

## SEC. 9-2-10 VIOLATIONS AND PENALTIES.

- (a) **Damages.** No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure or equipment which is a part of the wastewater facilities. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.
- (b) **Written Notice of Violation.**
  - (1) Any person connected to the wastewater facilities found to be violating a provision of this Chapter shall be served by the City 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.
  - (2) Any licensed disposer discharging to the wastewater facilities found to be violating a provision of this Chapter, or of any conditions of the City's 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) **Deleterious Discharge.** Any person found to be responsible for accidentally allowing a deleterious discharge into the wastewater facilities which causes damage to the facilities and/or receiving water body shall, in addition to a forfeiture, pay the amount to cover all damages, both of which will be established by the Common Council.
- (d) **Discharge Reporting.** Any person responsible for a discharge that may have a detrimental impact on the sewerage system shall immediately report the nature and amount of the discharge to the City Clerk-Treasurer.
- (e) **Continued Violations.** Any person, 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 Five Hundred Dollars (\$500.00), together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the County Jail for a period not to exceed five (5) days. Each day in which any violation is continued beyond the aforesaid notice time limit shall be deemed a separate offense.
- (f) **Liability to City for Losses.** Any person violating any provision of this Chapter shall become liable to the City for any expense, loss, or damage occasioned by reason of such violation which the City may suffer as a result thereof.
- (g) **Damage Recovery.** The City shall have the right of recovery, from all person, any expense incurred by said system for the repair or replacement of any part of the wastewater facilities 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 Chapter or rules or regulations of the City or who shall connect a service pipe or discharge 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 Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) and the costs of prosecution. This, however, shall not bar the City from enforcing the connection duties set out in Section 9-2-4(c)(2) for mandatory hookup.

- (i) **Appeal Procedures.** Any user, affected by any decision, action, or determination, including cease and desist orders, made by the interpreting or implementing provisions of this Chapter may file with the Common Council 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 Common Council shall render a decision on the request for reconsideration to the user in writing within fifteen (15) days of receipt of request. If the ruling on the request for reconsideration made by the Common Council is unsatisfactory, the person requesting reconsideration may, within ten (10) days after notification of the action, file a written appeal with the Common Council. A fee of One Hundred Dollars (\$100.00) shall accompany any appeal. This fee shall be refunded if the appeal is sustained in favor of the appellant.