small quantity of confidential papers shall be subject to and comply with all other requirements of this ordinance.

978.12 Burning permits.

(a) The Fire Chief is authorized to issue burning permits under subsections 978.07(c), (d), and (f).

(b) A burning permit issued under this chapter shall require compliance with all applicable provisions of this chapter and any additional special restrictions deemed necessary to protect public health and safety.

(c) Any violation of the conditions of a burning permit shall be deemed a violation of this chapter. Any violation of this chapter or the burning permit shall void the permit.

(d) A permit shall only be issued upon payment of the permit fee as established in the City's Comprehensive Fee Schedule.

978.13. Sky lanterns.

(a) Definition. A "sky lantern" is a small hot air balloon made of paper or other fabric with an opening at the bottom where a small fire is suspended.

(b) Prohibition. No person shall light, launch, or allow to become airborne any sky lantern.

978.14. Liability. A person starting, using, or maintaining an outdoor fire; or lighting, launching, or allowing to become airborne a sky lantern; shall be responsible for all fire suppression costs and any other liability resulting from damage caused by the fire.

978.15. Right of entry and inspection. The Fire Chief or law enforcement officer or Building Inspector of the City of Ashland may inspect any property for the purpose of ascertaining compliance with the provisions of this chapter. If the owner or occupant of the premises denies access to the property for this purpose, a special inspection warrant may be obtained in accordance with Sec. 66.0199 Wis. Stats.

978.16. Enforcement and penalties.

(a) The Fire Chief and any law enforcement officer of the City of Ashland are authorized to enforce the provisions of this chapter.

(b) The penalty for violation of any portion of this chapter shall be a forfeiture of not less than \$50 or more than \$1,000 plus the cost of prosecution. Penalties are doubled for second and subsequent offenses.

***NOTE:** Materials such as those listed below (but not limited to those listed below) are banned because burning them can cause adverse effects to human health and the environment or because they can be recycled.

(a) Rubbish or garbage including but not limited to food wastes, food wraps, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.

(b) Waste oil or other oily wastes except used oil burned in a heating device for energy recovery subject to the restrictions in Chapter NR 590, Wisconsin Administrative Code.

(c) Asphalt and products containing asphalt.

(d) Treated or painted wood including but not limited to plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives.

(e) Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.

(f) Rubber including tires and synthetic rubber-like products.

(g) Newspaper, corrugated cardboard, container board, office paper and other materials that must be recycled in accordance with the recycling ordinance.

ADOPTED: 978 (1831) 8/19/2014

AMENDMENTS: 978 (2015-1844) 5/26/2015; 978 (2016-1866) 01/26/2016

CHAPTER 990. ~~AN ORDINANCE TO ESTABLISHING A~~ BULKHEAD LINE ON CHEQUAMEGON BAY ~~BETWEEN 10TH AVENUE WEST AND APPROXIMATELY 150' E OF EAST LINE OF MACARTHUR AVENUE~~ IN THE CITY OF ASHLAND, WISCONSIN.

990.01. Establishment of Bulkhead Line between 10th Avenue West and Approximately 150' E of East Line Of Macarthur Avenue. A bulkhead line along that part of the shore of Lake Superior as set forth in the following description and attached map is hereby established and determined, subject to approval of the Department of Natural Resources

990.02.a. Location and Legal Description. A bulkhead line located in blocks 96, 97, and 98, Ashland Proper, City of Ashland, Ashland County, Wisconsin, more particularly described as follows:

Commencing at the Northeast corner of Block 27, Ashland Proper, which is marked by a 1" iron pipe: thence S 89 degrees 51' 59" E, assumed bearing, 33.00 feet; thence N 00 degrees, 00' 31" E along the centerline of 10th Avenue West, 1011.99 feet to a two (2) inch inside diameter iron pipe located at the Ordinary High Water (O.H.W.M.) of elevation 602.00 feet Inter-national Great Lakes Datum 1955 (IGLD), which is the point of beginning of said bulkhead line; thence N 00 degrees 00' 31" E, 471.80 feet; thence N 89 degrees 52' 56" E, 100.25 feet; thence S 11 degrees 13' 29" W, 31.10 feet to a two (2) inch inside diameter iron pipe located at the O.H.W.M. of elevation 602.00 feet (IGLD), which is the end of said bulkhead line; thence S 83 degrees 32' 45" W, 913.65 feet to the point of beginning.

990.03.b. Public Interest. Said bulkhead line is established in the public interest to establish a practical shoreline connecting existing land, to provide for the elimination of unsightly, undesirable mud and marsh areas and to provide for the protection and improvement of the shoreline and existing land and structures along Chequamegon Bay. The owners of lands abutting on said shore are authorized to fill and improve their property up to said bulkhead line.

990.04. Certified Copies. ~~Three certified copies of this ordinance, together with three true and correct copies of such map, be submitted to the Department of Natural Resources for its approval, furthermore than upon the return and receipt of such approved maps, the same be filed as follows: one (1) copy in the office of Department of Natural Resources, one (1) copy in the office of Ashland City Clerk, one (1) copy in the Register of Deeds for and in Ashland County, Wisconsin.~~

990.03 Establishment of a Bulkhead Line on the Chequamegon Bay of Lake Superior Between North 6th Avenue West and the East End of the So-Called City Dock (16th Avenue East).

a. Location and Legal Description. The bulkhead line is located in Blocks 4-7, 10, 14, 19, 20, 28, 29, 30, 37, 38, 49 and 406-409 of the Ellis Division; and Blocks 68-71 and 406 of the Vaughn's Division; all in the City of Ashland, Wisconsin, more specifically described as follows:

Commencing at the corner common to sections 33 and 34 T.48N. R.4W.; and sections 3 and 4; T.47N.; R.4W.; which is marked by an Ashland County aluminum monument; Thence N04°45'04"W 5147.36 feet to the point of beginning of said bulkhead line; which is also on the current and original shoreline of Lake Superior;

Thence S67°31'43"W along said bulkhead line 154.93 feet; Thence N76°36'04"W 52.03 feet; Thence N38°19'00"W 127.63 feet; Thence N88°53'42"W 56.05 feet; Thence N49°42'41"W 112.67 feet; Thence S79°16'04"W 87.45 feet; Thence N42°38'35"W 110.89 feet; Thence S58°17'10"W 703.09 feet; Thence S31°14'28"E 32.42 feet; Thence S45°01'40"W 130.88 feet; Thence N89°23'08"W 121.70 feet; Thence N31°16'24"W 54.61 feet; Thence S67°30'34"W 94.35 feet; Thence N81°52'48"W 276.66 feet; Thence N85°15'33"W 42.37 feet; Thence N50°18'04"W 82.40 feet; Thence N28°38'31"W 121.45 feet; Thence N34°28'51"W 222.26 feet; Thence N33°46'19"W 736.47 feet; Thence S57°28'15"W 187.80 feet; Thence S01°04'24"W 48.15 feet; Thence S34°55'21"E 832.56 feet; Thence S20°49'07"W 73.37 feet; Thence S04°50'58"E 38.47 feet; Thence S19°17'26"E 22.62 feet; Thence S44°07'44"W 141.47 feet; Thence S6°36'18"E 120.32 feet; Thence S27°39'17"E 87.47 feet; Thence S48°58'48"E 124.32 feet; Thence N89°37'48"W 117.39 feet; Thence N33°19'31"W 167.42 feet; Thence N2°13'02"W 72.11 feet; Thence N27°27'09"W 67.16 feet; Thence N23°47'12"W 101.16 feet; Thence S75°53'05"W 142.81 feet; Thence S03°49'19"W 115.04 feet; Thence S67°14'39"E 53.01 feet; Thence S10°01'17"E 159.97 feet; Thence S45°16'00"E 74.28 feet; Thence S30°32'02"W 217.13 feet; Thence S14°21'30"W 52.48 feet; Thence S68°48'30"W 29.83 feet; Thence S26°02'48"E 37.45 feet; Thence S14°21'30"W 163.18 feet; Thence S51°13'32"W 289.06 feet; Thence S82°27'36"W 78.08 feet; Thence N65°38'52"W 63.31 feet; Thence N76°43'16"W 37.68'; Thence S54°07'10"W 70.22 feet; Thence S23°01'35"W 62.38 feet; Thence S66°50'08"W 89.40 feet; Thence N31°24'32"W 67.21 feet; Thence N57°22'16"E 18.70 feet; Thence N32°13'07"W 302.23 feet; Thence S57°46'53"W 31.76 feet; Thence N35°56'08"W 49.28 feet; Thence N35°15'09"W 307.50 feet; Thence S51°56'58"W 32.24 feet; Thence S34°35'19"E 319.63 feet; Thence S08°12'54"W 109.53 feet; Thence S22°46'54"W 176.14 feet; Thence S29°16'59"W 160.85 feet; Thence S36°45'36"W 145.63 feet; Thence S52°56'46"W 69.96 feet; Thence S46°11'35"W 136.01 feet; Thence S54°40'32"W 99.61 feet; Thence S73°49'59"W 102.38 feet; Thence N35°44'48"W 54.49 feet; Thence N64°42'43"W 43.05 feet; Thence N32°52'43"W 144.86 feet; Thence N57°10'53"W 32.16 feet; Thence S48°44'31"W 15.91 feet; Thence S15°08'24"E 54.75 feet; Thence S31°21'38"E 121.50 feet; Thence S75°40'34"E 32.66 feet; Thence S12°04'46"E 105.00 feet; Thence S75°55'35"W 66.05 feet; Thence N12°04'46"W 50.17 feet; Thence N33°06'29"W 245.08 feet; Thence N23°22'23"W 85.59 feet; Thence S51°38'33"W 33.43 feet; Thence S28°52'41"E 303.09 feet; Thence S31°27'04"W 32.97 feet; Thence S39°35'20"W 161.23 feet; Thence S57°26'55"W 145.00 feet; Thence N89°00'29"W 113.80 feet; Thence S57°33'03"W 65.78 feet; Thence S04°57'07"W 83.82 feet; Thence S23°22'27"E 194.13 feet; Thence S35°41'12"W 372.03 feet; Thence S82°48'40"W 256.64 feet; Thence N45°40'55"W 306.15 feet; Thence N16°49'39"W 373.02 feet; Thence S66°36'56"W 141.15 feet; Thence S79°34'22"W 78.69 feet; Thence S41°27'48"W 66.71 feet; Thence S44°07'44"E 413.43 feet; Thence S37°38'06"E 74.74 feet; Thence S46°22'57"E 248.45 feet; Thence N59°21'04"E 15.38 feet; Thence S47°53'59"E 238.64 feet; Thence S12°54'56"E 88.86 feet; Thence S00°19'33"W 85.13 feet; Thence S06°30'56"W 118.27 feet; Thence S41°33'38"W 105.68 feet; Thence S49°58'09"W 328.59 feet; Thence S48°00'35"W 326.67 feet; Thence S51°44'58"W 315.78 feet; Thence S54°27'18"W 49.45 feet; Thence S62°05'16"W 99.85 feet; Thence S76°18'14"W 75.36 feet; Thence S71°57'15"W 232.09

feet; Thence S84°32'44"W 193.05 feet; Thence N71°28'38"W 79.12 feet; Thence N46°54'42"W 199.40 feet; Thence N74°28'08"W 51.68 feet; Thence N65°49'17"W 41.37 feet; Thence N33°53'24"W 774.05 feet; Thence N41°19'53"W 63.85 feet; Thence S56°52'25"W 317.87 feet; Thence S31°55'18"E 410.07 feet; Thence S32°02'32"E 372.23 feet; Thence S32°25'06"E 403.81 feet; Thence S46°13'49"W 136.68 feet; to the point of ending of said bulkhead line;

Thence S57°52'20"E 126.84 feet to the original meander line of Lake Superior; Thence N66°24'52"E continuing along said original meander line; 176.75 feet; Thence N59°46'42"E 165.39 feet; Thence N44°23'18"E 153.91 feet; Thence N35°22'34"E 128.27 feet; Thence N27°05'06"E 84.19 feet; Thence N89°55'19"E 149.23 feet; Thence N73°40'01"E 111.26 feet; Thence N62°45'29"E 120.43 feet; Thence S69°13'55"E 62.55 feet; Thence N60°05'37"E 309.73 feet; Thence N53°56'25"E 299.78 feet; Thence N41°51'20"E 161.06 feet; Thence N54°07'05"E 160.58 feet; Thence N27°53'34"E 143.92 feet; Thence N34°28'41"E 118.22 feet; Thence N42°15'26"E 131.01 feet; Thence N11°58'01"E 115.75 feet; Thence N40°40'06"W 16.94 feet; Thence N42°52'21"E 1353.87 feet; Thence N56°34'35"E 396.07 feet; Thence N22°37'59"E 281.10 feet; Thence N69°20'13"E 312.61 feet; Thence N51°13'32"E 661.50 feet; Thence N14°21'30"E 261.52 feet; Thence N30°32'02"E 236.79 feet; Thence S89°37'48"E 511.99 feet; Thence S89°13'20"E 166.24 feet; Thence N62°12'19"E 234.60 feet; Thence N76°30'57"E 481.62 feet; Thence N61°25'20"E 201.14 feet; Thence N69°36'13"E 870.91 feet; Thence N78°04'28"E 52.95 feet to the point of beginning.

b. Public Interest. Said bulkhead line is established in the public interest to establish a practical shoreline connecting existing land, provide a recoverable shoreline in cases of dredging or excavation, and to provide a regularized shoreline for the protection and improvement of the shoreline and existing and proposed land and structures along Chequamegon Bay. The owners of the lands abutting on said shore are authorized to fill and improve their property up to said bulkhead line with necessary permits from the Wisconsin Department of Natural Resources and in accordance to the City's Zoning Ordinance.

990.50 Certified Copies. Three certified copies of this ordinance, together with three true and correct copies of such map, be submitted to the Department of Natural Resources for its approval, furthermore than upon the return and receipt of such approved maps, the same be filed as follows: one (1) copy in the office of Department of Natural Resources, one (1) copy in the office of Ashland City Clerk, one (1) copy in the Register of Deeds for and in Ashland County, Wisconsin.

ADOPTED: 990 (980) 3/9/1982

ADOPTED: 990 (980) 3/9/1982

ORDINANCE TO ESTABLISH PREVAILING WAGE ON CITY OF ASHLAND
PUBLIC CONSTRUCTION PROJECTS

The Common Council of the City of Ashland ordains as follows:

Section 1. Prevailing Wage.

A. Purpose and intent. It is the policy of the city to assure equitable wages for all building or construction work which is financed in whole or in part with city financial assistance. Extending prevailing wages to workers employed on such projects preserves and promotes the public health, safety, prosperity, and general welfare of the people of the City of Ashland.

B. On any projects for which the city contributes financial assistance and which are “public work,” “building work,” or “erection, construction, remodeling, repairing” and on which work is performed by “employees working on the project” or “laborers, workers, and mechanics” as those terms are defined herein, all employees shall be compensated at the rates established under Wisconsin Statutes and Section DWD 290 of the Wisconsin Administrative Code or as may be provided by the city from time to time. In the event of a difference in the required rates or provisions, the higher wage or more stringent provision established by the city or the state shall be required.

C. “City financial assistance” means any grant, cooperative agreement, loan, contract (other than a public work contract, a supply procurement contract, a contract of insurance or guaranty or a collective bargaining agreement) or any other arrangement by which the city provides or otherwise makes available assistance, in the form of:

1. Funds.
2. Real and personal property or any interest in or use of such property, including:
 - a. Transfers or leases of such property for less than the fair market value, or for reduced consideration; and
 - b. Proceeds from a subsequent transfer or lease of such property if the city's share of its fair market value is not returned to the city.
3. The sale and lease of, and the permission to use (on other than a casual or transient basis) city property or any interest in such property, the furnishing of services without consideration or at a nominal consideration, or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by the sale, lease or furnishing of services to the recipient.

4. Any city agreement, arrangement or other contract which has as one of its purposes the provision of financial assistance, including purchase of service agreements.

5. “City financial assistance” includes, but is not limited to redevelopment contracts, economic development agreements, revenue or loan agreements which an eligible participant or authorized developer under s. 66.1103, Wis. Stats., contracts with developers or other entities authorized by ss. 66. 1333(5) and 66.1105(3), Wis. Stats., and assistance provided under s. 66.1109, Wis. Stats.

D. All contracts or agreements for such projects shall include the following provision: Prevailing wages. The contractor shall pay its employees the wage rates established pursuant to City of Ashland Ordinance No. _____ and will comply with all other requirements of those ordinances, and shall require in its contracts and subcontracts for work on the project, adherence by those contractors, subcontractors and agents to the wage rates and other requirements of those ordinances.

Section 2. Regulation of public work.

A. Wage rates for employees of public work contractors.

1. General and authorization. Every contract for public work issued by the City of Ashland shall require the contractor to compensate its employees at the prevailing wage rate in accordance with s. 66.0903, Wis. Stats., DWD 290 of the Wisconsin Administrative Code, and as hereinafter provided.

a. This provision shall apply to all contracts for public work regardless of any exclusions contained in Wisconsin Statutes, including s. 66. 0903(3)(c), based on the value of the contract, number of trades involved, or type of work.

b. “Public work” shall include building or work involving the erection, construction, remodeling, repairing or demolition of buildings, parking lots, highways, streets, bridges, sidewalks, street lighting, traffic signals, sanitary sewers, water mains and appurtenances, storm sewers, and the grading and landscaping of public lands.

c. “Building or work” includes construction activity as distinguished from manufacturing, furnishing of materials, or servicing and maintenance work, except for the delivery of mineral aggregate such as sand, gravel, bituminous asphalt concrete or stone which is incorporated into the work under contract with the city by depositing the material substantially in place, directly or through spreaders, from the transporting vehicle.

d. “Erection, construction, remodeling, repairing” means all types of work done on a particular building or work at the site thereof in the construction

or development of the project, including, without limitation, erection, construction, remodeling, repairing, altering, painting, and decorating, the transporting of materials and supplies to or from the building, or work done by the employees of the contractor, subcontractor, or agent thereof, and the manufacturing or furnishing of materials, articles, supplies, or equipment on the site of the building, or work by persons employed by the contractor, subcontractor, or agent thereof.

e. “Employees working on the project” means laborers, workers, and mechanics employed directly upon the site of the work.

f. “Laborers, workers, mechanics, and truck drivers” includes sub-journeypersons and properly registered and indentured apprentices, but excludes clerical, supervisory, and other personnel not performing manual labor.

2. Establishment of wage rates. The department of public works shall periodically obtain a current schedule of prevailing wage rates from DWD. The schedule shall be used to establish the City of Ashland prevailing wage rate schedule for public work construction (prevailing wage rate). The department of public works may include known increases to the prevailing wage rate, which can be documented and are to occur on a future specific date. Upon approval by the common council, the prevailing wage rate shall be included in public work contracts subsequently negotiated or solicited by the City. Except for known increases contained within the schedule, the prevailing wage rate shall not change during the contract.

3. Payrolls and records.

a. The contractor shall keep weekly payroll records setting forth the name, address, telephone number, classification, wage rate and fringe benefit package of all the employees who work on the contract, including the employees of the contractor’s subcontractors and agents. Such weekly payroll records must include the required information for all city contracts and all other contracts on which the employee worked during the week in which the employee worked on the contract. These records will reflect the individual time each employee worked on the project for each day of the project. Such records shall also set forth the total number of hours of overtime credited to each such employee for each day and week and the amount of overtime pay received for that week. The records shall set forth the full weekly wages earned by each employee and the actual hourly wage rate to the employee.

b. Upon completion of the project, the contractor shall submit, together with the affidavit required by subsection 10, below, the weekly payroll records, including the records of the contractors and agents, to the city engineer for every week that work is being done on the contract.

c. Employees shall be paid unconditionally and not less often than every thirty days. Employees shall receive the full amounts accrued at the time of the payment, computed at rates not less than those stated in the prevailing wage rate, and each employee's rate shall be determined by the work that is done within the trade or occupation classification which should be properly assigned to the employee.

d. An employee's classification shall not be changed to a classification of a lesser rate during the contract. If, during the term of the contract an employee works in a higher pay classification than the one which was previously properly assigned to the employee, the employee shall be considered to be in the higher pay classification for the balance of the contract, will receive the appropriate higher rate of pay, and shall not receive a lesser rate during the balance of the contract. For purposes of clarification, it is noted that there is a distinct difference between working in a different classification with higher pay and doing work within a classification that has varying rates of pay which are determined by the type of work that is done within classification. For example, the classification operating engineer provides for different rates of pay for various classes of work and the employer shall compensate an employee classified as an operating engineer based on the highest class of work that is done in one day. Therefore, an operating engineer's rate may vary on a day to day basis depending on the type of work that is done, but it will never be less than the base rate of an operating engineer. Also, as a matter of clarification, it is recognized that an employee may work in a higher paying classification merely by chance and without prior intention, calculation, or design. If such is the case and the performance of the work is truly incidental and the occurrence is infrequent, inconsequential, and does not serve to undermine the single classification principle herein, then it may not be required that the employee be considered to be in the higher pay classification and receive the higher rate of pay for the duration of the contract. However, the contractor is not precluded or prevented from paying the higher rate for the limited time that an employee performs work that is outside of the employer's proper classification.

e. Questions regarding an employee's classification, rate of pay, or rate of pay within a classification shall be resolved by reference to the DWD Dictionary of Occupational Classifications and Work Descriptions.

f. The contractor or its subcontractors and agents shall cooperate with city representatives seeking information regarding compliance with the provisions of this ordinance.

g. Mulcting of the employees by the contractor, subcontractors and agents on contracts subject to this section, through kickbacks or other devices, is

prohibited. The normal rate of wage for the employees of the contractor, subcontractors and agents shall not be reduced or otherwise diminished as a result of the payment of the prevailing wage rate on a public work contract. Any contractor, subcontractor, or agent violating this provision shall be subject to a civil penalty in an amount equal to three times the amount of pay wrongfully diverted from employees.

4. Hourly contributions. Hourly contributions shall be determined in accordance with the prevailing wage rate and with DWD 290.01(10), Wisconsin Administrative Code.

5. Apprentices and sub-journeypersons. Apprentices and sub-journeypersons performing work on the project shall be compensated in accordance with the prevailing wage rate and with DWD 290.02 and DWD 290.025, Wisconsin Administrative Code, respectively.

6. Straight time wages. The contractors may pay straight time wages as determined by the prevailing wage rate and DWD 290.04, Wisconsin Administrative Code.

7. Overtime wages. The contractor shall pay overtime wages as required by the prevailing wage rate and DWD 290.05, Wisconsin Administrative Code.

8. Posting of wage rates and hours. A clearly legible copy of the prevailing wage rate, together with the provisions of s. 66.0903(10)(a) and (11)(a), Wis. Stats., shall be kept posted in at least one conspicuous and easily accessible place at the project site by the contractor and such notice shall remain posted during the full time any laborers, workers or mechanics are employed on the contract.

9. Evidence of compliance by contractor. Upon completion of the contract, the contractor shall file with the department of public works an affidavit stating:

a. That the contractor has complied fully with the provisions and requirements of s. 66.0901(3), Wis. Stats., and Chapter DWD 290, Wisconsin Administrative Code; that the contractor has received evidence of compliance with each of the subcontractors and agents; the names and addresses of all of the subcontractors and agents who worked on the contract.

b. That full and accurate records have been kept which clearly indicate the name and trade or occupation of every laborer, worker or mechanic employed by the contractor in connection with work on the project. The records shall show the number of hours worked by each employee and the actual wages paid therefor; where these records will be kept and the name, address and telephone number of the person who will be responsible for keeping them. The records shall be retained and made available for a period of at least three (3) years

following the completion of the project of public work and shall not be removed without prior notification to the municipality.

10. Evidence of compliance by agent and subcontractor. Each agent and subcontractor shall file with the contractor, upon completion of their portion of the contract, an affidavit stating that all provisions of s. 66.0903(3), Wis. Stats., have been fully complied with and that full and accurate records have been kept which clearly indicate the name and trade or occupation of every laborer, worker or mechanic employed by the contractor in connection with the work on the project. The records shall show the number of hours worked by each employee and the actual wages paid therefor; where these records shall be kept and the name, address and telephone number of the persons who shall be responsible for keeping them. The records shall be retained and made available for a period of at least three (3) years following the completion of the project of public work and shall not be removed without prior notification to the municipality.

11. Failure to comply with the prevailing wage rate. If the contractor fails to comply with the prevailing wage rate of this ordinance, he/she shall be in default on the contract.

12. Multiple violations. Upon the third and subsequent violations of this section, the contractor, subcontractor, or agent found in violation will be disqualified from bidding on any project subject to this section for a period of three years following such finding.

13. Exemptions. This section will not apply to work performed by public employees or to work performed on an owner-occupied dwelling in an area zoned R-1, in a TIF District. This section applies to work performed on projects receiving city financial assistance only until such time as the city financial assistance ends.

B. Sanction against bid rigging. Any corporation, firm or individual violating s. 133.01 of the Wisconsin Statutes (1971) or any subsequent amendment thereto shall, upon conviction thereof, be thereby disqualified as a bidder on any City of Ashland project for a period of three (3) years from the date of such conviction. However, nothing herein shall be interpreted to preclude such corporation, firm or individual from completing any and all contracts he may already have with the city at the time of such conviction, nor shall this ordinance be applied retroactively to violations occurring prior to the adoption and publication of this ordinance.

C. Public construction allowed to be done by the city without bids.

1. The installation and maintenance of irrigation equipment at a municipal golf course is hereby designated a class of public construction which may be done directly by the city without submitting same for bids, in accordance with s. 62.15(1), Wisconsin Statutes.

2. The installation of prefabricated bus shelters is hereby designated a class of public construction which may be done directly by the city without submitting same for bids, in accordance with s. 62.15(1), Wisconsin Statutes.

D. Separation of contracts and combined bids. The city council may, at its option, take separate bids for (a) general construction, (b) plumbing, (c) heating, ventilating and air condition, and (d) electrical divisions of work on the repair, remodeling or improvement of any public building or structure other than highway structures. The council may take separate bids on any divisions or subdivisions of the work it designates. Combination bids may also be requested by the council for combination of the above divisions of the work, provided that any bidder who submits a combined bid also submits separate bids for all the divisions comprising the combined bid. Contracts shall be awarded to the lowest qualified responsible bidder or bidders that result in the lowest total construction cost for the project.

Section 3. Enforcement.

Any violation shall be punishable by a civil forfeiture of not less than Five Hundred and 00/100 Dollars (\$500.00) and not more than One Thousand and 00/100 Dollars (\$1,000.00), plus court costs. Each day a violation occurs shall be a separate violation.

Section 3. Effective date.

This ordinance shall be effective upon the date of its passage and publication.

SUBJECT: Continued Discussion and Possible Action Regarding Creating a System for Collection and Analysis of Data Related to the Ashland Police Department

RECOMMENDATION: Discussion and Possible Action

DEPARTMENT OF ORIGIN: Councilor Ullman

CLEARANCES: Council President

EXHIBITS: 1. Establishing Best Practices for Stop Data Collection, NYU School of Law, May 24, 2017

SUMMARY STATEMENT:

Discussion began on January 26, 2021 at the Committee of the Whole meeting. As the three-hour time limit was nearing, Council President Haas recommended continuing discussion regarding collecting and analyzing data in regard to the Ashland Police Department. Councilor Ullman proposed to establish funding to begin this process. Councilor MacKenzie moved, seconded by Councilor Ortman, to direct Administration to find \$10,000 to begin this system. This motion carried 8-3 by voice vote.

As discussion continued at the March 9, 2021 Committee of the Whole meeting, Councilors offered their feedback as to how to work toward potential goals such as collaborating with Ashland County, determining what the purpose was for collecting data, and what was to be done with any data collected. Council was redirected to an article from the New York University School of Law, ["Establishing Best Practices for Stop Data Collection"](#), May 24, 2017.

Council President Haas is encouraging all Councilors to review the above referenced exhibit prior to this meeting as he plans for discussion to stem from the information within the article.

May 24, 2017

ESTABLISHING BEST PRACTICES FOR STOP DATA COLLECTION

© dwightsghost, content modified and licensed under [Creative Commons](#)

Few controversies in policing are as fraught as the use of *Terry* stops—temporary detentions made by officers upon reasonable suspicion of criminal activity, often accompanied by protective pat-down searches known as “frisks.” Studies have shown that racial minorities are disproportionately targeted for *Terry* stops, raising concerns about profiling and discrimination. Yet many police agencies view *Terry* stops as a critical tool in their arsenal. A related concern is the use of traffic stops—even on probable cause—to conduct more intrusive searches.

Accurate data is key to identifying and remedying racial disparities in the use of traffic and *Terry* stops. For example, [when a study of Vermont agencies’ stop data](#) revealed that black and Hispanic drivers were three to four times more likely to be searched during traffic stops than white drivers, the Chief of the Burlington Police Department called the information “illuminating” and spoke about “address[ing] this vulnerability in the way we do police work.” Likewise, [when a report found racial disparities in the use of *Terry* stops](#) by the Baltimore County Police Department, the County Executive stated that he was “disturbed by the data,” and pledged to bring in experts to improve bias and cultural competency training.

Yet despite the importance of stop data collection, there are few established standards or best practices. Should data be collected for pedestrian stops, or only motorist stops? Must data be reported if the driver hasn’t been issued a ticket or summons? Do officers have to report when they ask for consent to conduct a search? From state to state, policies are in disaccord regarding these basic questions and many more.

And these differences are not merely academic—they have a real-world impact. [A Vermont Public Radio report concluded](#), for example, that compliance with Vermont’s data collection statute—which lacks meaningful enforcement provisions—was “spotty in many cases, and nonexistent in others.” Likewise, [weak public disclosure requirements in Maryland’s statute](#) led an ACLU lawyer to characterize Maryland’s public stop data reports as “useless” and “something you would do almost if you were consciously trying to hide racial profiling.” The lack of standards and best practices for stop data collection has resulted in the implementation of many policies that—although representing a step forward—fail to provide policymakers and the public with the information they need to identify and eliminate racial profiling.

That's why the Policing Project has teamed up with the California Department of Justice and the Center for Policing Equity to create a guidebook on best practices for collecting and analyzing stop data. Operating under a grant from the [COPS office in the U.S. Department of Justice](#), we hope to motivate national standards on stop data collection, analysis and use. This year, Policing Project externs reviewed and summarized stop data collection statutes in twenty-two states in an effort to identify what areas of consensus have emerged and how policies can be improved. From this survey and other research, the Policing Project is working to prepare a draft guidebook which will be used in a pilot with five California law enforcement agencies: Oakland, Richmond, Stockton, Bay Area Rapid Transit (BART), and the California Highway Patrol. Based on the results of the pilot, we will prepare a guidebook for use nationwide.

We can improve the way police agencies use stops. But the first step is making sure policymakers and the community are empowered by having access to accurate and useful information. By implementing smart policies for the collection and analysis of stop data, states and municipalities across the country can identify and resolve problems of discriminatory use of police stops, improving trust between the community and the police and ultimately improving public safety.

Tagged: Stop Data, California, Data, Policing Lab, Data Transparency, California Department of Justice, Center for Policing Equity, COPS office, Guidebook, Traffic stops, Data collection, Ending Racial Profiling, Featured, RPS

0 Likes

Share