

PRIVATE ON-SITE  
WASTEWATER  
TREATMENT  
SYSTEM  
ORDINANCE

Updates through  
1/1/18

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**Richland County Zoning**



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# PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM ORDINANCE

## SECTION 1 DEFINITIONS

Definitions to be used in this ordinance shall be the same as those defined in Wisconsin Administrative Code, Chapters DSPS 381 and 387 unless specifically defined in this section. Other definitions related to this ordinance are defined as follows:

1. **Building** A structure for support, shelter or enclosure of persons or property. Also included are items of personal property that may have been designed as transportable or as a vehicle but stand in a seasonal or permanent location for storage or intermittent human habitation. Such incidental structures may include but are not limited to, tents, truck campers, travel trailers, park or model units, buses, motor homes, recreation vehicles, mobile homes and manufactured homes.
2. **Building Permit** A formal document issued by a municipality as a requirement of a municipal ordinance or State Uniform Dwelling Code for the construction of a structure for human habitation or occupancy that will require connection to a private onsite wastewater treatment system or a non-plumbing sanitation system.
3. **County Sanitary Permit** A permit issued by the Department for the installation or reconnection of a private wastewater treatment system or non-plumbing sanitation system.
4. **Department** The Richland County Zoning Department.
5. **Domestic Wastewater** The type of wastewater, not including storm water, normally discharged from or similar to that discharged from plumbing fixtures, appliances and devices including, but not limited to sanitary, bath, laundry, dishwashing, garbage disposal and cleaning wastewater.
6. **Failing Private Sewage System** As defined in Wisconsin Statute Section 145.245(4) and also includes non-plumbing sanitation systems.
7. **Human Habitation** The act of occupying a structure as a dwelling or sleeping place, whether intermittently or as a principal residence, or act of occupying a structure as a place of employment or business.
8. **Maintenance Agreement** A document that is recorded on a deed that reflects the pertinent management plan attached to any given sanitary permit.
9. **Management Plan** An owners manual that specifies the management and maintenance required to ensure any privately owned wastewater treatment system will operate as designed and thereby protect the public health and the waters of the state.
10. **Non-Plumbing Sanitation System** Sanitation systems and devices within the scope of Wisconsin Administrative Code, Chapter DSPS 391 which are alternatives to water carried waste plumbing fixture and drain systems; including, but not limited to, privies, composting toilets and incinerating toilets.
11. **Private Onsite Wastewater Treatment System** POWTS

12. **Plumber** A person licensed by the State of Wisconsin as a Master Plumber or Master Plumber-Restricted Service.
13. **Private Sewage System** A privately owned wastewater treatment system or non-plumbing sanitation system.
14. **Pit Privy** A privy with earthen sidewalls and/or bottom constructed in accordance with Wisconsin Administrative Code, Chapter DSPS 391 and this ordinance.
15. **Vault-Privy** A privy with a subsurface storage chamber that is water tight and has minimum capacity of 200 gallons.
16. **Reconstruction** Construction that takes place after a structure is demolished or damaged to the extent of fifty percent (50%) of the current equalized assessed value.
17. **State** The State of Wisconsin Department of Commerce.
18. **Structure** Same as building.

## **SECTION 2 STATUTORY AUTHORITY**

This ordinance is adopted pursuant to the authority contained in Wisconsin Statutes Sections 59.70 (1), 59.70 (5), 145.04, 145.19, 145.20, 145.245.

## **SECTION 3 PURPOSE**

This ordinance is adopted for the purpose of promoting and protecting the public health, safety, prosperity and general welfare and to further the maintenance of safe and healthful conditions for the people and communities within Richland County. This ordinance is intended to regulate the location, construction, installation, alteration, design and use of all private on-site wastewater treatment systems and to protect public health and safety by assuring the proper siting, design, installation, inspection and management of private sewage systems and non-plumbing sanitation systems.

## **SECTION 4 EFFECTIVE DATE AND REPEAL**

The Richland County Ordinance No. 1980-3, Relating To Regulation of Private Sewage Systems is hereby repealed. All other ordinances or parts of ordinances of Richland County inconsistent or conflicting with this ordinance, to the extent of the inconsistency only, are hereby repealed. This ordinance shall be effective in Richland County upon passage by the Richland County Board of Supervisors and publication.

## **SECTION 5 JURISDICTION**

This ordinance shall apply throughout the unincorporated areas of Richland County, including all land and water, and shall apply to those incorporated areas of Richland County which have not adopted and do not adopt their own sanitary code or ordinance.

## **SECTION 6 SEVERABILITY AND LIABILITY**

If a court of competent jurisdiction adjudges any section, clause, provision or portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby. This ordinance shall not create a liability on the part of or cause an action against the County, or any employee thereof, for any private on-site wastewater

treatment system or any non-plumbing sanitation system that may not function as designed. There shall be no warranty for any site that is approved or denied. The issuance of a sanitary permit and inspection of such system does not warrant the systems function, nor is there a guarantee that the system is free of defects or that all aspects of the system comply to Wisconsin Statutes or Administrative Code requirements.

## **SECTION 7 ABROGATION**

It is not intended by this chapter to repeal, abrogate, annul, impair, or interfere with any existing easements, covenants, deed restriction, agreements, or permits previously adopted or issued pursuant to law.

## **SECTION 8 ADMINISTRATION**

- A. The Richland County Zoning Administrator (herein referred to as Administrator) shall be responsible for the administration of this ordinance. The responsibilities of the Administrator may be delegated by the Administrator to personnel employed by Richland County.
- B. The Administrator shall have the following duties and powers, including but not limited to:
  - 1. Advise applicants as to the provisions of this ordinance and assist them in preparing permit applications.
  - 2. Review and approve plans for private onsite wastewater treatment and sanitation systems for one and two family dwellings.
  - 3. Issue permits and inspect properties for compliance with this ordinance.
  - 4. Keep records of all permits issued, inspections made, soil tests, plans, work approved and other official actions.
  - 5. Have access to any structure or premises between 8:00 a.m. and 6:00 p.m. for the purpose of performing duties. Application for and issuance of a sanitary permit shall constitute permission by the owner for said access.
  - 6. Report violations of this ordinance to the Richland County Zoning Committee and/or the District Attorney.
  - 7. Upon reasonable cause or question as to proper compliance, revoke any permit issued under this ordinance and require cessation of any construction, alteration or use of any building which is in violation of the provisions of this ordinance until compliance with this ordinance or all applicable state statutes and codes is obtained.
  - 8. Administer provisions of the Wisconsin Fund Grant Program as required by Wisconsin State Statutes and Wisconsin Administrative Code.

## **SECTION 9 GENERAL PROVISIONS**

- A. **Public Sewer** All plumbing fixtures shall be connected to a public sewer where available. Determination of whether a sewer is available shall be made by the local sanitary district.
- B. **Allowable Use** Private sewage systems or other treatment tank and effluent disposal systems may be constructed when no public sewer is available to the property to be served. Unless otherwise specifically approved by the Department or the State the wastewater disposal system of each building shall be entirely separate from and independent of any other structure or building. A private sewage system may be owned by the property owner or by a special purpose district. The use of a common

system will be subject to the same plan review procedures as for systems serving public buildings.

- C. **Occupancy** Any building or dwelling located in the County that is permanently or intermittently intended for human habitation or occupancy which is not served by a public sewer system, shall be provided with a means for treating and disposing of sewage and wastewater by a method of holding or treatment and dispersal that complies with the provision of this ordinance or Wisconsin Administrative Codes.
- D. **Responsibility** The owner of the property on which the system is located and the company or individual doing the work are both responsible for compliance with this ordinance.
- E. **A Non-plumbing Sanitation System** A non-plumbing sanitation system shall be installed when the structure or premises served by the system is not provided with any type of interior plumbing system. If plumbing is installed in the structure, a private on-site wastewater treatment system shall be installed prior to the connection of water service. A county sanitary permit is required for these types of systems.
- F. **Maintenance Agreement/Management Plan** Every owner of a state or county sanitary permit shall enter into a maintenance agreement and/or a management plan. Every owner of a state or county sanitary permit is required to submit maintenance reports to the Department or state.

## **SECTION 10 LIMITATIONS**

- A. **Domestic Wastewater** All domestic wastewater shall enter a privately owned wastewater treatment system.
- B. **Non-plumbing Sanitation System**
  - 1. A non-plumbing sanitation system shall be installed when a structure with no interior plumbing is used for human habitation.
  - 2. A non-plumbing sanitation system may be allowed only when the structure or premises served by the non-plumbing sanitation system is not provided with an interior plumbing system. If plumbing is installed in the structure or running water is supplied to the structure, an approved method of sewage disposal other than, or in addition to, a non-plumbing sanitation system must be provided.
- C. **Floodplain** Any private sewage system, or portions(s) thereof, installed within a floodplain shall comply with all applicable requirements of, Wisconsin Administrative Code, Chapter NR 116 and the Richland County Floodplain Ordinance.
- D. **Holding Tanks**
  - 1. Installation of a holding tank for new construction is prohibited if an in-ground, at-grade or mound system, permitted by Wisconsin Administrative Code, Chapter DSPS 383 or the Department, could be utilized with the following exceptions:
    - a) A holding tank may be installed to serve a use with a design wastewater flow of less than or equal to 150 gallons per day. In addition to items required in Section 12 B., an application for a sanitary permit to install a holding tank to serve a use with less than or equal to 150 gallons per day shall include a written statement from:

- 1) The property owner, agreeing to install another type of system if any change of occupancy or use occurs which results in a design wastewater flow which equals or exceeds 150 gallons per day.
- b) A temporary holding tank may be installed if a public sewer approved by the Department of Natural Resources or the Department of Commerce will be installed to serve the property within 2 years of the date of permit issuance. In addition to items required in Section 12, an application for a sanitary permit to install a temporary holding tank shall include written statements from:
  - 1) The municipality or sanitary district, verifying the date that public sewer will be installed and available to serve the property;
  - 2) The Department of Natural Resources or Department of Commerce verifying approval of the public sewer; and
  - 3) The property owner, agreeing to connect to public sewer when it becomes available and to abandon the temporary holding tank.

If public sewer does not become available within 2 years of the date of sanitary permit issuance, the holding tank must be replaced with another type of system recognized by Wisconsin Administrative Code, Chapter DSPS 383.

- c) Any other use that has received a variance from the Richland County Zoning Committee. If a variance request is successful a form, provided by the Department, shall be recorded on the applicable deed.
2. A sanitary permit for a holding tank, designated as new or as a replacement system, shall not be issued unless a Soil and Site Evaluation determines that the property is unsuitable for an in-ground, at-grade or mound system permitted by Wisconsin Administrative Code, Chapter DSPS 383 or the Department with the exception of D. 1. a) of this section.
  3. The maintenance agreement shall be recorded by the Richland County Register of Deeds before permit issuance.

## **SECTION 11 SOIL AND SITE EVALUATIONS**

- A. All soil and site evaluations conducted for requirements of this ordinance shall be performed in accordance with Wisconsin Administrative Code Chapter DSPS 385.
- B. A soil evaluation shall be conducted by a soil tester on all sites regardless of the type of privately owned wastewater treatment systems planned to serve the parcel unless it can be demonstrated and documented by the soil tester to the satisfaction of the Department that sufficient area does not exist for a privately owned wastewater treatment system that utilizes in situ soil.
- C. The department shall attempt to inspect all soil tests performed in the county, dependant on schedules and weather.
- D. All soil testers shall contact the department at least 48 hours prior to any requested inspections.
- E. Soil pits shall be constructed which allow adequate visual observations of the soil profile. Soil pits are best accomplished by the excavation of backhoe pits.



- F. Privately owned wastewater treatment systems or non-plumbing sanitation systems for a newly constructed building shall be installed, inspected and approved before the structure is occupied.

## **SECTION 12 SANITARY PERMITS**

### **A. Permits**

1. Every privately owned wastewater treatment system and non-plumbing sanitation system shall require a separate application and permit.
2. A sanitary permit shall be obtained by the property owner, his agent or contractor, in the name of the property owner, prior to the start of construction of any structure, which requires a privately owned wastewater treatment system or non-plumbing sanitation system.
3. A sanitary permit shall be obtained by the owner, his agent or contractor before any privately owned wastewater treatment system may be installed, enlarged or altered.
4. No person may sell a privately owned wastewater treatment system holding or treatment component to be used as such unless the purchaser holds a valid sanitary permit.
5. A county sanitary permit shall be obtained prior to the reconnection of a privately owned wastewater treatment system that has been disconnected from a structure.
6. A county sanitary permit shall be obtained prior to constructing or erecting a non-plumbing sanitation system.
7. The permit placard issued by the Administrator shall serve as the sanitary permit.
8. The permit placard shall be displayed at the site in such a manner that it will be visible from a road abutting the parcel at all phases of construction.
9. The permit placard shall not be removed until the privately owned wastewater treatment system or non-plumbing sanitation system has been installed, inspected and approved by the Department.

### **B. Application Requirements**

1. All information requested on forms provided by the Department shall be provided along with:
  - a) Appropriate fees.
  - b) Soil & Site Evaluation Report.
  - c) System plans conforming to Section 12, B. 5.
  - d) Appropriate system management, maintenance agreements or contract.
  - e) Copies of any recorded documents required under this ordinance.
  - f) Copies of any official State action.
  - g) Any other information requested by the Department.
2. Where required, the following documents must be recorded with the Richland County Register of Deeds as an attachment to the property deed prior to the issuance of a sanitary permit.
  - a) Maintenance agreements or contracts, when recording of such is required by Wisconsin Administrative Code Chapter DSPS 383 and/or this ordinance.
  - b) An easement where a privately owned wastewater treatment system, or parts thereof, are located on a different parcel than the structure it serves.
  - c) Flows and Loads Affidavit or a variance received from the Department of Commerce.
  - d) Documentation of Adequate Capability and Capacity
  - e) Holding tank permit and Maintenance Agreement/Management Plan.
  - f) Privy permit and Maintenance Agreement/Management Plan.

3. The Department reserves the right to require floodplain and/or wetland delineation for a building site or privately owned wastewater treatment system area prior to sanitary permit issuance. The Department may require elevations on plans to be tied to floodplain elevation datum.
4. The Department reserves the right to refuse incomplete or incorrect permit applications or to delay permit issuance until corrected or a completed application is received.
5. Plans
  - a) System plans shall be submitted for and comply with the Department or to the State in accordance with Wisconsin Administrative Code, Chapter DSPS 383 or this ordinance.
  - b) Plans submitted shall be clear, legible, permanent copies.
  - c) Plans shall include the following items:
    - 1) All required pertinent items on the County or State permit application.
    - 2) A detailed plot plan, drawn to scale on paper no smaller than 8 1/2 inches by 11 inches in size. The plot plan shall delineate the lot size and location of all existing and proposed privately owned wastewater treatment systems, building sewers, private interceptor main sewers, wells, water mains or water services, buildings, lot lines, swimming pools, navigable water, waterways, replacement system areas, location of building(s) to be served, proposed building location(s), the benchmark established on the Soil and Site Evaluation Report, access and associated public roadways. All separating distances shall be clearly shown on plot plan. Plot plans shall include a north arrow.
    - 3) Details and configuration layouts depicting how the system is to be constructed.
    - 4) Systems utilizing an effluent pump shall include pump curve and model information and pump tank information.
    - 5) Effluent filter information, manufacturer and model, and manufacturer recommended maintenance intervals.
    - 6) A description of a contingency plan in the event the privately owned wastewater treatments system fails and cannot be repaired.
    - 7) Sufficient supporting information to determine whether the proposed design, installation and management of the proposed privately owned wastewater treatment system or modification to an exiting privately owned wastewater system complies with Wisconsin Administrative Code, Chapter DSPS 383 and this ordinance.
    - 8) Plans shall be signed or sealed as specified in Wisconsin Administrative Code, Chapter DSPS 383.
    - 9) A copy of the approved plans shall be maintained at the construction site until the privately owned wastewater treatment system installation is completed, inspected and accepted. The plans shall be made available to the Department or State upon request.
    - 10) A modification to the design of a privately owned wastewater treatment system that has been previously approved shall be submitted to the Department or the State as specified in Wisconsin Administrative Code, Chapter DSPS 383. Plan revisions must be approved prior to system installation.

**C. Permit Expiration and Renewal**

1. All state and county sanitary permits shall expire or be renewed pursuant to Wisconsin Administrative Code, Chapter DSPS 383.21.

**D. Permit Transfer**

1. Between owners
  - a) All state and county sanitary permits shall be transferred pursuant to Wisconsin Administrative Code Chapter DSPS 383.21 (4).
2. Between Plumbers
  - a) A transfer between plumbers shall be considered a revision and the following shall be submitted:
    - 1) A completed sanitary permit application.
    - 2) Plans as provided in Section 12, B. 5. of this ordinance.
    - 3) Transfer fees
  - b) Transfers shall not affect the expiration date or renewal requirements.

**E. Permit Denial or Revocation**

1. All state and county sanitary permits shall be denied or revoked pursuant to Wisconsin Administrative Code, Chapter DSPS 383.21.

**F. Reconnection Permits**

1. A County reconnection permit shall be obtained prior to:
  - a) Construction of a structure to be connected to an existing privately owned wastewater treatment system. If a new structure to be connected to an existing privately owned wastewater treatment system that is less than 5 years old from the date of the sanitary permit, no fee if required.
  - b) Disconnection of a structure from an existing privately owned wastewater treatment system and connection of another structure.
  - c) Rebuilding a structure that is connected to a privately owned wastewater treatment system.
2. Prior to issuing a reconnection permit, the existing privately owned wastewater treatment system shall be evaluated to:
  - a) Determine if the existing system is functioning properly. A licensed plumber's signed statement regarding the condition of the system and all its components shall be provided.
  - b) Determine if it will be capable of handling the proposed wastewater flow and contaminant load from the building to be serviced.
  - c) Determine that all minimum setback requirements of Wisconsin Administrative Code, Chapter DSPS 383 will be maintained.
3. Application for a County reconnection permit shall include the following:
  - a) All items in Section 12, B.
  - b) Soil boring data shall be provided that documents suitable soil conditions exist to a depth of not less than 36 inches below the infiltrative surface of the system unless equivalent treatment of the wastewater generated is demonstrated or treatment capability equivalent to current standards will be added.
  - c) Appropriate agreements and contracts for system management and maintenance.
  - d) A report by a licensed plumber, certified septage servicing operator or privately owned wastewater systems inspector relative to the condition, capacities, baffles, and manhole covers for any existing treatment or holding tanks.
  - e) A report provided by a licensed plumber or privately owned wastewater treatment systems inspector relative to the condition and capacities of all other system components and verifying that the system is not failed.

- f) Complete plans as specified under Section 12, B. 5. of this ordinance for any system component which will be modified or replaced.
- g) Flow and Loads Affidavit or a copy of a variance received from the Department of Commerce.
- h) The County may inspect these systems at their discretion.

History: Cr 5-20-03 No. 3-15; Eff. 4-19-11, No. 11-7, Section 12 F. 1. a)

**G. Construction Affecting Wastewater Flow or Contaminant Load**

- 1. An increase in wastewater flow or contaminant load due to a construction project shall be considered to take place when one of the following occurs:
  - a) There is an increase in the number of people in the structure on a year round basis.
  - b) In public buildings, facilities or places of employment, when there is a proposed change in occupancy of the structure; or the proposed modification affects either the type or number of plumbing appliances, fixtures or devices discharging to the system.
- 2. Prior to commencing the construction of an addition to or modification of a structure which will increase wastewater flow or contaminant load to an existing privately owned wastewater treatment system, the owner(s) of the property shall:
  - a) Possess a sanitary permit to construct a new privately owned wastewater treatment system or modify the existing system to accommodate the increase; or
  - b) Provide the following to the Department:
    - 1) Documentation that a privately owned wastewater treatment system of adequate capability and capacity to accommodate the increase already exists to serve the structure, as specified in Wisconsin Administrative Code, Chapter DSPS 383.
    - 2) Documentation specified under Section 12, B. 2.
  - c) Prior to commencing construction of any structure or addition to a structure on a site where there exists a privately owned wastewater treatment system, the owner or agent shall determine that the proposed construction conforms with all applicable setbacks of Wisconsin Administrative Code, Chapter DSPS 383 and have a maintenance agreement for the privately owned wastewater treatment system filed with the County.

**H. Permit Fees**

- 1. Fees shall be established to defray the costs of administering this ordinance. Permit fees shall be established and approved by the Richland County Board of Supervisors and amended from time to time.

**FEE SCHEDULE**

State Sanitary Permits	\$550.00
County Permit for Non-Plumbing Sanitation Systems	\$550.00
County Permit for Reconnection	\$550.00

Filing fee for Maintenance Report by filed August 15 from the date that the Zoning Administrator's letter is mailed to the owner requesting pumping of the Owner's septic tank	\$25.00
Filing fee for Maintenance Report filed after August 15 from the date that the Zoning Administrator's letter is mailed to the owner requesting pumping of the owner's septic tank.	\$50.00
Permits after commencement of construction	Double fee
Revision fee	\$125.00
Renewal Fee	\$125.00
Transfer Fee	\$125.00
Variance Request	\$500.00
Return Inspection Fee	\$100.00
Multiple systems or systems over 3,000 gallons per trip	\$100.00
Wisconsin Fund Application	\$175.00
Soil Test Filing Fee	\$125.00
Ordinance Booklet	\$3.50

History: Cr. 5-20-03 No. 03-15; Eff. 1-20-04, No. 2004-4, Fees; Eff. 10-25-05, No. 05-27 Soil Test Fees; Eff. 12-12-06, No. 06-39 Sanitary Fee, Wisconsin Fund App. Fee; Eff. 10-28-08, No. 08-25 Filing Fee; Eff. 12-10-08, No. 08-30 Sanitary Fee, Renewal Fee, Transfer Fee, Soil Test Fee; Eff. 1-18-11, No. 11-4 Sanitary Fees, Non-Plumbing Permit, Reconnect Permit; Eff. 4-19-11, No. 11-7 No Fee for <5 year old systems; Eff. 12-13-11, No.11-25 Maintenance Filing fee, Late Filing fee; Eff. 12-11-12, No. 12-27 Sanitary Fee, Non-Plumbing Permit, Reconnect Permit; Eff. 6-21-16, No. 16-20, COMM to DSPS, Variance fee.; Eff. 1-1-18, No. 17-22, Fees.

### **SECTION 13 INSPECTIONS**

- A. Notice for inspection shall be given to the Department for all privately owned wastewater treatment systems that have received a state permit.
- B. The plumber taking responsibility shall schedule an inspection with the Department no later than 48 hours prior to the beginning of the installation.
- C. The entire system shall be left open until inspected.
- D. The plumber in charge shall provide the necessary apparatus, equipment and assistance for a proper inspection.
- E. The Administrator reserves the right to require additional inspections if it is determined that they are necessary to insure compliance with Wisconsin Administrative Code and this ordinance.
- F. When a specific test is required by the product approval division of the State, or as a condition of approval by the State or Department, the installer shall provide notice to the Department at least 48 hours prior to performing the test, and will provide documentation of the results if requested by the Department.

- G. All non-plumbing sanitation systems shall be inspected for compliance with Wisconsin Administrative Code and this ordinance prior to use.
- H. Inspections of sand filters, drip-line effluent dispersal, experimental systems and systems not listed in Wisconsin Administrative Code, Chapter DSPS 383.61 shall be scheduled as follows:
  - 1. The plumber installing the system shall coordinate any pre-construction meetings.
  - 2. The plumber installing the system shall notify the Department 48 hours prior to the beginning of the installation to schedule an appointment and shall notify the State inspector if required as a condition of state approval.
- I. The Department reserves the right to request as many inspections as deemed necessary to insure proper installation of the system.
- j. In cases where an installation deviates from the approved plan, the Department shall notify the responsible plumber that a revised plan is required. The Department may withhold approval of future sanitary permits for any plumber who fails to submit a revision that is requested by the Department until the revision is filed and accepted.

## **SECTION 14 MAINTENANCE PROGRAM**

- A. All privately owned wastewater treatment systems shall be maintained in accordance with Wisconsin Administrative Code, Chapters DSPS 383 and 384 and this ordinance so as not to create a health hazard.
- B. All maintenance agreements shall be binding upon the owner, their heirs, assignees and future owners of the privately owned wastewater treatment system.
- C. Failure to comply with the provisions of a maintenance agreement shall be a violation of this ordinance.
- D. The owner of a privately owned wastewater treatment system with a maintenance agreement and or servicing contract shall:
  - 1. Submit a new or revised document to the Department when there is a change to the document.
  - 2. Submit a new maintenance agreement or servicing contract to the Department prior to expiration of any existing agreement or contract.
- E. All privately owned wastewater treatment systems using in situ soil and on record in the Richland County Zoning Office shall be inspected at an interval of every 3 years from date of permit issuance or installation. That inspection shall include the following:
  - 1. Visual inspection of the anaerobic treatment tank for:
    - a) Sludge and scum volume greater than 1/3 of the volume of the tank. If greater than 1/3 the tank shall be pumped.
    - b) Condition of baffles and filters and servicing required and completed.
    - c) Condition of locking and security devices on exposed tank covers.
    - d) Conditions indicating tank is not operating or maintained properly.
    - e) Presence of required inspection and access openings.
  - 2. Visual inspection of the soil absorption component for:
    - a) Wastewater or effluent from the privately owned wastewater treatment system ponding on the surface of the ground.
  - 3. Determination of whether or not the privately owned wastewater treatment system is:
    - a) In proper operating condition

- b) Being used for its intended design purpose
  - c) Signatures of owner and inspector
- F. All holding tanks on file in the Richland County Zoning Office shall file an annual report (due by January 31<sup>st</sup>) indicating the following:
- 1. Date of pumping
  - 2. Quarterly reports of volume of wastewater removed
  - 3. Water meter reading if required at time of installation or after July 1, 2000
  - 4. Name and license number of septage servicing operator
  - 5. Disposal site
  - 6. Signatures of owner and licensed pumper

## **SECTION 15 NON-PLUMBING SANITATION SYSTEMS**

### **A. Privies**

- 1. All privies shall conform to the standards set in Wisconsin Administrative Code, Chapter DSPS 391.12.
  - a) Additional or more restrictive standards are as follows:
    - 1) Minimum of 50 feet from any surface water or well
    - 2) Minimum of 10 feet from any road right-of-way
    - 3) Minimum of 25 feet from any property line
    - 4) Minimum of 25 feet from any door or window of any structure
    - 5) Minimum of 25 feet from a slope of 12 percent or greater
    - 6) Maximum of 25 feet from a serviceable road
- 2. Pumping reports for vault type privies shall be the same as Section 14, F. for holding tanks.
- 3. A privy installation agreement shall be recorded with the Richland County Register of Deeds prior to application on a form provided by the Richland County Zoning Office.

B. Besides privies, all other non-plumbing sanitation systems are limited to those in Wisconsin Administrative Code, Chapter DSPS 391.

C. A failing non-plumbing sanitation system shall be one that causes or results in the discharge of human waste or excrement to the surface water or groundwater, a zone of bedrock, a zone of seasonal saturation or the surface of the ground.

D. Non-plumbing sanitation system permit applications shall be submitted with the following:

- 1. Completed application
- 2. A plot plan showing location of the system in relation to buildings, water supply, surface water and other applicable setbacks.
- 3. Specifications for vault tank if applicable
- 4. Specifications for building to be placed over vault tank if applicable
- 5. Maintenance plan
- 6. Recorded privy agreement if applicable

## **SECTION 16 VIOLATIONS, PENALTIES, REMEDIAL ACTION AND ENFORCEMENT**

A. Any person who fails to comply with the provisions of this ordinance, or any order of the Department issued in accordance with this ordinance, or resists enforcement,

shall be subject to a penalty of \$50.00 per day with each day constituting a separate offense.

- B. Any construction that is in violation of this ordinance shall cease upon written orders from the Administrator or his or her staff or the placement of a notification of violation at the site.
- C. All construction shall remain stopped until the order is released by the Administrator or his or her staff.
- D. Violations shall be prosecuted by the Richland County District Attorney or by direct citation pursuant to the Richland County Citation Ordinance.

**SECTION 17 VARIANCES**

- A. Variances concerning Section 10, D. 1. c) shall be heard by the Richland County Zoning Committee after an application is completed and a fee received by the Richland County Zoning Office.

History: Cr. Cr. 5-20-03 No. 03-15; Eff. 1-20-09, 09-05 added Variances.

**SECTION 18 APPEALS**

Any person aggrieved by a decision by the Richland County Zoning Administrator under this Ordinance may appeal that decision to the Richland County Zoning Committee. Any such appeal shall be within 30 days of the Administrator’s decision. Appeals shall be made on a form created by the Administrator and approved by the Zoning Committee.

History: Cr. Cr. 5-20-03 No. 03-15; Eff. 1-20-09, 09-05 Appeals3

This ordinance shall be in full force and effect upon its passage and publication

**ORDINANCE OFFERED BY THE ZONING COMMITTEE**

	<u>FOR</u>	<u>AGAINST</u>
/s/ Allen Clary	X	
/s/ Gaylord Deets	X	
/s/ Robert Feyen	X	
/s/ Betty Havlik	X	
/s/ Gerald Goplin	X	

Dated: May 20, 2003  
Passed: May 20, 2003  
Published: May 29, 2003

/s/ Ann M. Chairman  
Richland County Board of Supervisors

ATTEST:  
/s/ Victor V. Vlasak  
Richland County Clerk



## **REVISIONS**

Ordinance No. 2004-4  
Sanitary Permit Fees

Ordinance No. 2005-27  
Soil Test Fees

Ordinance No. 2006-39  
Sanitary Permit Fees  
Wisconsin Fund Application Fees

Ordinance No. 2008-25  
Create Maintenance Agreement Filing Fee

Ordinance No. 2008-30  
Sanitary Permit Fees  
Renewal Fees  
Transfer Fees  
Soil Test Fees

Ordinance No. 2009-5  
Appeals

Ordinance No. 2011-4  
Sanitary Permit Fees  
Sanitary Permit Non-Plumbing Fees  
Sanitary Permit Reconnection Fees

Ordinance No. 2011-7  
Sanitary Reconnect for Systems less than 5 years old

Ordinance No. 2011-25  
Maintenance Report Filing Fee  
Maintenance Report Late Filing Fee

Ordinance No. 2012-27  
Sanitary permit Fees; Non-Plumbing; Reconnection

Ordinance No. 2016-20  
COMM to DSPS  
Variance Fee

Ordinance No. 17-22  
Fee



