



Take notice that the City of Ashland Committee of the Whole will meet immediately following the adjournment of the City Council Meeting in the City Hall Council Chambers, 601 Main Street W. Ashland, WI, to consider and act upon the following agenda.

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

<https://global.gotomeeting.com/join/500263957> Access Code: 500-263-957

Or dial in using your phone. United States (Toll Free): 1-877-309-2073

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

Tuesday, July 28, 2026 Ashland Committee of the Whole Meeting Agenda

1. **Roll Call**
2. **Approval of Agenda**
3. **Council President's Report**
4. **Items for Discussion and Possible Action**
 - A. **Potential Resolution - WI Local Government Climate Coalition (*Councilor Levi*)**
 - B. **Review a Public Participation Plan for the 2026 Comprehensive Plan Update Project (*Planning and Development*)**
 - C. **Proposed Amendments to Ordinances Chapter 705 (1415) Water Utility Rules, Rates, Ashland City Ordinances (Public Works)**
 - D. **Potential Amendments to Ordinance 711 (1252) Ordinance for a POTW and Collection System, Ashland City Ordinances (*Public Works*)**
5. **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.

Upon reasonable notice, the City of Ashland will accommodate the needs of disabled individuals or individuals with limited English proficiency. For additional information or to request this service, contact the City Clerk's Office at 715-682-7071 (not a TDD number).

SUBJECT: Potential Resolution - WI Local Government Climate Coalition (*Councilor Levi*)

RECOMMENDATION: Advance to Council for formal approval

DEPARTMENT OF ORIGIN: Councilor Levi

CLEARANCES: Council President
Councilor Levi
Planning and Development Director

EXHIBITS:

1. DRAFT - Resolution Joining the Wisconsin Local Government Climate Coalition (WLGCC)
2. Potential Member Discussion
3. City of Middleton WLGCC Resolution
4. City of Menasha WLGCC Resolution

COMPLIANCE WITH STRATEGIC PLAN:

Though the 2025 Strategic Plan does not specifically mention climate action, sustainability and climate action efforts are mentioned in the City's Comprehensive Plan. The plan recommends setting a strong example of sustainability and this includes prioritizing energy efficient improvements and updates to city buildings and facilities, creating easy ways for residents and businesses to opt into renewable energy, promoting alternative modes of transportation, and increasing options for solar panels and solar farms within Ashland. The Wisconsin Local Government Climate Coalition (WLGCC) consists of local government members that exchange information and work together on implementing climate action efforts. City membership in the WLGCC could provide an opportunity to progress towards meeting the goals of the Comprehensive Plan.

SUMMARY STATEMENT:

Councilor Levi and the Planning & Development Director met with staff of the WI Local Government Climate Coalition (WLGCC) on July 20th, 2026 to discuss the City possibly

joining the coalition. The WLGCC consists of local government members (cities, villages, and counties) from around the state which by adoption of a resolution choose to participate in the coalition. The WLGCC's mission is to provide "a platform for members to collaborate on overcoming barriers to decarbonization, accelerating local climate change solutions and ensuring the benefits of the clean energy economy are distributed to everyone throughout the state." Member local governments are represented by staff members at monthly and annual meetings of the coalition. There is no membership fee and WLGCC focuses on policies and programs that promote clean energy and climate smart solutions for communities across the state. The coalition allows member communities to network, exchange information and ideas, and work together towards meeting climate related goals. Councilor Levi and staff would like to refer some example resolutions and information regarding the WLGCC to the Committee of the Whole to obtain COW input. The COW may take more time to review and consider joining the WLGCC or may vote to forward this item to Council for approval.

Resolution Joining the Wisconsin Local Government Climate Coalition (WLGCC)

Whereas, the [local government name] has cause for concern regarding the negative impacts of climate change on greater society and within our own community. Climate change increases the risk of certain natural disasters and adverse health impacts [option to add local examples like flooding, power outages, extreme weather, air pollution, public infrastructure damage, emergency response, farmland destruction, economic loss, etc.]; and

Commented [1]: Present in all resolutions; specific risks depend on community

Whereas, addressing and mitigating the major contributing factors such as the burning of fossil fuels is imperative to slow climate change and protect the public welfare; and

Commented [2]: Present in all resolutions

Whereas, the State of Wisconsin has a goal of 100 percent carbon-free electricity by 2050 and local governments are important actors to help implement the State's goal and Clean Energy Plan; and

Commented [3]: Present in all resolutions

Whereas, [local government name] has adopted [add climate or clean energy goals, climate or sustainability plans that speak to this] to demonstrate the need for local and collective action; and

Commented [4]: Present in all - specific community goals can be listed, or examples of commitment to climate action like having a sustainability committee

Whereas, the local power utility [add name of Muni, Coop, or IOU or another community partner like a school district, etc.] has similar goals [add percent carbon reduction by 20XX and percentage renewable energy by 20XX]; and

Commented [5]: Optional but present in many, Xcel is net-zero by 2025: <https://corporate.my.xcelenergy.com/s/sustainability/plans>

Whereas, the Wisconsin Local Government Climate Coalition is a group of local governments who work together to seek low-carbon and clean energy solutions. Members recognize that climate change poses severe risks to our communities and that we cannot avoid the worst effects of climate change without effective state policy; and

Commented [6]: Present in all resolutions

Whereas, the Wisconsin Local Government Climate Coalition supports: increased state and federal funding for energy efficiency, renewable energy, electrification of transportation and buildings, and advanced technology and research development solutions; state policies and laws that enable local governments and others to implement such actions to grow the clean energy workforce; state plan to retire coal plants no later than 2045; choices and universal access to clean energy to reduce cost and participation barriers; and smart growth development policies and funding to reduce vehicle miles traveled, preserve natural resources, including agricultural, forestry, and recreational lands; and

Whereas, [local government name] shares the goals of the Wisconsin Local Government Climate Coalition;

Commented [7]: Optional, present in many

Now therefore be it resolved, that the [add city/common council, county board, etc. of community X] officially joins the Wisconsin Local Government Climate Coalition and will contribute to sustaining their advocacy efforts; and be it

Further resolved, that the [local government name] will develop climate and or clean energy goals in keeping with the State and Nation, develop a strategy or plan to meet goals, and designate the proper staffing to help achieve success; and be it

Commented [8]: Not common, but relevant if local goals do not yet exist

Further resolved, that the [local government's legal counsel] and the [local government's sustainability office] are authorized to comment or intervene on contested rate cases, generic documents, and other proceedings before the Wisconsin Public Service Commission that relate to the [local government name]'s carbon reduction goals.

Commented [9]: This hasn't yet been used in a local government resolution but was proposed as an option.

Potential Member Discussion

Last updated
7/20/2026





The Coalition provides a platform for members to collaborate on overcoming barriers to decarbonization, accelerating local climate change solutions, and ensuring the benefits of the clean energy economy are distributed to everyone throughout the state.

WLGCC Mission Statement

History of WLGCC

Started with a small group of local government representatives in 2020 that came together around a common set of challenges, desiring practical solutions. They recognized that local governments...

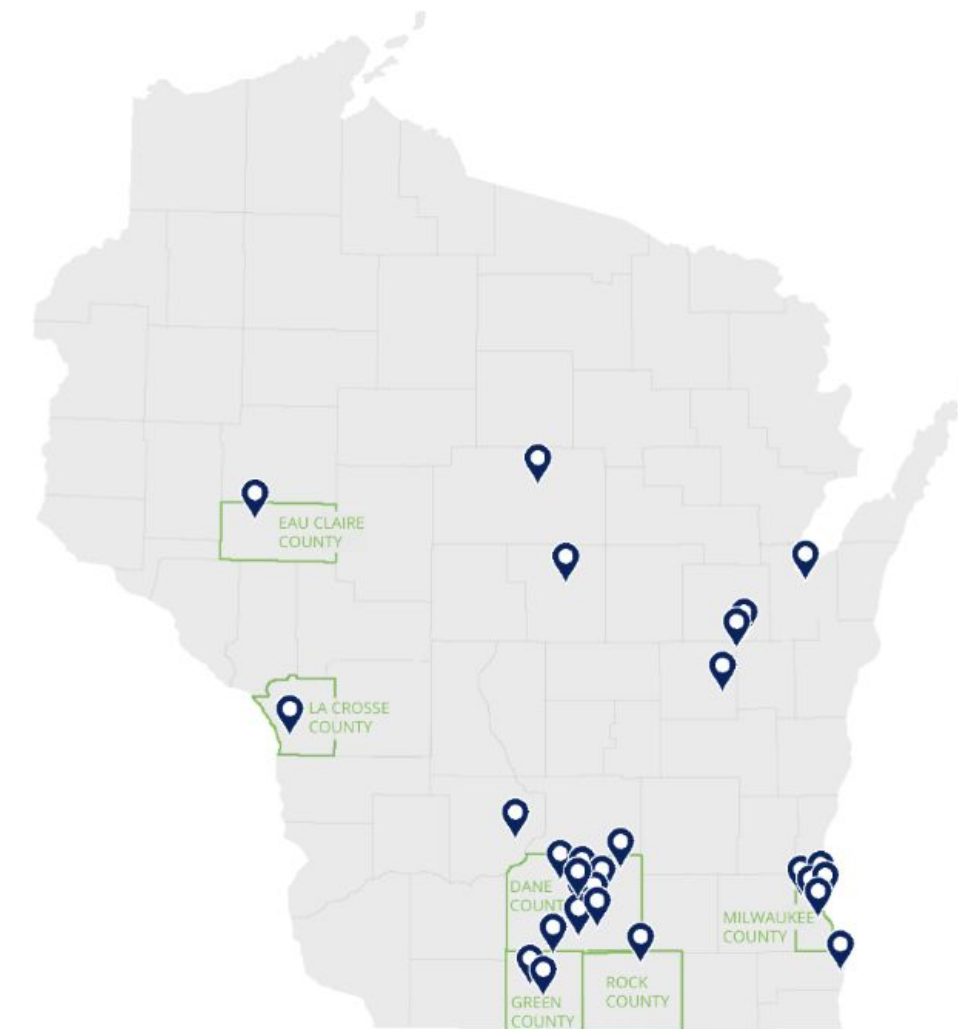
- Have a unique experience and voice that should be heard
- Have limited budgets and staff, and can benefit from working together

Our membership represents over 40% of residents in WI!

- 32 local governments
- In most cases, member representatives are local government staff
(sustainability staff, planners, city administrators, village managers, etc.)

MEMBERS

City of Appleton
City of Baraboo
City of Eau Claire
City of Edgerton
City of Fitchburg
City of Green Bay
City of La Crosse
City of Madison
City of Menasha
City of Middleton
City of Milwaukee
City of Monona
City of Monroe
City of Oshkosh
City of Racine
City of Stevens Point
City of Sun Prairie
City of Verona
City of Wausau
City of Wauwatosa
Village of Belleville
Village of McFarland
Village of Shorewood
Village of Shorewood Hills
Village of Waunakee
Village of Whitefish Bay
Milwaukee County
Dane County
Eau Claire County
La Crosse County
Rock County
Green County



Value of Membership

WLGCC delivers value to members through:

- Facilitating local government voices on climate & clean energy policies & programs
- Providing resources and tools to achieve deeper impacts across communities
- Creating peer-to-peer learning & information sharing opportunities

Strategic Priorities

Strategic Priorities Statement

WLGCC focuses on policies, programs, and initiatives that promote clean energy and climate smart solutions for all communities across the state. This document, which is updated every two years, summarizes the strategic priorities that members support and will work together on at the state and local levels.

- 1. Decarbonize Buildings**

- a. strong state building codes, Focus on Energy program, emissions/ energy use data

- 2. Green the Grid**

- a. utility retirement of fossil fuel plants, PSC-utility accountability for clean energy goals & supporting community-led RE (net metering, third party ownership, etc)

- 3. Decarbonize Transportation**

- a. robust EV charging network, accessible to everyone, regional public transportation solutions

- 4. Implement People-Centered & Climate-Smart Land Use Policies**

- a. low/no emission land use policies (model ordinances, zoning codes), initiatives within communities

- 5. Promote Resilience & Natural Solutions**

- a. microgrids, urban forestry efforts, green infrastructure, local policies, sharing best practices

(More details on the Our Strategies page on our website: wlgcc.org/our-strategies)

What Membership Looks Like

WLGCC Membership

We understand that each community will be at a different stage, and we want to meet you where you are at. There are a number of ways for member to participate – and we also understand that you may not be able to attend everything! Here are some of the different engagement points....

Member Engagement Points

- Monthly member meetings (1 hr, new time selection in progress)
- Policy Committee and Ad Hoc Work Groups
- Webinars (bringing in experts or other speakers to discuss relevant topics)
- Annual In-Person Members' Summit (October 28)
- Optional meetings to brainstorm or discuss specific areas of member interest
- Emails from WLGCC staff, sharing updates and opportunities



Learning & Making Progress Together

Examples

- Facilitating purpose-driven ad-hoc work groups so members can learn with and from peers about topics of interest, including the **Data Center Work Group**.
- Providing resources in our **member drive**.
- Offering the [Resilient & Efficient Buildings Municipal Support Program](#)
- **Creating resources** for members to support their efforts:
 - 'Starter Briefs' on topics like Solar Energy, Electric Vehicles, Climate Action Planning
 - Comprehensive Planning Review Resource for Integrating Sustainability
 - Local Government Playbooks - [Transportation Electrification](#) & [Greening the Grid](#)
- Supporting members in completing **community-wide emissions inventories**, a building block of climate & energy planning (*2024-26 cohort is closed, but considering ways to continue this work going forward*).
- **Submitting comments or intervening in utility cases** to guide PSC decisions (like Focus on Energy program offerings, net metering investigation, etc.)
- **Webinars and member spotlights** to facilitate peer-to-peer learning



How to Join

- (1) Meet with WLGCC staff for initial discussion to ensure the Coalition is a good fit for your goals
- (2) Draft a resolution substantially similar to this template and submit to WLGCC for review
- (3) Governing Body approves resolution
- (4) WLGCC approves membership
- (5) Submit to WLGCC staff with intake form, and attend a brief member orientation meeting
- (6) Appoint someone (typically a staff position) to serve as your member representative, attend meetings, and contribute to our collective efforts
- (7) Membership begins!



Questions & Discussion

- Where is your community at in its journey?
- Do you have any clean energy or climate-focused goals or initiatives in place?
- What challenges and opportunities are you facing?
- What might you hope to get out of a WLGCC membership? How could we support you in your goals?
- Other questions about WLGCC we can answer?



Thank You

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RESOLUTION 2021-34

Joining the Wisconsin Local Government Climate Coalition (WLGCC)

WHEREAS, The City of Middleton has cause for concern regarding the negative impacts of climate change on greater society and within the local community insofar as climate change increases the risk of flooding, extreme weather, public infrastructure damage, and economic loss; and

WHEREAS, Addressing and mitigating the major contributing factors, such as the burning of fossil fuels, is imperative to slow climate change and protect the public welfare; and

WHEREAS, the City of Middleton passed a Climate Referendum on the November 2016 ballot with 82% of voters supporting city policies and actions that reduce risks of global warming, and

WHEREAS, Resolution 2018-32 City of Middleton Resolution to Address Global Warming Through Clean Energy has pledged to meet 100% of its electrical needs through renewable energy resources by 2035, 100% of its operations energy needs through renewable energy resources by 2040, and 100% of community-wide energy needs with renewable energy by 2050; and

WHEREAS, Resolution 2018-32 City of Middleton Resolution to Address Global Warming Through Clean Energy states that achieving these energy goals will require concerted action from individuals and the community, in urban and rural areas, from local and state governments and from businesses and utilities; and

WHEREAS, the local power utility Madison Gas & Electric as well as the Middleton Cross Plains Area School District has similar goals targeting net-zero carbon electricity by 2050; and

WHEREAS, The State of Wisconsin has a goal of 100% carbon-free electricity by 2050, and local governments are important actors to help implement the State's goal and Clean Energy Plan; and

WHEREAS, The Wisconsin Local Government Climate Coalition (WLGCC) is comprised of local governments that work together to seek low-carbon and clean energy solutions, and members recognize that climate change poses severe risks to communities and that the worst effects of climate change cannot be avoided without effective State policy; and

WHEREAS, WLGCC supports the following:

1. Increased State and Federal funding for energy efficiency, renewable energy, electrification of transportation and buildings, and advanced technology and research development solutions.
2. State policies and laws that enable local governments and others to implement such actions to grow the clean energy workforce.
3. A State plan to retire coal plants no later than 2040.
4. Choices and universal access to clean energy to reduce cost and participation barriers
5. Smart growth development policies and funding to reduce vehicle miles traveled and to preserve natural resources, including agricultural, forestry, and recreational lands; and

WHEREAS, There is no cost to becoming a WLGCC member; and

WHEREAS, The City of Middleton shares the goals of the WLGCC.

NOW THEREFORE BE IT RESOLVED by the Common Council that the City of Middleton officially joins the Wisconsin Local Government Climate Coalition and will contribute to sustaining its advocacy efforts through filing joint public comments that relate to the City of Middleton's greenhouse gas reduction goals; and, be it **Further Resolved**, that the Sustainability Coordinator of the City of Middleton is authorized to comment along with other municipalities on behalf of the City of Middleton in dockets and other proceedings before the Wisconsin Public Service Commission that relate to the City of Middleton's carbon reduction goals.

This is to certify that the foregoing Resolution was duly adopted by the Common Council of the City of Middleton at a Common Council meeting on July 6, 2021.

CITY OF MIDDLETON

APPROVED:

ATTEST:

Lorie J. Burns, Clerk

By:

Gurdeep Brar, Mayor



RESOLUTION R-14-25

A Resolution to join the Wisconsin Local Government Climate Coalition (WLGCC)

INTRODUCED BY: Alderman Rand

WHEREAS, The City of Menasha has cause for concern regarding the negative impacts of climate change on greater society and within the local community insofar as climate change increases the risk of flooding, extreme weather, air pollution, emergency response, public infrastructure damage, and economic loss; and

WHEREAS, Mitigating the major contributing factors, such as the burning of fossil fuels, is imperative to slow climate change and protect the public welfare; and

WHEREAS, The State of Wisconsin has a goal of 100% carbon-free electricity by 2050, and local governments are important actors to help implement the State's goal and Clean Energy Plan; and

WHEREAS, The Wisconsin Local Government Climate Coalition (WLGCC) is comprised of local governments that work together to overcome barriers to decarbonization, accelerating local climate change solutions, and ensuring the benefits of the clean energy economy are distributed to everyone throughout the state; and

WHEREAS, The City of Menasha shares the goals of the WLGCC; now, therefore, be it

NOW, THEREFORE, BE IT RESOLVED, By the City of Menasha Common Council the City of Menasha officially joins the Wisconsin Local Government Climate Coalition and will contribute to sustaining its advocacy efforts; and, be it

BE IT FURTHER RESOLVED, That Community Development Director, Andrew Dane and Mayor Austin Hammond are authorized to represent the interests of City of Menasha in WLGCC activities.

Passed and approved this 2nd day of June, 2025.

Recommended by: Sustainability
Committee

Motion/Second: Ald. Rand/Ald.
Perkins

Pass/Fail: 8-0

Requires: Majority Vote



Austin R. Hammond, Mayor

ATTEST:



Kaija Snyder, City Clerk

SUBJECT: Review a Public Participation Plan for the 2026 Comprehensive Plan Update Project (*Planning and Development*)

RECOMMENDATION: Advance a resolution to Council to accept the Public Participation Plan

DEPARTMENT OF ORIGIN: Planning and Development

CLEARANCES: Planning and Development Director

EXHIBITS: 1. City of Ashland 2047 Comprehensive Plan Update - Public Participation Plan

COMPLIANCE WITH STRATEGIC PLAN: The 2025 City of Ashland Strategic Plan includes sections on infrastructure, safe, healthy, and secure communities, housing, economic strength, and good governance. The City's Comprehensive Plan is the long-term guiding plan for the City. The goals and sections of the City's Comprehensive Plan overlap with the sections and action items listed in the Strategic Plan. The City is working with MSA Professional Services, Inc. to update its Comprehensive Plan. The state statutes require a Public Participation Plan as part of the comprehensive planning process. The update of the Comprehensive Plan will ensure the relevance and alignment of the Comprehensive Plan with the City's long-term vision and updated Strategic Plan.

SUMMARY STATEMENT:

The City is working with MSA Professional Services Inc. on the 2026 Comprehensive Plan update. Wisconsin Statutes require that the City Council adopt a Public Participation Plan as part of the comprehensive planning process. The intent of the Public Participation Plan is to capture public input as part of the planning process to ensure that community input shapes the process and completed plan. If citizens are involved in the planning process the resulting plan is more likely to have community support than a plan resulting from a process where little to no input was solicited.

MSA has worked on a draft public participation plan and the Planning and Development Director has reviewed this draft plan and does not have concerns with it. Staff is now referring

the draft Public Participation Plan to the Committee of the Whole for discussion and referral to the Council for adoption.

City of Ashland

2047 Comprehensive Plan Update

Public Participation Plan

The City has developed the following public participation plan to inform and engage the public as part of the requirements of the Comprehensive Planning state statutes (Wis. Stat. 66.1001(4)a). The goal of a public participation plan is to foster public participation with the diverse populations of the City through open discussion, communication programs, information services, and public meetings (for which advance notice has been provided) in every stage of the preparation of a comprehensive plan.

Public Participation Opportunities:

The City will develop its Comprehensive Plan with opportunities for public participation including, but not limited, to the following activities:

1. Project Meetings:

- a. **Citizen Steering Committee Meetings.** The City has elected to utilize a Steering Committee as the board overseeing the development of the Comprehensive Plan update with the City's selected consultant, MSA Professional Services Inc. The Steering Committee will be responsible for reviewing and recommending the draft Comprehensive Plan prepared by MSA. The planning process includes a total of four (4) Steering Committee working meetings facilitated by the consultant.
 - b. **Public Hearing:** A public hearing will be held prior to adoption either at Plan Commission or City Council as required under Wis. Stat. 66.1001(4)d.
 - c. **Committee of the Whole (COW) and City Council Meetings.** The planning process will include two (2) meetings attended by the consultant with the COW or City Council, including a mid-point project update and presentation of the final plan. The City Council shall have the authority to adopt the new updated Comprehensive Plan and may hold a public hearing on the draft plan.
2. **Project Website.** MSA will create a project website via ARC GIS Story Maps to serve as the landing page for the planning process. This website will be used to promote public engagement opportunities and project updates.
 3. **Online Community Survey.** An online survey will be shared with the public to provide concerns, issues, and opportunities for the community over the next 10-20 years. The results of the survey will be incorporated into the updated Comprehensive Plan.
 4. **Interviews & Focus Groups:** MSA will conduct three (3) interviews and two (2) focus group meeting to garner public input. City staff will identify the appropriate stakeholders to include in the interviews and focus groups.
 5. **Community Input Mapping.** MSA will produce an online map which allows community members to pick topics and identify locations on a map as issues/opportunities and leave thoughts throughout the study area.
 6. **In-Person Engagement Events.** The planning process will include a two-day engagement trip, which will include the following:
 - a. **Citizen Steering Committee Workshop.** Inclusive of key stakeholders/citizens and preferably 1-2 Plan Commissioners and Council Members
 - b. **Pop-Up Event.** The project team will set up a booth at a local event to gather feedback from community.
 - c. **Community Visioning Workshop.** The project team will facilitate a public workshop where we will give an overview of the planning process, describe the relevance of the plans to quality of life in the City, and highlight past and anticipated changes in the community.

Plan Adoption Procedures:

1. The Plan Commission shall, by majority vote, adopt a resolution recommending that the City Council pass an ordinance to

adopt the Comprehensive Plan (Wis. Stat. 66.1001(4)b).

2. Prior to adopting the Comprehensive Plan, the City will hold at least one Public Hearing on the plan. As stated in Wis. Stat. 66.1001(4)d, the hearing must be preceded by a Class 1 notice under ch.985. a minimum of 30 days prior to the hearing. Said notice shall contain at least the following information:
 - a. The date, time and place of the hearing.
 - b. 66.1001(4)(d)2. A summary, which may include a map of the proposed comprehensive plan or amendment to such a plan.
 - c. 66.1001(4)(d)3. The name of an individual employed by the local governmental unit who may provide additional information regarding the proposed ordinance.
 - d. 66.1001(4)(d)4. Information relating to where and when the proposed comprehensive plan or amendment to such a plan may be inspected before the hearing, and how a copy of the plan or amendment may be obtained.
3. At least 30 days before the public hearing is held the City shall provide written notice to all of the following, as stated in Wis. Stat. 66.1001(4)e:
 - a. An operator who has obtained, or made application for, a permit that is described under s. 295.12(3)d, within the jurisdiction of the City.
 - b. A person who has registered a marketable nonmetallic mineral deposit under s. 295.20 within the jurisdiction of the City.
 - c. Any other property owner or leaseholder who has an interest in property pursuant to which the person may extract nonmetallic mineral resources, if the property owner or leaseholder requests in writing that the City provide the property owner or leaseholder notice of the hearing.
 - d. Any person who has submitted a request to receive notice of any proposed ordinance that affects the allowable use of property owned by the person.
4. An electronic copy of the draft plan, or notification on how to view/download a copy of the plan online, will be disseminated to neighboring jurisdictions and appropriate governments, as stated in Wis. Stat. 66.1001 (4)b, providing 30 days for written comments. A copy of the Draft Plan will be sent to:
 - a. The Clerk for the following local governmental units shall receive a copy of the plan: Towns of Gingles, Sanborn, and Eileen, The Bad River Reservation, Ashland County, Bayfield County, Northwest Wisconsin Regional Planning Commission.
 - b. The Wisconsin Department of Administration will be notified and sent a copy of the adoption ordinance.
5. The City Council, by a majority vote, shall enact the ordinance adopting the recommended plan (Wis. Stat. 66.1001(4)c). An electronic copy of the adopted plan and ordinance, or notification on how to view/download a copy of the plan online, will be disseminated to the above-mentioned governing bodies, as stated in Wis. Stat. 66.1001(4)b.

Vote: Yes_____ No_____

Adopted this _____ day of _____, 2026.

Attest:

Matthew MacKenzie, Mayor

Denise Oliphant, City Clerk

SUBJECT: Proposed Amendments to Ordinances Chapter 705 (1415) Water Utility Rules, Rates, Ashland City Ordinances (Public Works)

RECOMMENDATION: Advance to Council for formal approval

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Public Works Committee
Public Works Director

EXHIBITS: 1. Proposed Revisions to Ordinance 705

COMPLIANCE WITH STRATEGIC PLAN: Infrastructure

SUMMARY STATEMENT:

At the May 14, 2026 and July 9, 2026 meetings, the Public Works Committee discussed and recommended changes to City Ordinance 705 Water Utility Rules, Rates, and Regulations

Generally speaking, Ordinance 705 establishes rules and regulations at the local level for management of the City's drinking water system. The proposed changes consist of increasing penalties for lack of compliance with mandatory connection requirements and requirements for maintenance of private fire hydrants.

For mandatory connection, the monetary fee would increase annually for a period of three years as the violation continues, providing a greater incentive for connection to the public water system.

For private hydrants, the Ashland Fire Department requested the changes based on experiences responding to fires and discovering that privately owned hydrants were in poor condition. The proposed changes require private hydrant owners to maintain fire hydrants with similar standard of care as the Water Utility provides for publicly owned hydrants. These requirements were based off of similar ordinances found in other communities and generally consist of maintenance of fire department access, annual hydrant flushing, and annual hydrant inspection.

Council discussion is recommended for Council approval at a future meeting date. Megan Erickson, Utility Administrative Specialist, is responsible for administering the proposed changes moving forward.

Chapter 705 Proposed Revisions

(proposed new language is written in red type)

705.19(e) 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 **for the first year. If the violation continues beyond one year, the penalty will increase to double the residential user cost plus an administrative cost of 13%. If the violation continues beyond two years, the penalty will increase to triple the residential user cost plus an administrative cost of 14%. If the violation continues beyond three years, the penalty will remain at triple the residential user cost and the percentage penalty for administration cost will increase to 15%. Upon failure to make such payment said charge shall be assessed as a special tax lien against the property, all pursuant to Section 281.45 Wisconsin Statutes.**

705.21 Private Fire Hydrants. This section applies to fire hydrants located on private property.

- (a) All hydrants located on private property shall have an eight-inch lateral unless calculations provided by a fire protection engineer and approved by the fire department establishes an alternative appropriate size
- (b) Fire department access shall be maintained to the fire department connection at all times.
- (c) All hydrants located on private property shall have unobstructed access at all times. No structure, culvert, vegetation or landscape elements shall be installed within three feet of the hydrant in a manner which impedes fire department access.
- (d) Hydrants located on private property shall be maintained to comply with fire protection regulations of the National Fire Protection Association (NFPA), State of Wisconsin statutes, City of Ashland Ordinances and Wisconsin Department of Safety and Professional Services codes. Compliance is the responsibility of the private property owner and all compliance activities shall be at owner expense.
- (e) Maintenance Activities.
 - (1) Flushing. All hydrants located on private property shall be flushed, consistent with City of Ashland Utility policy, at least once every year, at owner expense.
 - (2) Inspection and Maintenance. All hydrants located on private property shall be inspected annually and maintained in proper working condition, consistent with the manufacturer's recommendations, American Water Works Association (AWWA) and National Fire Protection Association (NFPA) standards, at owner expense.

Private hydrants shall be flow tested occasionally to sufficiently demonstrate current flow rates.

(3) Leakage Detection: Hydrants located on private property shall be inspected for leaks, consistent with City of Ashland Utility policy, at least once every year, at owner expense. Water systems that are master metered at the right of way are exempt from the annual leak detection maintenance requirement.

(4) Leak Repair. Any of the following leaks of hydrants located on private property shall be repaired in the timely manner set forth below once identified, at owner expense:

(a) Significant surfacing leaks within eight (8) hours

(b) Surfacing leaks within eight (8) hours to twenty-four (24) hours

(c) Minor (barely visible) surfacing leaks within one (1) day to three (3) days

(d) Non-surfacing detectable leaks within one (1) week to two (2) weeks

(5) Additional Maintenance. All additional prudent maintenance, repair or replacement required per AWWA and NFPA standards as necessary to keep the hydrant in good operating condition shall be performed within four (4) weeks to six (6) weeks of detection, at owner expense.

(6) Services Performed by City. The cost of services performed by the City of Ashland, its employees or contractors, on hydrants located on private property, at the request of the private property owner or in the case of an emergency safety issue, shall be a special charge and the expense shall go on the tax roll of the private property as a lien against the property, pursuant to Wis. Stat. §66.0627.

(f) Record Keeping. Owners of hydrants located on private property shall provide records and documentation of inspections, maintenance and repairs as follows:

(1) Contracts, test records, reports and verification of payment documenting that the required inspection, maintenance and repair activities in this section have taken place. These records should be submitted within fifteen (15) days of the completed inspection, maintenance or repair to the City of Ashland Water Utility.

Then all subsequent sections need to be renumbered: The following are the renumbered sections:

705.22 Payment of Bills

705.23 Penalty for Improper Use

705.24 Damage Recovery

705.25 Penalties

705.26 Charges Are a Lien On Property

705.27 Adoption of Other Rules

705.25 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. **City Ordinance Chapter 136 shall apply to permit applications and permit violations under this chapter.**

SUBJECT: Potential Amendments to Ordinance 711 (1252) Ordinance for a POTW and Collection System, Ashland City Ordinances (*Public Works*)

RECOMMENDATION: Schedule for Approval at Future Council Meeting

DEPARTMENT OF ORIGIN: Public Works

CLEARANCES: Public Works Committee
Public Works Director

EXHIBITS: 1. Proposed Revisions to Ordinance 711

COMPLIANCE WITH STRATEGIC PLAN: Infrastructure

SUMMARY STATEMENT:

At the May 14, 2026 and July 9, 2026 meetings, the Public Works Committee discussed and recommended changes to City Ordinance 711 Ordinance for a Publicly Owned Treatment Works and Collection System.

Generally speaking, Ordinance 711 establishes rules and regulations at the local level for management of the City's sanitary sewer system.

The proposed changes are generally administrative in nature, clarifying various definitions and adding additional language to various portions of the ordinance. For example, the proposed changes clarify that a permit application is required for any repair, replacement, extension or alteration to the sewer system, rather than just for a connection. Another example is establishing that the billing period for sewer customers shall be bimonthly, aligning the ordinance with the City's practice.

Substantive changes focus on metering/billing for sewer only customers, testing of work on sewer laterals and changing the billing cycle for non metered non residential customers.

The City has a small number of sewer only customers, these homes are served by a private well but connected to the sanitary sewer system. In these situations, a City water meter is installed to meter water supplied to the home, which is then read to establish sewer billing based on water consumption. A few homes have refused to allow the City to install a new water meter and staff is unable to read the existing meter, resulting in billing charges that are not based on current water consumption. Currently, the ordinance offers the Wastewater Utility no recourse. The proposed change is to allow the Wastewater Utility to charge these customers a sewer billing

based on the equivalent residential unit (ERU). The ERU is essentially the water use for a typical home in the City.

For work on sewer laterals, Wisconsin Administrative Code requires all sanitary sewer laterals installed as new piping, repaired, extended or altered via excavation to be tested for leaks before being backfilled. The intent is to ensure that sanitary sewer laterals are repaired/replaced throughout the length of the lateral as needed during excavation, as opposed to a "band aid" approach. Due to the age of sanitary sewer infrastructure in the City, it is expected that administration of such testing will lead to the need for more extensive work on sanitary sewer laterals. Due to the fact that sanitary sewer laterals are privately owned in the City, the cost of necessary repairs would be borne by property owners. However, the Public Works Director and Public Works Committee recommend that the City require these repairs as needed due to the known impact of infiltration and inflow (I&I) on the sanitary sewer system via sewer laterals.

For non metered non residential customers (ie septic haulers, lab customers), the proposed change is to establish a billing period of monthly for this customer class, with payment due within 20 days. For non payment, a 1.5% late fee would be added per month. This change is proposed by Megan Erickson, Utility Administrative Specialist, who reports that some customers accrue significant unpaid billings but continue to be serviced by the Wastewater Utility. Ms. Erickson has time available to administer these billings each month.

Council discussion is recommended for Council approval at a future meeting date. Ms. Erickson is responsible for administering the proposed changes moving forward.

Chapter 711 Proposed Revisions

(proposed new language is written in red type)

711.03 Definitions

- (e) BUILDING DRAIN shall mean ~~horizontal piping within or under a building, installed below the lowest fixture or the lowest floor level from which fixtures can drain by gravity to the building sewer.~~
- (f) BUILDING SEWER shall mean ~~that part of the drain system not within or under a building which conveys its discharge to a public sewer, private interceptor main sewer, private onsite wastewater treatment system or other point of discharge or dispersal.~~
- (j) ~~FAILING PRIVATE SEWAGE SYSTEM~~ FAILING PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM shall mean a 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 ~~on-site wastewater treatment system.~~
- (m) 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 ~~be~~ 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 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 shall mean 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 wastewater facility.
- (s) MUNICIPAL WASTEWATER shall mean the wastewater of a community. ~~“Wastewater” means clear water, storm water, domestic wastewater, industrial wastewater, sewage, or any combination of these.~~
- (u) 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”~~ Expenditures for operation and maintenance, including replacement.
- (x) 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) POTW shall mean Publicly Owned Treatment Works.

(aa) 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.

(ab) 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.

(ac) REPLACEMENT COSTS Expenditures for replacement.

(ad) 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.

(ae) 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.

(af) 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.

(ag) SEWAGE means wastewater containing fecal coliform bacteria exceeding 200 CFU, colony forming units, per 100ml.

(ah) 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.

(ai) 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.

(aj) 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.

(ak) 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.

(al) SHALL is mandatory.

(am) 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.

(an) STANDARD METHODS shall mean the examination and analytical procedures set forth in the most recent edition of “Standard Methods for the Examination of Water, and Wastewater” published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation.

(ao) STORM DRAIN (sometimes termed “storm sewer”) shall mean drain or sewer or pipe, other than a drain, sewer or pipe located inside a building, that carries any of the following: storm water, groundwater, or clear water.

(ap) STORM WATER RUNOFF shall mean that portion of the rainfall that is collected and drained into the storm sewers.

(aq) 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.

(ar) USER – Any person who discharges, or causes or permits the discharge of, wastewater into the City’s wastewater treatment works.

(as) 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.

(at) WASTEWATER-find definition

(at) 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.

(au) 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.

(av) WATERCOURSE shall mean a natural or artificial channel for the passage of water, either continually or intermittently.

(aw) 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.

711.04 Management, Operation and Control

The management, operation and control of the sewer system for the City of Ashland is 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.

(a) 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.

(d) TITLE TO REAL ESTATE AND PERSONALITY. All property, real, personal, and mixed, acquired for the construction of the sewerage system, and all plans, specifications, diagrams, papers, books and records connected therewith said sewerage system, and all buildings, machinery, and fixtures pertaining thereto, shall be the property of the City of Ashland.

711.05 User Rules and Regulations

(a) PLUMBERS. No plumber, pipe fitter, or other person will be permitted to do any plumbing or pipe fitting connected 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 wastewater 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 one hundred eighty (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 thirty (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 **thirty (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 **five (5)** 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 **be** 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 **Wisconsin Statute 281.45**. 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 sewer system shall be prohibited.

(e) APPLICATION FOR SEWER SERVICE. Every person desiring to connect **to the sewer system or to repair, replace, extend 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 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. **In an emergency situation, work to repair or replace an existing connection to the sewer system may proceed without first obtaining a permit. In an emergency situation, the owner or agent is required to obtain a permit within three (3) business days of commencing the work to repair or replace an existing connection to the sewer system.**

(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)(e)]. 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.

- (1) Persons attaching to a sewer main shall have the lateral from the sewer main installed at their own expense.
- (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:
 - A. The sanitary sewer was constructed with City funds and special assessments were not levied.
 - B. The sanitary sewer was constructed with City funds and special assessments were levied against the property more than twenty (20) years prior.
 - C. 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 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 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 premises 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 196.171, Wisconsin Statutes.

(n) **PROHIBITION ON SHARED LATERAL FOR NEW BUILDING.** No user shall connect a new building to an existing sewer service lateral on an existing building on the property unless both buildings share a roof line. If the new building will not share a roof line with the existing building after construction is complete, a new sewer service lateral shall be installed for the new building. For the purposes of this subsection, "new building" means any building that does not currently have sewer service connected.

(o) **METERS REQUIRED.** Connection to the City sewer system requires installation of a City-owned meter. Violation of this section will result in a charge calculated at the Equivalent Residential Unit (ERU) at the current residential unit price.

*Note: Current ERU is 14 units per bimonthly billing. Current unit price is \$5.90. Fee will be $14 \times 5.90 = \$82.60$

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 ~~HLHR-82~~ **SPS 382** "Design, Construction, Installation, Supervision, **Maintenance** and Inspections of Plumbing", especially, **Wisconsin Administrative Code Section SPS 382.30 "Sanitary Drain Systems"**.

As required by **Wisconsin Administrative Code Section SPS 382.21**, all laterals shall be inspected. Additionally, as required by **Wisconsin Administrative Code Section SPS 382.21(2)(b)**, all laterals shall be tested: A sanitary building sewer and a sanitary private interceptor main sewer shall be tested for leaks and defects with water or air before or after being covered.

(d) **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.

711.07 Regulations

(b) LIMITATIONS ON WASTEWATER STRENGTH.

- (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 at the Discharger's cost and expense. Detailed plans showing facilities and operating procedures to provide this protection 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.

711.09 Control of Industrial and Septage Wasters

(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 **Section 711.07(a)** 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 711.08.**

(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.

711.10 Payment for Charges

(a) PAYMENT AND PENALTY.

(1) Metered Customers. The sewerage service charge for metered customers shall be Bi-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 the bills are issued. A penalty of 1 percent per month shall be added to all bills for metered customers not paid by the date fixed for final payment.

(2) Non-Metered Non-Residential Customers. Non-metered non-residential customers, including but not limited to, septic haulers and lab customers, shall be billed monthly. Said bills shall be payable to the Wastewater Utility not later than 20 days from the date the bills are issued. A penalty of 1.5% percent per month shall be added to all bills for non-metered customers not paid by the date fixed for final payment.

(b) CHARGES A LIEN. All sewage charges shall be a lien upon the property serviced pursuant to Section 66.0821(4) Wisconsin Statutes, and shall be collected in the manner therein provided.

711.12 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 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 ~~City~~ shall have the right of recovery from all persons, any expense incurred by ~~the City~~ 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 **711.05(b)** 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.
- (j) DENIAL OF PERMIT. **City Ordinance Chapter 136 shall apply to permit applications and permit violations.**