

ORDINANCE NO. 2023-11

**VILLAGE OF YORKVILLE
RACINE COUNTY, WISCONSIN**

**AN ORDINANCE TO AMEND SECTIONS 54-92 AND 54-213 OF THE CODE OF
ORDINANCES OF THE VILLAGE OF YORKVILLE, RACINE COUNTY, WISCONSIN,
RELATING TO SEWER SERVICE SURCHARGES**

**THE VILLAGE BOARD OF THE VILLAGE OF YORKVILLE, RACINE COUNTY,
WISCONSIN, HEREBY DO ORDAIN AS FOLLOWS:**

1. That Section 54-92 of the Code of Ordinances for the Village of Yorkville be, and hereby is, amended to read as follows:

“Sec. 54-92. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ammonia means total ammonia expressed in mg/l of NH₃-N (ammoniacal nitrogen).

Approving authority means the commission of the district or its duly authorized deputy, agent or representative.

BOD (denoting biochemical oxygen demand) means the quantity of oxygen utilized in the biochemical oxidation of organic matter in five days at 20 degrees Celsius, expressed as milligrams per liter (mg/l). Quantitative determination of BOD shall be made in accordance with procedures set forth in "Standard Methods."

Building drain means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet (1.5 meters) outside the inner face of the building wall.

Building sewer means the extension from the building drain to the public sewer or other place of disposal, also called house connection or house lateral.

Category A means those sanitary sewer users who discharge normal domestic strength wastewater with concentrations of biochemical oxygen demand (BOD) no greater than 200 mg/l, suspended solids no greater than 250 mg/l, phosphorus no greater than 8 mg/l, ammonia no greater than 25 mg/l, or chlorides no greater than 450 mg/l.

Category B means those sanitary sewer users who discharge wastewater with concentrations in excess of 200 mg/l of BOD, 250 mg/l of suspended solids, 8 mg/l of phosphorus, 25 mg/l of ammonia, or 450 mg/l of chlorides. Users whose wastewater exceeds the concentration for any one of these parameters shall be in category B.

Chlorine requirement means the amount of chlorine, in mg/l, which must be added to sewage to produce a residual chlorine as specified in the Wisconsin Pollutant Discharge Elimination System (WPDES) permit.

Combined sewer means a sewer intended to receive both wastewater and stormwater or surface water.

Commission of the district means the duly appointed commission of the district.

Compatible pollutants means biochemical oxygen demand, suspended solids, phosphorus, nitrogen, pH or fecal coliform bacteria, plus additional pollutants identified in the WPDES permit for the publicly owned wastewater treatment facility receiving the pollutants, if such works were designed to treat such additional pollutants and, in fact, do remove such pollutants to a substantial degree.

District means Sewer Utility District No. 1 of the village and all present and future additions thereto.

Easement means an acquired legal right for the specified use of land owned by others for wastewater conveyance or treatment.

Floatable oil means oil, fat or grease in a physical state such that it will separate by gravity from wastewater in an approved pretreatment facility. Wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not adversely interfere with the collection system.

Garbage means the residue from the preparation, cooking and dispensing of food, and from the handling, storage, and sale of food products and produce.

Ground garbage means the residue from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one-half- inch in any dimension.

Incompatible pollutants means wastewater with pollutants that will adversely affect or disrupt the quality of wastewater treatment if discharged to a wastewater treatment facility.

Industrial waste means the wastewater from industrial process, trade or business as distinct from sanitary sewage.

Natural outlet means any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

Normal domestic strength wastewater means wastewater with concentrations of biochemical oxygen demand (BOD) no greater than 200 mg/l, suspended solids no greater than 250 mg/l, phosphorus no greater than 8 mg/l, ammonia no greater than 25 mg/l, or chlorides no greater than 450 mg/l.

Operation and maintenance costs means includes all costs associated with the operation and maintenance of the wastewater collection and treatment facilities, as well as the costs associated with periodic equipment replacement necessary for maintaining capacity and performance of wastewater and collection and treatment facilities.

Parts per million means 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.

Person means any and all persons, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

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

Phosphorus means total phosphorus expressed in mg/l of P (phosphorus).

Plumbing inspector means the plumbing inspector appointed by the village.

Public sewer means any publicly owned sewer, storm drain, sanitary sewer or combined sewer.

Replacement costs means expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the wastewater collection and treatment facilities to maintain the capacity and performance for which such facilities were designed and constructed.

Sanitary sewage means a combination of liquid and water carried wastes discharged from toilets and/or sanitary plumbing facilities.

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

Sewage means the spent water of a community. The preferred term is "wastewater."

Sewage works means all facilities for collecting, pumping, treating and disposing of sewage.

Sewer means a pipe or conduit that carries wastewater or drainage water.

Sewerage means the facilities used for collection, treatment and disposal of wastewater.

Sewer service charge means a charge levied on users of the wastewater collection and treatment facilities to recover annual revenues for debt services, replacement costs and operation and maintenance expenses of the facilities. The user charge which covers operation and maintenance and replacement expenses is a part of the sewer service

charge.

Shall and may. The term "shall" is mandatory; the term "may" is permissive.

Standard methods means 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 Pollution Control Federation.

Storm drain (storm sewer) means a drain or sewer for conveying water, groundwater, subsurface water or unpolluted water from any source.

Stormwater runoff means that portion of the rainfall that is drained into the sewers.

Superintendent means the superintendent of the district or his authorized deputy, agent or representative.

Suspended solids means total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods," and referred to as nonfilterable residue.

Unpolluted water means water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

User charge means a charge levied on users of the wastewater collection and treatment facilities for payment of operation and maintenance costs of such facilities.

Wastewater means the spent water of a community. From the standpoint of source, wastewater may be a combination of the liquid and water-carried wastes from residents, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and stormwater that may be present.

Wastewater collection facilities or system means the structures and equipment required to collect and carry away domestic and industrial wastewater.

Wastewater treatment facility means the village's arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with wastewater treatment plant.

Watercourse means a natural or artificial channel for the passage of water, either continuously or intermittently.

Wisconsin pollutant discharge elimination system (WPDES) permit means a document issued by the state department of natural resources which establishes effluent limitations and monitoring requirements for the regional wastewater treatment facility."

2. That Section 54-213 of the Code of Ordinances for the Village of Yorkville be, and hereby is, amended to read as follows:

“Sec. 54-213. Basis for assessments.

METHOD OF DETERMINATION. Customers in the village shall be billed quarterly, in an amount sufficient to provide adequate revenues for the purposes set forth above in Section 54-211. Residential and unmetered customers shall be billed at a flat rate based on the user classification set forth below. Metered customers shall be billed a volumetric charge based on meter readings with a minimum charge of two times the total residential user charge applicable to a single-family dwelling. Pollutant surcharges shall be passed on directly to the specific user.

(a) Category A. Category A includes sanitary sewer users who discharge normal domestic strength wastewater with concentrations of biochemical oxygen demand (BOD) no greater than 200 mg/l, suspended solids no greater than 250 mg/l, phosphorus no greater than 8 mg/l, ammonia no greater than 25 mg/l, or chlorides no greater than 450 mg/l. The sewer service charge for category A wastewater shall be determined by resolution of the Village Board, from time to time.

(b) Category B. Category B includes sanitary sewer users who discharge wastewater with concentrations in excess of 200 mg/l of BOD, 250 mg/l of suspended solids, 8 mg/l of phosphorus, 25 mg/l of ammonia, or 450 mg/l of chlorides. Users whose wastewater exceeds the concentrations for any one of these parameters shall be in category B. The sewer service charge for category B wastewater, as well as the amount of surcharges to be imposed by the Utility to cover the cost of treating exceedances, shall be determined by resolution of the Village Board, from time to time.”

3. This ordinance shall take effect upon adoption and publication as required by law.

Adopted by the Village Board of the Village of Yorkville, Racine County, Wisconsin, this 23rd day of October, 2023.

VILLAGE OF YORKVILLE

Ayes: 5

By: /s/ Douglas Nelson
Douglas Nelson, President

Nays: 0

Attest: /s/ Michael McKinney
Michael McKinney, Administrator/Clerk

Abstentions: 0

Absences: 0

Village of Yorkville
Notice of Newly Enacted Ordinance

Please take notice that, on Monday, October 23, 2023, the Village Board of the Village of Yorkville adopted Ordinance 2023-11, entitled "An Ordinance amending Sections 54-92 and 54-213 of the Code of Ordinances of the Village of Yorkville, Racine County, Wisconsin, relating to sewer service surcharges".

This ordinance takes effect upon publication of this notice. The full text of this ordinance may be obtained from the Village of Yorkville Administrator/Clerk's office, 925 15th Avenue, Union Grove, Wisconsin 53182, or through the Village's website at www.villageofyorkville.com. The phone number for the Administrator/Clerk is (262) 878-2123.

Michael McKinney
Administrator/Clerk

Affidavit of Printing State of Wisconsin

County of Racine

City/Village of Union Grove

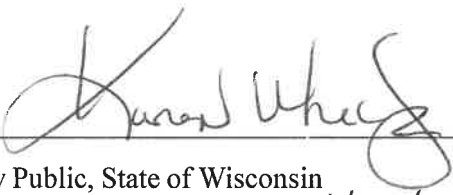
Southern Lakes Newspapers, LLC, certifies that it is the publisher of the Westine Report; that such paper is a secular newspaper of general circulation in said county; that it is printed and published in the village/city, county and state aforesaid. It hereby further certifies that a notice, of which the attached notice is a true copy, has been legally published in said newspaper 1 time(s) for 1 consecutive week(s); That the first publication was on the 26th day of October, 2023; The last publication was on the 26th day of October, 2023.

Signed 

By Amy Naber, for Southern Lakes Newspapers, LLC

Subscribed and sworn to before me this

26 day of October 2023.



Notary Public, State of Wisconsin

My commission expires 4/26/26



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Michael McKinney
Administrator/Clerk

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