

## **CHAPTER 8**

### **REQUIREMENT OF SEWER AND WATER LATERALS**

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The Town Board of the Town of Lake Mills, Jefferson County, Wisconsin, does hereby ordain as follows:

That in order to promote the efficient improvement and/or reconstruction of highways under the care and supervision of the Town of Lake Mills, whenever the Town Board shall declare that a highway shall be improved all adjoining landowners shall be required to install laterals from any new or existing main sewer line, to the lot line or curb line or from the lot line or curb line to the building or vacant lot to be serviced, or both. This may be done by the Town of Lake Mills at its option, or by Town contract or by contract with another municipality. The expense of the service pipe or lateral shall be charged to the owner of the property fronting the new or existing sewer line. In addition, this ordinance shall provide for a monetary penalty for any landowner failing to comply with this ordinance.

**3-8-1: TITLE: Requirements of Sewer and Water Laterals for the Town of Lake Mills.**

**3-8-2: PURPOSE: To ensure that land owners are properly connected to any new or established main sewer lines by laterals prior to any reconstruction of a highway in order to eliminate the need for connection and reconstruction of the highway after improvement. In addition to provide of a monetary penalty for land owners failing to comply with this ordinance.**

**3-8-3: STATUTORY AUTHORITY:** This ordinance is adopted as authorized under Wis. Stats. sections, 60.53, 62.16,(2), 66.62, 66.625, 60.22(3), and 61.34(1).

**3-8-4: STATUTORY CONSTRUCTION:** This ordinance shall be considered a resolution if required or referenced by any specific Wisconsin Statutes. But this shall not effect its power and status as an ordinance.

**3-8-5: ABROGATION AND GREATER RESTRICTIONS:** This ordinance shall not repeal, annul, impair, or interfere with any existing rules, regulations, ordinances, or resolutions previously adopted. However, when this ordinance imposes greater restrictions, the provisions of this ordinance shall apply.

**3-8-6: SEVERABILITY:** Should any portion of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected.

**3-8-7: APPLICABILITY:** The requirements of this ordinance shall apply to all highways and adjoining land owners within the Township of Lake Mills.

**3-8-8: ADMINISTRATION:** The provisions of this ordinance shall be administered by the Town Board of the Town of Lake Mills or by its authorized representative.

**3-8-9: PROVISION FOR LANDOWNERS:** Whenever the Town Board shall declare that a highway shall be improved all adjoining landowners shall be required to install laterals from any new or existing main sewer line, to the lot line or curb line or lot to be serviced, or both. This may be done by the Town of Lake Mills at its option, or by Town contract or by contract with another municipality. The expense of the service pipe or lateral shall be charged to the owner of the property fronting the new or existing sewer line.

**3-8-10: PROVISION FOR LARGE OR MULTIPLE LOTS:**

1. Subject to the approval of the Town Board or its representative, Landowners of multiple adjoining lots may petition the Town Board, in writing, to have a single lateral constructed. Said single lateral must be of sufficient size and construction to enable it to service all of the multiple lots if needed.
2. Landowners of lots or parcels that are of sufficient size that they can be divided or parceled into separate lots under current zoning laws may be required to install a

lateral sufficient in size to service any possible future divisions or parceling. It shall not matter that no future division or parceling is contemplated.

3. All laterals must comply with local and state codes.

**3-8-11: DEFINITIONS:** For the purpose of this Resolution the following definitions shall apply:

1. **HIGHWAY:** means all public ways and thoroughfares and bridges on the same. It includes the entire width between the boundary lines of every way open to the use of the public as a matter of right for the purposes of vehicular travel.
2. **RECONSTRUCTION:** means the resurfacing, repaving, repairing, graveling, improving, patching, or new construction of any new or existing highway.
3. **LANDOWNER:** means the current record owner of said property, lot, or parcel recorded at the Register of Deeds office for Jefferson County. It shall also include any person or entity that previously owned the land if a violation of this ordinance occurred during the time the person or entity owned the land.
4. **ADJOINING:** means touching or contiguous, to be in contact with or to abut upon.

**3-8-12: ENFORCEMENT:**

1. Any landowner as defined herein who fails to notify the Town or comply with the provisions of this ordinance may be issued a citation by the Town of Lake Mills. The issuance of a citation shall not preclude the Town from proceeding under any other ordinance and or law and shall be separate from any assessment and or connection fee shall not preclude the issuance of a citation under this paragraph. The Town may collect the forfeiture as provided for by law. This may include a civil suit and upon judgment the filing of a lien against the property owner.
2. Any landowner violating this ordinance may be required to forfeit not less than two thousand dollars (\$2,000.00) nor more than five thousand dollars (\$5,000.00).
3. This penalty may be applied to the current Landowner or to any past Landowner if the violation occurred while that person or entity was the Landowner.
4. Innocent third party purchasers are hereby notified that they may be subject to said penalty.