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12.1 PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM ORDINANCE

12.1001 STATUTORY AUTHORIZATION

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

12.1002 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 Marquette County. This ordinance is intended to insure the proper siting, design, construction, installation, inspection, and maintenance of all private on site wastewater treatment systems so as to protect the health of the citizens of Marquette County. As unforeseen circumstances arise which are not specifically covered, the basic principles enumerated in this ordinance shall serve to define the intent.

12.1003 REPEAL AND EFFECTIVE DATE

This ordinance shall be effective in Marquette County upon passage by the Marquette County Board and publication. The use of any land and other provisions regulated herein shall be in full compliance with the terms of this ordinance. All other ordinances or parts of ordinances of Marquette County inconsistent or conflicting with this ordinance, to the extent of the inconsistency only, are hereby repealed.

12.1004 SEVERABILITY

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.

12.1005 JURISDICTION

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

12.1006 ADMINISTRATION

- 1) This ordinance incorporates by reference the following rules, regulations, and laws, as set forth in the Wisconsin State Statutes and the Wisconsin Administration Code: ss 59.70(5), 144, 145, 146.2 and 968.10, State Statutes; Comm 52.63, Comm 81, Comm 82, Comm 83,

Comm 84, Comm 85, Comm 87, Comm 91, NR 113 and NR 116 Administrative Code. These rules, regulations, and laws shall apply until amended or renumbered and then shall apply as amended or renumbered.

- 2) The Marquette 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 Marquette County.
- 3) The Administrator shall have the following duties and power:
 - a) Administer provisions of Wisconsin Fund Grant Program as required by Wisconsin State Statutes and Wisconsin Administrative Code.
 - b) Advise applicants as to the provisions of this ordinance and assist them in preparing permit applications.
 - c) Review and approve plans for private onsite wastewater treatment and sanitation systems for one and two family dwellings.
 - d) Issue permits and inspect properties for compliance with this ordinance.
 - e) Keep records of all permits issued, inspections made, work approved and other official actions.
 - f) Have access to any structure or premises between 8:00 am and 6:00 pm for the purpose of performing duties. Application for and issuance of a sanitary permit shall constitute permission by the owner for said access.
 - g) Report violations of this ordinance to the Zoning Committee and the Corporation Counsel.
 - h) 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.

12.1007

GENERAL PROVISIONS

- 1) **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. Where such a public sewer system is not available, a private sewage system may be used.
- 2) **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, the wastewater disposal system of each building shall be entirely separate from and independent of that 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.
- 3) **Floodplain.** Any private sewage system, or portion(s) thereof, installed within a floodplain shall comply with all applicable requirements of Wisconsin Administrative Code NR116 and Marquette County Zoning Ordinance 16.3.
- 4) **Abandonment of Private Sewage Systems.** All unused treatment tanks, settling chambers, dosing chambers and seepage pits shall have the contents removed and disposed of in accordance with the requirements of Wisconsin Administrative Code, NR 113, or acts amendatory thereto. The top or entire tank shall be removed and the remaining portion of the tank or excavation shall be immediately filled with soil material of similar characteristics to that of which exists on the property.
- 5) **Failing System.** 1) When a failing or malfunctioning private sewage system is identified, the sewage disposal system shall be corrected or its use discontinued within that period of time required by Department order, but in no case shall this time period be extended beyond one year of the notification of failure or malfunction. Health and safety hazards shall be abated immediately. 2) If any part of a system has failed, the entire system shall be evaluated for compliance with existing codes and this ordinance.
- 6) **Domestic Waste.** All water-carried wastes derived from ordinary human living uses shall enter the septic or treatment tank unless otherwise specifically exempted by the State or this Ordinance.

- 7) **A Non-plumbing Sanitation System.** A non-plumbing sanitation system may be permitted only when the structure or premises served by the system is not provided with any type of indoor 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.
- 8) **Cesspools.** The use of a cesspool is prohibited.
- 9) **Industrial Waste.** The Department of Natural Resources shall be contacted in regard to the treatment and disposal of all industrial wastes including those combined with domestic waste.
- 10) **Clear Water.** The discharge of surface rain or other clear water into a private sewage system is prohibited, except that water softener or iron filter discharge may enter a private on site wastewater treatment system.

12.1008 INSTALLATIONS PROHIBITED

- 1) Installation of a holding tank is prohibited if any other type of private onsite wastewater treatment system (POWTS) permitted by Comm 83, Wisconsin Administrative Code, may be utilized except for those treatment components enumerated as 1, 2, 3 and 5 of Table 83.04(2) of the Wisconsin Administrative Code. A sanitary permit for the installation of any septic system, which designates a holding tank as a replacement system, shall not be issued unless a Soil and Site Evaluation determines that the property is unsuitable for any other type of system permitted by Comm 83, Wisconsin Administrative Code.
- 2) Installation of a holding tank is prohibited for new construction as authorized by Section 83.32(2)(a)1 Comm 83, Wisconsin Administrative Code with the following exceptions:
 - a) Systems in an area where a sanitary district has been formed.
 - b) Holding tanks to service dwellings or structures that replace dwellings, which existed on April 21, 1992.
 - c) Holding tanks to serve municipal public facilities.
- 3) Installation of a constructed wetland is prohibited as a POWTS treatment component as authorized under Section 83.32(2)(a)2 Comm 83, Wisconsin Administrative Code.

- 4) Installation of an evapotranspiration bed as a POWTS treatment component is prohibited as authorized under Section 83.32(2)(a)3 Comm 83, Wisconsin Administrative Code.

12.1009 SOIL AND SITE EVALUATIONS

- 1) Soil and site evaluations shall be done prior to the issuance of a sanitary permit as specified in and in compliance with Comm 83 and Comm 85, Wisconsin Administrative Code.
- 2) A soil evaluation shall be conducted by a State certified soil tester on all sites regardless of the type of POWTS planned to serve the parcel, unless it can be demonstrated, to the satisfaction of the Department, that sufficient area does not exist for a POWTS, which utilizes in situ soil.
- 3) At least one (1) soil pit large enough to allow visual evaluation of the in-situ soil shall be constructed for each proposed soil absorption area when the soil conditions are uniform across the parcel. When conditions are variable, all observations shall be done by means of pits large enough to enter.
- 4) Soil test pits shall be constructed which allow adequate visual observations of the soil profile. This is best accomplished by the excavation of backhoe pits.
- 5) Department site evaluation or verification may be required prior to issuance of a sanitary permit for a conventional POWTS, and is required prior to the submittal of a soil test for all other systems.
- 6) Preliminary soil and site evaluations may be required before the creation of new lots by means of a minor or major subdivision, as defined in the Marquette County Subdivision Ordinance (Ordinance 16.4), if review of available data, including but not limited to, the Marquette County Soil Survey, site and soil evaluations on neighboring lands, and familiarity of the area, indicate that the lots intended may only be served by a holding tank.
- 7) New lots that can only be served by systems enumerated as 1., 2., 3., 4., and 5., of Table 83.04(2) of the Wisconsin Administrative Code, may at the discretion of the Department, be required to have the suitable area delineated on the resultant certified survey map or plat.

12.1010

SANITARY PERMITS AND APPLICATIONS

1) PERMITS

- a) Every POWTS and non-plumbing sanitation system shall require a separate application and permit.
- b) 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 POWTS or non-plumbing sanitation system.
- c) A sanitary permit shall be obtained by the owner, his agent or contractor, before any POWTS may be installed, enlarged or altered.
- d) No person may sell a POWTS holding or treatment component for installation unless the purchaser holds a valid sanitary permit.
- e) A County sanitary permit shall be obtained prior to the reconnection of a POWTS, which has been disconnected from a structure.
- f) A County sanitary permit shall be obtained prior to constructing or erecting a non-plumbing sanitation system.
- g) The permit card issued by the Administrator shall serve as the sanitary permit.
- h) The permit card 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.
- i) The permit card shall not be removed until the POWTS or non-plumbing sanitation system has been installed, inspected, and approved by the Department.

2) APPLICATION REQUIREMENTS

- a) The sanitary permit application shall include the following information, which shall be furnished by the applicant on forms provided by the Department along with applicable fees:
 - (1) Names and address of the applicant (owner of the property) and the plumber employed (where applicable).

- (2) Legal description of the property.
 - (3) All lot dimensions.
 - (4) Building use (single family, duplex, etc.) and/or any other information required by the Department pertaining to projected wastewater output.
 - (5) Soil and Site Evaluation report.
 - (6) System plans conforming to Section 12.1010 (3) of this ordinance.
 - (7) Appropriate system management and maintenance agreements and contracts.
 - (8) Copies of any recorded documents required under this ordinance.
 - (9) When any official State action is required, an original copy of the official action shall accompany the application.
 - (10) Any other information requested by the Department.
- b) Where required, the following documents must be recorded with the Marquette County Register of Deeds as an attachment to the property deed prior to the issuance of a sanitary permit:
- (1) Maintenance agreements or contracts, when recording of such is required by Wisconsin Administration Code Comm 83 and/or this ordinance.
 - (2) When a POWTS, or parts thereof, are located on a different parcel than the structure it serves, an appropriate easement must be recorded.
 - (3) An undersized system affidavit for existing systems that are permitted to remain in use under Comm 83, Comm 84, Wisconsin Administrative Code and this ordinance.
- c) The Department reserves the right to require floodplain and/or wetland delineation for a building site or POWTS area prior to sanitary permit issuance. The Department may require elevations on plans to be tied to floodplain elevation datum.
- d) The Department reserves the right to refuse incomplete or incorrect permit applications or to delay permit issuance until corrected or completed applications are received.

3) **PLANS**

- a) System plans shall be submitted for approval to the Department or to the State in accordance with Comm 83, Wisconsin Administrative Code. Plans shall comply with Comm 83, Wisconsin Administrative Code, and this ordinance.
- b) Plans submitted shall be clear, legible, permanent copies and in duplicate.
- c) Plans shall include the following items:
 - (1) The name of the property owner and a legal description of the site.
 - (2) Estimated daily wastewater flow and design wastewater flow.
 - (3) A detailed plot plan, dimensioned or 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; POWTS, building sewers, private interceptor main sewers, wells, water mains or water services, buildings, lot lines, swimming pools, navigable waters, replacement system areas, location of building to be served or proposed building location, the benchmark established on the Soil and Site Evaluation Report, accesses and associated public roadways. Adjoining properties shall be checked to insure that horizontal setback parameters in Comm 83, Wisconsin Administrative Code are met. All separating distances shall be clearly shown on plot plan. Plot plans shall include a north arrow.
 - (4) Details and configuration layouts depicting how the system is to be constructed.
 - (5) Systems utilizing an effluent pump shall include pump curve and model information.
 - (6) Effluent filter information; manufacturer, model, manufacturer recommended maintenance intervals.
 - (7) A description of a contingency plan in the event the POWTS fails and cannot be repaired.
 - (8) Sufficient supporting information to determine whether the proposed design, installation and management of the proposed

POWTS or modification to an existing POWTS complies with Comm 83, Wisconsin Administrative Code, and this ordinance.

- (9) Plans shall be signed or sealed as specified in Comm 83, Wisconsin Administrative Code.
- (10) A copy of the approved plans shall be maintained at the construction site until the POWTS installation is completed, inspected and accepted. The plans shall be made available to the Department or State upon request.
- (11) A modification to the design of a POWTS, which has been previously approved shall be submitted to the Department or the State as specified in Comm 83, Wisconsin Administrative Code. Plan revisions must be approved prior to system installation.

4) **PERMIT EXPIRATION**

- a) A sanitary permit for a system which has not been installed, modified or reconnected shall expire two years after the date of issuance.
- b) Permits may be renewed prior to the expiration date. Written application to the Department is required and the renewal may require an additional fee.
- c) The renewal shall be based on State code and County ordinance requirements in effect at the time that the request for renewal is made.
- d) Changes in code or ordinance requirements may impede the renewal.
- e) The owner or his agent prior to beginning construction shall obtain a new sanitary permit if a sanitary permit has expired.

5) **PERMIT TRANSFER**

- a) Transfer of ownership of a property for which a valid sanitary permit exists shall be subject to the following:
 - (1) The applicable State transfer form shall be submitted to the Department.
 - (2) Transfer fee shall be included with request.

(3) The Department shall issue a new sanitary permit card upon approval of transfer.

(4) Transfer of owner shall not affect the expiration date or the renewal requirements.

6) CHANGE OF PLUMBERS

a) When an owner wishes to change plumbers on a valid sanitary permit the following items must be submitted to the Department prior to the installation of the POWTS:

(1) A sanitary permit application signed by the new plumber.

(2) Sanitary permit revision fee.

(3) A new system plan, which meets the requirements of Section 12.1010 (3) unless the existing plan bears a stamp of a licensed plumbing designer.

(4) Change of Plumbers shall not affect the expiration date or renewal requirements.

7) PERMIT DENIAL

When applicable provisions of Wisconsin Statutes, Wisconsin Administrative Code, or this ordinance have not been complied with when applying for a sanitary permit, the permit shall be denied. Reasons for the denial shall be forwarded to the plumber, landowner, and when appropriate the Department of Commerce and the Marquette County Corporation Counsel.

12.1011 RECONNECTIONS

1) A County reconnection permit shall be obtained prior to:

a) Construction of a structure to be connected to an existing POWTS.

b) Disconnection of a structure from an existing POWTS and connection of another structure to the system, except as permitted under Section 12.1011 (3).

c) Rebuilding a structure that is connected to a POWTS.

2) Prior to issuing a reconnection permit, the existing POWTS 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 served.
 - c) Determine that all minimum setback requirements of Comm 83, Wisconsin Administrative Code, will be maintained.
- 3) Replacing a structure with a new or different structure within two years of the date of permit issuance will only require a statement that the system has not been altered, a statement that a modification in wastewater flow or contaminant load will not occur and a plot plan that documents that all applicable setbacks will be met.
- 4) Application for a County reconnection permit shall include the following:
- a) All items in Section 12.1010 (2)(a(1-4))
 - 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 POWTS 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 POWTS 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 12.1010(3) of this ordinance for any system components, which will be modified or replaced.
 - g) A plot plan, in duplicate, as specified under Section 12.1010(3)(c(3)) of this ordinance for any system components that are existing and intended for utilization.

- h) When reconnection to an undersized system is permitted under Wisconsin Administrative Code, an affidavit for the use of the undersized system must be recorded in the Marquette County Register of Deeds Office.
- i) All systems shall be inspected at the time of reconnection, prior to backfilling to insure that proper materials and methods are being used.

12.1012

CONSTRUCTION AFFECTING WASTEWATER FLOW OR CONTAMINANT LOAD

- 1) An increase in wastewater flow or contaminant load due to new construction shall be considered to take place when one of the following occurs:
 - a) There is an increase in the number of bedrooms.
 - b) The proposed construction involves an increase of 25% or more of year around living area of a dwelling.
 - c) 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 POWTS the owner(s) of the property shall:
 - a) Possess a sanitary permit to construct a new POWTS or modify the existing system to accommodate the increase; or
 - b) Provide the following to the Department:
 - (1) Documentation that a POWTS of adequate capability and capacity to accommodate the increase already exists to serve the structure, as specified in Comm 83.
 - (2) Documentation showing that the location of the proposed construction conforms to the applicable setback distances to all of the existing POWTS components; and
 - (3) Documentation specified under Section 12.1011(4(b-e)).
 - c) If the existing POWTS is found to be undersized, construction of the

building addition or modification shall be allowed only if permitted by Comm 83 and Comm 84, Wisconsin Administrative Code, and an undersized system affidavit is filed with the Register of Deeds.

12.1013 CONSTRUCTION NOT AFFECTING WASTEWATER FLOW OR CONTAMINANT LOAD

Prior to commencing construction of any structure or addition to a structure on a site where there exists a POWTS the owner or agent shall determine that the proposed construction conforms with all applicable setbacks of Comm 83 and have a maintenance agreement for the POWTS filed with the Marquette County Register of Deeds.

12.1014 PERMIT FEES

Fees shall be established to defray the costs of administering this ordinance. Permit fees shall be established by the Zoning Committee and shall be included in the Marquette County Fee Schedule. Permit fees shall take effect following approval of the County Board and may be periodically adjusted as deemed necessary by the Zoning Committee.

12.1015 WISCONSIN FUND PROGRAM

- 1) The owner of any property served by a private sewage system, that is installed after adoption of the Wisconsin Fund Grant Program by the Marquette County Board, is hereby required to comply with the following maintenance program:
 - a) Every three years, after the sanitary permit has been issued and the private sewage system has been installed, the Marquette County Zoning Department shall provide a certification form at least thirty days prior to the date it is due.
 - b) The certification form must be filled out by a licensed master plumber, master restricted sewer plumber, licensed septic tank pumper or a licensed state or county septic system inspector and returned to the Marquette County Zoning Department by the due date.
 - c) The certification form shall state that:
 - (1) The private on-site wastewater treatment system is in proper operating condition.
 - (2) The septic tank was recently pumped by a licensed septic tank pumper, or it was inspected and is less than one-third full of sludge and scum.

- d) Upon sale of the property, the owner shall provide written notification of the maintenance program to the buyer.

12.1016 NON-PLUMBING SANITATION SYSTEMS

- 1) A County sanitary permit with the proper fee is required for the construction and/or installation of a non-plumbing sanitation system.
- 2) Non-plumbing sanitation systems shall be located according to the following minimum setbacks:
 - a) 10 feet from dwellings.
 - b) 50 feet from wells.
 - c) 75 feet from the ordinary high-water mark of a lake, stream or river.
 - d) Privies and other structures associated with non-plumbing sanitation systems shall be located 10 feet from lotlines or the applicable setback for the Zoning District in which it is located, whichever is greater.
- 3) Non-plumbing sanitation systems shall be constructed in conformance with Comm 91, Wisconsin Administrative Code, and the following requirements:
 - a) Foundations shall be of concrete or masonry.
 - b) Vaults shall extend at least six inches above the surrounding grade.
 - c) All privy structure openings shall be screened and all doors shall be self-closing. Ventilators shall be provided for the vault and extend not less than one foot above the roof and be provided with an effective ventilating hood.
 - d) Vaults shall be constructed of materials approved for construction of septic tanks in accordance with applicable sections of Wisconsin Administrative Code.
 - e) Prior to the issuance of a sanitary permit, the property owner must sign a maintenance agreement; ensuring proper maintenance of said privy, on forms furnished by the Department.
 - f) Pit privies require a Soil and Site Evaluation in accordance with Comm 91, Wisconsin Administrative Code.

12.1017 HOLDING TANK MAINTENANCE AGREEMENT

- 1) The owner of the holding tank shall enter into a Maintenance Agreement with the appropriate city, village or town guaranteeing that the local governmental unit which signed the agreement will service the holding tank if the owner fails to have the holding tank properly serviced in response to orders by the Department. The Maintenance Agreement shall be filed with the Marquette County Register of Deeds and be binding upon the owner, the heirs of the owner, and any assignees.
- 2) A copy of the holding tank Maintenance Agreement shall be included when a sanitary permit application is submitted to the Department.

12.1018 INSPECTIONS

- 1) Notice for final inspection shall be given to the Department for all POWTS installed, modified, or reconnected.
- 2) The plumber shall be responsible for scheduling inspections with the Department no later than 9:00AM on the day that the inspection is requested.
- 3) The entire system shall be left completely open until inspected and accepted.
- 4) The plumber in charge shall provide the necessary apparatus, equipment and assistance for a proper inspection. Inadequate equipment may result in a delay of the completion of the inspection.
- 5) 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.
- 6) 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 24 hours prior to performing the test, and will provide documentation of the results if requested by the Department.
- 7) All non-plumbing sanitation systems shall be inspected for compliance with Wisconsin Administrative Code and this ordinance.
- 8) The property owner shall notify the Department for inspection immediately after the non-plumbing sanitation system has been constructed or installed.

- 9) Mound and At-Grade systems shall be inspected by the Department at the time of plowing, at the completion of the distribution piping installation and after all work is completed.
- 10) Inspections of Sand Filters, Drip-line Effluent Dispersal, experimental systems and systems not recognized by Comm 83.61, Wisconsin Administrative Code shall be scheduled as follows:
 - a) The plumber installing the system shall coordinate any preconstruction meetings.
 - b) The plumber installing the system shall notify the Department 48 hours prior to the beginning of the installation to schedule inspections and shall notify the State if required as a condition of plan approval.
 - c) The Department reserves the right to request as many inspections as deemed necessary to insure proper installation of the system.
- 11) In cases where an installation deviates from the approved plan the plumber in charge shall be notified by the Department 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.

12.1019 VIOLATIONS, PENALTIES, REMEDIAL ACTION, ENFORCEMENT

The provisions of this ordinance shall be enforced under direction of the County Board of Supervisors, through the Zoning Committee and the Zoning Administrator. For forfeitures and penalties related to non-compliance with this Ordinance, refer to Section 16.0109 of the Zoning Administration Ordinance and Marquette County Citation Ordinance 5.40.

12.1020 DEFINITIONS

- 1) **ADMINISTRATOR.** A person assigned to administer and enforce this ordinance.
- 2) **BUILDINGS.** See structure.
- 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 Marquette County Zoning Department.

- 5) **FAILING PRIVATE SEWAGE SYSTEM.** “Failing private sewage system” has the meaning specified under ss 145.254(4), Wisconsin Statutes. A holding tank which discharges sewage to the ground surface, including intentional discharges and discharges caused by neglect, shall be considered a failing private sewage system.
- 6) **HUMAN HABITATION.** The act of occupying a structure as a dwelling or sleeping place, whether intermittently or as a primary residence.
- 7) **NON-PLUMBING SANITATION SYSTEM.** Sanitation systems and devices within the scope of Comm 91, Wisconsin Administrative Code, which are approved alternatives to water carried waste plumbing fixtures and drain systems; including but not limited to, incinerating toilets, composting toilets and privies.
- 8) **PLUMBER.** A person licensed by the State as a Master Plumber or Master Plumber-Restricted Services.
- 9) **POWTS.** “Private on-site wastewater treatment system”.
- 10) **PRIVATE ON-SITE WASTEWATER TREATMENT SYSTEM.** Also referred to as a “private sewage system”, has the meaning given under ss 145.01(12), Wisconsin Statutes.
- 11) **PRIVY-PIT.** A privy with earthen sidewalls and/or bottom constructed in accordance with applicable sections of Wisconsin Administrative Code and this ordinance.
- 12) **PRIVY-VAULT.** A privy with a subsurface storage chamber that is water tight and has a minimum capacity of 200 gallons.
- 13) **REBUILT.** The construction which takes place after a structure is demolished or damaged in excess of 50% or greater of its equalized value at the time it is demolished or damaged.
- 14) **SANITARY PERMIT.** A permit issued by the Department for the installation of private on-site wastewater treatment system or non-plumbing sanitation pursuant to Wisconsin State Statutes Chapter 145.
- 15) **SEPTIC TANK.** An anaerobic treatment tank.
- 16) **STATE.** The Wisconsin Department of Commerce.
- 17) **STRUCTURE.** Anything constructed or erected the use of, which requires location in or on the premises, or any other attachment to

something having a permanent location on the ground. Included are items that may have been designed as transportable or as a vehicle, but stand in a seasonal or permanent locations for storage or human habitation, which may include but are not limited to; truck campers, travel trailers, park or model units, buses and motor homes.