

Chapter 4. USE OF PUBLIC SEWERS REQUIRED

Section 4.10. Required connections.

(a) New structures. The owner of any parcel on which occurs the construction of any new building used for human habitation within the District and where the owner of the parcel can legally connect to a public sanitary sewer by laying no more than 500 linear feet of pipe between the building and the public sanitary sewer, measured between the closest points on an exterior wall of the building and the public sanitary sewer, shall be required to connect to the sanitary sewer within six months of notice from the Commission.

(b) Existing structures. Connection to the public sanitary sewer of existing structures on any parcel meeting the requirements of subsection 4.10(a) may be required upon the earliest of the following events:

- (1) Failure of a private on-site waste disposal system.
- (2) The age of the private on-site waste disposal system meets or exceeds 15 years if a septic system or five years if a holding tank, whether or not the system is failing. The Commission may issue a connection order to take effect in the future at such time as the age provided for in the preceding sentence shall have been met.
- (3) Construction of a new building used for human habitation on the property.
- (4) Sale, transfer, or subdivision of the subject property or any part thereof including the sale, transfer, or subdivision of property to children or relatives of the owner or the placement of the property into a trust.
- (5) The density of the area in which the parcel lies, meets or exceeds 1 REU per two acres. The Commission shall, in its discretion, determine the relevant area for purposes of applying this provision.

(c) The owner of a parcel required to connect to the public sanitary system under subsection (a) or (b), above, may demand that the connection order be reconsidered by the Commission. Any such demand shall be in writing and must be provided to the Secretary or President of the Commission no later than 30 days from the date of the connection order, together with a deposit of \$500, which the Commission may apply to its costs associated with the reconsideration. Any amount not expended by the Commission in connection with the reconsideration shall be refunded to the owner. Any additional amount expended by the Commission in connection with the reconsideration shall be charged to the owner, and no order rescinding a connection order shall be made until such amount is paid in full. Amounts expended by the Commission in connection with the reconsideration shall include but not be limited to engineering, inspection, and

Approved: 8/23/2012

7/24/2013

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legal fees and costs, and copy costs, long distance telephone costs, and postage or delivery service costs. The burden shall be on the property owner to prove that the structure should not be required to connect. An owner may take the position that subsection (b)(1) does not apply only if the owner grants to the Commission permission to inspect and test the existing private system. The owner of a parcel required to connect under subsection (a), may seek reconsideration of the connection order upon presentation to the Commission of evidence related to the following factors:

- (1) The characteristics of the site.
- (2) The estimated cost of connecting to the public sanitary sewer as presented by a professional engineer and based on site specific data including assessment of substrate characteristics, measurements, test diggings or borings, and other facts as requested by the Commission.
- (3) The alternatives proposed by the landowner, and their installation and life-cycle costs.
- (4) The environmental safety of the alternatives proposed.
- (5) The fiscal impact on the District of not requiring a connection, including any precedent that may be set by not requiring the connection.
- (6) The ratio of the estimated connection costs to the value of the property to be served.
- (7) Economic hardship to the owner.

(d) Failure to connect as required under this chapter shall result in the penalties prescribed in Chapter 10.

(e) No person shall create a subdivision without reserving and recording as part of the subdivision plat a sanitary sewer easement that abuts each of the lots so created. The terms “subdivision” and “lot” shall have meanings as defined by the Bayfield County Zoning Ordinance.

Section 4.20. Permitted connections.

(a) The owner of any parcel within the District who is not otherwise required to connect to the public sanitary sewer may, at the owner’s expense and in conformity with District regulations and conditions, connect to the sanitary sewer.

Approved: 8/23/2012
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(b) The owner of any parcel outside of the District may, with the approval of the District and of the municipality within which the parcel is located, and upon such conditions as required by the District, connect to the District's sanitary sewer.

Approved: 8/23/2012
7/24/2013
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Section 4.30. Initial sewerage service charge.

(a) All persons connecting to a District sewer main shall pay an initial sewerage service charge, established by the Commission, for the purpose of contributing to the requirements for the construction, reconstruction, improvement, extension, operation, maintenance, repair, and depreciation of the Pike's Bay Sanitary District sewerage system, and for the payment of all or part of the principal and interest of any indebtedness incurred for those purposes. The Commission may establish categories of users to which a standard schedule of charges applies. Such categories shall be based on anticipated REUs of the use, the types of effluent expected to be generated from the use, the risks to the public sewer system associated with the use, and such other factors as are identified by the Commission. The Commission shall, on a case by case basis, establish a the charge hereunder for any commercial, industrial, or multi-family use for which the Commission has not set a standard charge, and in setting the charge shall take into account the same factors as may be used in establishing standard charges. The charge shall be paid before the issuance of any permit pursuant to Section 6.10.

(b) In order to minimize the number of connections to the GBWWTPC force main, the charge established hereunder for one REU shall be charged for one residence or other usage to which one REU has been assigned. The charge established hereunder for two REUs shall be charged for any usage or combination of usages using a single injection pump and to which more than one REU has been assigned.

(c) The charge established hereunder shall be deposited and used as provided under Section 2.95(c).

(d) Connection costs. Except as provided in subsection (e), below, all persons connecting to a District sewer main shall have the lateral from the sewer main installed at their own expense. All costs for street, sidewalk, curb and gutter, drainage, and turf repair shall be paid by the person attaching to the sewer main. Any person applying to the Commission for a connection which cannot be properly handled by the existing system, shall provide all necessary components for the expansion deemed necessary by the Commission prior to the connection to the system. Said components may include but are not limited to sewer mains, pipes, lift stations, ponds, and blowers.

(e) District contribution to connection costs. In all cases, the District shall provide at its expense a stub or connection point on the main, which shall be used by the person connecting to the main. The District may also make an additional contribution to the connection costs, based on the public benefit provided by the connection, taking into account any conditions on the approval under sec. 6.30 and any of the factors listed in sec. 4.10 deemed relevant by the Commission.

Section 4.40 Ownership and other changes. The Commission may re-evaluate the number of required connections and connection charges whenever the ownership of a

Approved: 8/23/2012

7/24/2013

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parcel is changed by subdivision, condominiumization, or otherwise; or when additional residential units or businesses are created on a parcel; or when zoning is changed to allow greater occupancy density; and may thereupon issue additional connection orders pursuant to this chapter.

Approved: 8/23/2012
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