

## Chapter 334

### SEWAGE SYSTEMS, PRIVATE

**[HISTORY: Adopted by the Board of Supervisors of Green Lake County 5-20-1980 by Ord. No. 225-80, as amended through Ord. No. 720-01. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Health and sanitation — See Ch. 154.

Floodplain zoning — See Ch. 300.

Land division and subdivision — See Ch. 315.

Shoreland protection — See Ch. 338.

#### § 334-1. Authority; effect on other rules and regulations.

- A. Pursuant to § 59.70(5), Wis. Stats., the Green Lake County Board of Supervisors hereby adopts the Green Lake County Private Sewage System Ordinance.
- B. This chapter shall be subject to the provisions of Ch. 145, Wis. Stats., and all subsequent rules and regulations promulgated thereunder regarding private sewage systems.
- C. This chapter shall not be more lenient nor stringent than the rules and regulations promulgated pursuant to Ch. 145, Wis. Stats.

#### § 334-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**ALTERNATIVE SYSTEM** — Any system used for private sewage disposal other than a conventional system.

**DEPARTMENT** — The State Department of Commerce.<sup>1</sup>

**ISSUING AGENT** — The County office, department, committee, position or employee assigned the duties of administering the private sewage system program by the County Board.

**PRIVATE SEWAGE SYSTEM** — A sewage treatment and disposal system serving a single structure with a septic tank and soil absorption field located on the same parcel as the structure; an alternative sewage system approved by the Department, including a substitute for the septic tank or soil absorption field, a holding tank, a system serving more than one structure or a system located on a different parcel than the structure; and may be owned by the property owner or by a special purpose district.

**PRIVY** — A structure intended for the disposal of human waste.

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1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- A. VAULT TYPE — Designed to retain contents in a waterproofed vault or holding tank.
- B. OPEN PIT TYPE — Constructed in soils which pass a soil boring test for a conventional private sewage system.

SANITARY PERMIT — A permit issued by the Department or the issuing agent for the installation of a private sewage system.

**§ 334-3. Issuing agent.**

The Surveyor/Land Development Director or Deputy Surveyor/Land Development Director shall act as the Green Lake County issuing agent and is hereby assigned the duties of administering the private sewage system program.

**§ 334-4. Sanitary permit.**

- A. General.
  - (1) Permit required; term; transfer.
    - (a) No person may install a private sewage system or nonplumbing sanitation system unless the owner of the property on which the system is to be installed holds a valid sanitary permit.
    - (b) No person may sell at retail a septic tank for installation unless the purchaser holds a valid sanitary permit.
    - (c) A sanitary permit is valid for two years from the date of issue and renewable for similar periods of time.
    - (d) A sanitary permit may be transferred from the holder to a subsequent owner of the land, except that the subsequent owner must obtain a new copy of the sanitary permit from the issuing agent.
    - (e) A sanitary permit is subject to the rules in force at the time of permit issuance or renewal.
  - (2) Application process.
    - (a) The applicant shall submit the completed sanitary permit application and supporting documents to the issuing agent.
    - (b) The issuing agent shall review the submitted application and supporting documents for the proposed system and verify the report at the proposed site, if necessary.
    - (c) The issuing agent shall approve or disapprove applications for sanitary permits and assist applicants in preparing approvable applications.
    - (d) The issuing agent shall issue written notice to each applicant whose sanitary permit application is disapproved.

- (e) Each notice shall:
  - [1] State the specific reasons for disapproval and amendments to the application, if any, which would render the application approvable.
  - [2] Inform the applicant of the right to appeal and the procedures for conducting an appeal under Ch. 68, Wis. Stats.

B. State of Wisconsin sanitary permit.

- (1) Scope. Applications for State of Wisconsin sanitary permits shall be submitted to the issuing agent for review and approval of the installation, construction or modification of the following:
  - (a) A private sewage system holding component.
  - (b) A private sewage system treatment component.
  - (c) A private sewage system dispersal component.
- (2) Forms.
  - (a) Applications for State of Wisconsin sanitary permits shall be submitted to the issuing agent on forms provided by the Department.
  - (b) The issuing agent shall issue State of Wisconsin sanitary permits on forms provided by the Department.

C. Green Lake County sanitary permit.

- (1) Scope. Applications for Green Lake County sanitary permits shall be submitted to the issuing agent for review and approval of the following:
  - (a) The installation, construction or modification of a privy or other nonplumbing sanitation system.
  - (b) The reconnection of an existing private sewage system to a proposed structure intended for human habitation.
- (2) Forms.
  - (a) Applications for Green Lake County sanitary permits shall be submitted to the issuing agent on forms provided by the issuing agent.
  - (b) The issuing agent shall issue Green Lake County sanitary permits on forms provided by the issuing agent.

**§ 334-5. Fees.**

A. The fee for a sanitary permit shall be as follows:

- (1) At-grade system: \$355.
- (2) Conventional system: \$355.

- (3) Conventional system with lift: \$355.
  - (4) Holding tank: \$355.
  - (5) In-ground pressure: \$355.
  - (6) Mound system: \$355.
  - (7) Privy sanitary permit: \$225.
  - (8) Minor repair or modification: \$150.
  - (9) Pretreatment unit: \$75.
  - (10) Private sewage system review: \$75.
  - (11) Renewal fee: \$75.
  - (12) Transfer fee: \$3.
- B. An after-the-fact permit is to be double the original fee.
  - C. An additional fee of \$100 shall be collected for systems over 5,000 gallons' capacity; further an additional \$100 shall be collected for each additional 5,000 gallons above the first 5,000 gallons.
  - D. A fee of \$100 shall be collected by the Green Lake County Zoning Office to monitor groundwater levels as per Sec. COMM 85.60(3), Wis. Adm. Code.
  - E. The above sanitary permit fees include the state fee and DNR surcharge. The above fees will be automatically adjusted concurrently with each state adjustment, whenever the State of Wisconsin changes its permit fees. (Section COMM 2.67, Wis. Adm. Code, adjusted July 1, 1992.)
  - F. A county may not charge more than one fee for a sanitary permit or the renewal of a sanitary permit in any twelve-month period.
  - G. The issuing agent shall forward a copy of each valid sanitary permit and appropriate fee to the Department within 90 days after the permit is issued.

**§ 334-6. Inspection.**

- A. The issuing agent shall inspect or cause the inspection of all private sewage systems after construction, but before backfilling, no later than the end of the next workday, excluding Saturdays, Sundays and holidays, after receiving notice from the plumber in charge.
- B. The office of the Green Lake County Surveyor/Land Development Director shall be notified of a possible inspection at least one day before such inspection is requested and confirmed. Inspection times and dates may be changed or canceled at any time by the plumber upon notification to the office of the Surveyor/Land Development Director.
- C. The issuing agent shall file reports and conduct surveys and inspections as required

by the County or Department.

**§ 334-7. Investigation of violations; abatement orders.**

The issuing agent shall investigate violations of this chapter and § 145.20(2)(f), Wis. Stats., issue orders to abate the violations and submit orders to the District Attorney, Corporation Counsel or the Attorney General for enforcement.

**§ 334-8. Violations and penalties.**

Such person, firm, or corporation who or which participates in such violations of this chapter may also be required, upon conviction, to forfeit not less than \$10 nor more than \$200 for each offense, together with the costs of prosecution, and, in default of the payment of such forfeiture and costs of prosecution, shall be imprisoned in the County Jail until such forfeiture and the costs are paid, but not to exceed 30 days.

**§ 334-9. Other duties.**

The issuing agent shall perform other duties regarding private sewage systems as considered appropriate by the County or as required by the rules of the Department.

**§ 334-10. Privies.**

- A. Privies shall be maintained in clean condition and shall be constructed so that insects and rodents cannot enter the vault.
- B. Privies shall be located at the minimum horizontal distance of:
  - (1) Twenty-five feet from dwellings.
  - (2) Twenty-five feet from lot line.
  - (3) Fifty feet from the high-water mark of a watercourse.
  - (4) Fifty feet from wells.
- C. The bottom of open pits shall be three feet above any creviced bedrock and the high groundwater level.
- D. No privies shall be located in areas subject to periodic flooding.
- E. Open pit privies shall be permitted upon submittal of an approved soil boring test conducted by a certified soil tester on State Form EH 115 (as revised).
- F. Privies shall be permitted for recreational or temporary use only.

**§ 334-11. Wisconsin Fund.**

- A. Fees. The fee for application to participate in the Wisconsin Fund shall be \$100.
- B. Maintenance program. The maintenance program is applicable to all new or replacement private sewage systems constructed in the governmental unit after the

date on which the governmental unit adopts this program.

C. Maintenance agreement.

- (1) The applicant shall be provided written notice of the maintenance agreement upon application. The agreement shall be in the form of an affidavit and shall be recorded by the owner prior to the issuance of a sanitary permit and shall be binding on the owners, their respective heirs, successors or assigns.
- (2) Every three years after the installation of a private sewage disposal system the owner shall be provided a certification form by the issuing agency, at least 30 days prior to its due date.
  - (a) The certification form shall be filled out by either:
    - [1] A licensed master or master restricted sewer plumber.
    - [2] A licensed septic tank pumper.
  - (b) The certification form shall be cosigned by the owner.
- (3) The certification form will state that:
  - (a) The private sewage disposal system is in proper operating condition.
  - (b) The septic tank was pumped by a licensed septic tank pumper a minimum of six months prior to the certification date or it was inspected and is less than 1/3 full of sludge and scum.
- (4) The certification form shall be returned to the Green Lake County Zoning Office 30 days after the due date.

**§ 334-12. Animal waste management.**

- A. Authority. This section is adopted under authority granted by §§ 92.15 and 92.16, Wis. Stats., and Sec. ATCP 50.56, Wis. Adm. Code.<sup>2</sup>
- B. Findings and declaration of policy.
  - (1) The Green Lake County Board of Supervisors finds that storage of animal waste in storage facilities not meeting technical design and construction standards may cause pollution of the surface and ground waters of Green Lake County and may result in actual or potential harm to the health of County residents and transients; to livestock, aquatic life and other animals and plants; and to the property tax base of Green Lake County.
  - (2) The Green Lake County Board of Supervisors further finds that the technical standards developed by the United States Department of Agriculture Soil Conservation Service and adopted by the Green Lake County Land Conservation Committee provide effective, practical, and environmentally

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2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

safe methods of storing animal waste.

- C. Purpose. The purpose of this section is to regulate the design and construction of animal waste storage facilities in order to prevent water pollution and thereby protect the health of Green Lake County residents and transients, prevent the spread of disease, and promote the prosperity and general welfare of the citizens of Green Lake County. It is also intended to provide for the administration and enforcement of the section and to provide penalties for its violation.
- D. Applicability. This section applies to the entire geographical area of Green Lake County.
- E. Interpretation. In their interpretation and application, the provisions of this section shall be held to be minimum requirements and shall be liberally construed in favor of Green Lake County and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.
- F. Definitions. As used in this section, the following terms shall have the meanings indicated:

**ANIMAL WASTE** — Livestock excreta and other materials such as bedding, rain or other water, soil, hair, feathers, and other debris normally included in animal waste handling operations.

**ANIMAL WASTE STORAGE FACILITY** — A concrete, steel or otherwise fabricated structure or an excavated or earthen impoundment used for temporary storage of animal waste or other organic waste.

**APPLICANT** — Any person who applies for a permit under this chapter.

**PERMIT** — The signed, written statement issued by the Department of Land Conservation under this chapter authorizing the applicant to construct, install, reconstruct, enlarge or substantially alter an animal waste storage facility.

**PERMITTEE** — Any person to whom a permit is issued under this section.

**PERSON** — Any individual, corporation, partnership, joint venture, agency, unincorporated association, municipal corporation, county or state agency within Wisconsin, the federal government or any combination thereof.

**TECHNICAL GUIDE** — The United States Department of Agriculture (USDA) Soil Conservation Service Technical Guide as adopted by the Green Lake County Land Conservation Committee.

**WATER POLLUTION** — Contaminating or rendering unclean or impure the ground or surface waters of the state, or making the same injurious to public health, harmful for commercial or recreational use, or deleterious to fish, bird, animal or plant life.

- G. General requirements. Any person who constructs, installs, reconstructs, enlarges, or substantially alters an animal waste storage facility, or who employs another person to do the same, on land subject to this section, shall be subject to the provisions of this section.

- H. Permit required. No person may undertake an activity subject to this section without obtaining a permit from the Green Lake County Surveyor/Land Development Director prior to beginning the proposed activity.
- I. Exception to permit requirement. Emergency repairs such as repairing a broken pipe or equipment, leaking dikes or the removal of stoppages may be performed without a permit.
- J. Fee. The fee for a permit under this section shall be \$100.
- K. Compliance with permit requirements. A person is in compliance with this section if he or she follows the procedures of this section, receives a permit from the Green Lake County Surveyor/Land Development Director before beginning activities subject to regulation under this section, and complies with the requirements of the permit.
- L. Standard for earthen animal waste storage facilities. The standards for design and construction of animal waste storage facilities are those in Standard 425 of the Technical Guide.
- M. Standards for animal waste storage facilities. The standards for design and construction of animal waste storage facilities are those in Standards 313 and 425 of the Technical Guide.
- N. Animal waste storage facility plan required. Each application for a permit under this section shall include an animal waste storage facility plan. Technical assistance for plan development shall be made available to applicants upon request through the Land Conservation Committee and/or its staff.
  - (1) The plan shall specify:
    - (a) The number and kinds of animals for which storage is provided.
    - (b) A sketch of the facility and its location in relation to buildings within 250 feet and homes within 500 feet of the proposed facility. The sketch shall be drawn to scale, with a scale no smaller than one inch equals 100 feet.
    - (c) The structural details, including dimensions, cross sections and concrete thickness.
    - (d) The location of any wells within 300 feet of the facility.
    - (e) The soil test pit locations and soil descriptions to a depth of at least three feet below the planned bottom of the facility.
    - (f) The elevation of groundwater or bedrock if encountered in the soil profile and the date of any such determinations.
    - (g) Provisions for adequate drainage and control of runoff to prevent pollution of surface water and groundwater. If a navigable body of water lies within 500 feet of the facility, the location and distance to the body

of water shall be shown.

- (h) The scale of the drawing and the North arrow.
    - (i) A time schedule for construction of the facility.
    - (j) A description of the method in transferring animal waste into and from the facility.
  - (2) Any waste storage facility creating a safety hazard shall be fenced and warning signs posted.
- O. Review of application. The Department of Land Conservation shall receive and review all permit applications. The Department of Land Conservation shall determine if the proposed facility meets required standards set forth in Subsections L and M of this section. Within 75 days after receiving the completed application and fee, the Department of Land Conservation shall inform the applicant in writing whether the permit application is approved or disapproved. If additional information is required, the Department of Land Conservation shall so notify the permit applicant. The Department of Land Conservation has 75 days from the receipt of the additional information in which to approve or disapprove the application. If the Department of Land Conservation fails to approve or disapprove the permit application in writing within 75 days of the receipt of the permit application or additional information, as appropriate, the application shall be deemed approved and the applicant may proceed as if a permit had been issued.
- P. Permit conditions.
- (1) All permits issued under this section shall be issued subject to the following conditions and requirements:
    - (a) Animal waste storage facility. Design and construction shall be carried out in accordance with the animal waste facility plan and applicable standards.
    - (b) The permittee shall give two working days' notice to the Department of Land Conservation before starting any construction activity authorized by the permit.
    - (c) Approval must be obtained in writing from the Department of Land Conservation prior to any modifications to the approved animal waste facility plan.
    - (d) The permittee and, if applicable, the contractor shall certify in writing that the facility was installed as planned.
  - (2) Activities authorized by permit must be completed within two years from the date of issuance, after which such permit shall be void.
- Q. Permit revocation. The Department of Land Conservation may revoke any permit issued under this section if the holder of the permit has misrepresented any material fact in the permit application or animal waste facility plan or if the holder of the

permit violates any of the conditions of the permit.

- R. Delegation of authority. Green Lake County hereby designates the Land Conservation Committee and staff to administer and enforce this section.
- S. Administrative duties. In the administration and enforcement of this section, the Department of Land Conservation shall:
  - (1) Keep an accurate record of all permit applications, animal waste facility plans, permits issued, inspections made and other official actions.
  - (2) Review permit applications and issue permits.
  - (3) Inspect animal waste facility construction to ensure the facility is being constructed according to plan specifications.
  - (4) Investigate complaints relating to compliance with this section.
  - (5) Perform other duties as specified in this section.
- T. Inspection authority. The Department of Land Conservation is authorized to enter upon any lands affected by this section to inspect the land prior to or after permit issuance to determine compliance with this section. If permission cannot be received for the applicant or permittee, entry by the Department of Land Conservation shall be according to § 66.0119, Wis. Stats.
- U. Enforcement authority.
  - (1) The Department of Land Conservation is authorized to post an order stopping work upon land which has had a permit revoked or on land currently undergoing activity in violation of this section. Notice is given by both posting upon the land where the violation occurs one or more copies of a poster stating the violation and by mailing a copy of the order by certified mail to the person whose activity is in violation of this section. The order shall specify that the activity must cease or be brought into compliance within 10 days.
  - (2) Any permit revocation or order stopping work shall remain in effect unless retracted by the Land Conservation Committee, the Department of Land Conservation or by a court of general jurisdiction or until the activity is brought into compliance with this section. The Department of Land Conservation is authorized to refer any violation of this section or of an order stopping work issued pursuant to this section to the Corporation Counsel for commencement of further legal proceedings.
- V. Penalties.
  - (1) Any person who violates, neglects or refuses to comply with or resists the enforcement of any of the provisions of this section shall be subject to a forfeiture of not less than \$300 plus costs of prosecution for each violation. An unlawful violation includes failure to comply with any standard of this section or with any condition or qualification attached to the permit. Each day

that a violation exists shall be a separate offense.

- (2) Compliance with the provisions of this section may also be enforced by injunctive order at the suit of the owner or owners of any real estate within the jurisdiction of this section.

W. Appeals.

- (1) Authority. Under authority of Chapter 68, Wis. Stats., the Green Lake County Land Conservation Committee, created under § 59.70(19), Wis. Stats., and under Ch. 92, Wis. Stats., and Sec. ATCP 50.56, Wis. Adm. Code, and acting as an appeal authority under § 68.09(2), Wis. Stats., is authorized to hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination by the Department of Land Conservation in administering this section.<sup>3</sup>
- (2) Who may appeal. Appeals may be taken by any person having a substantial interest which is adversely affected by the order, requirement, decision or determination made by the Department of Land Conservation.
- (3) Procedure. The rules, procedures, duties and powers of the Land Conservation Committee and Ch. 68, Wis. Stats., shall apply to this section.

**§ 334-13. Holding tanks.**

A. General. The installation of a holding tank is prohibited unless the condition in Subsection A(1), (2) or (3) exists:

- (1) No other private sewage system permitted by Ch. COMM 83, Wis. Adm. Code, may be installed on the subject property.
- (2) The subject property is located within an existing sanitary district or municipal sewer district and the district provides written verification that the subject property will be served by its public sewer system within five years of the date of sanitary permit issuance. The property owner shall record an affidavit with the Green Lake County Register of Deeds stating that if sewer service is not available within five years of the date of sanitary permit issuance, the holding tank will be replaced with another private sewage system permitted by Ch. COMM 83, Wis. Adm. Code.
- (3) The use of the subject property has a design wastewater flow of less than 150 gallons per day. The property owner shall record an affidavit with the Green Lake County Register of Deeds stating that if the design wastewater flow increases to equal or exceed 150 gallons per day, the holding tank will be replaced with another private sewage system permitted by Ch. COMM 83, Wis. Adm. Code.

B. Subdivisions. The installation of a holding tank in a subdivision, for which a

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<sup>3</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

preliminary plat was submitted to the County for review on or after the effective date of this chapter or its amendment, is prohibited unless both conditions in Subsection B(1) and (2) exist:

- (1) No other private sewage system permitted by Ch. COMM 83, Wis. Adm. Code, may be installed on the subject property.
- (2) The existing use of the subject property is served by a failing private sewage system.

**§ 334-14. Constructed wetlands and evapotranspiration beds.**

The installation of a constructed wetland or evapotranspiration bed as a private sewage system treatment component is prohibited unless both conditions in Subsections A and B exist:

- A. No other private sewage system permitted by Ch. COMM 83, Wis. Adm. Code, may be installed on the subject property.
- B. The existing use of the subject property is served by a failing private sewage system.

**§ 334-15. Subdivisions.**

- A. Purpose. The purpose of this section is to protect public health by requiring the identification of primary and replacement soil absorption areas necessary for proper on-site wastewater treatment for all lots in subdivisions not served by a public sewer.
- B. Scope. The provisions of this section apply to all proposed subdivisions not served by public sewer for which preliminary plats are submitted to the County on or after the effective date of this chapter or its amendment. This section shall not apply to proposed subdivisions for which provisions have been made assuring the availability of public sewer service prior to final plat approval.
- C. County review.
  - (1) Plats. Information to be provided on a preliminary plat or on separate sheets submitted as addenda to the plat shall include but not be limited to those items identified in Chapter 315, Land Division and Subdivision.
  - (2) Forms. Data for all soil tests shall be submitted to the County on forms furnished by the Department. The forms shall be signed and dated by a soil tester who is certified by the Department.
  - (3) Verification.
    - (a) The County may conduct field investigations to verify, including but not limited to:
      - [1] Depth to soil mottles;

- [2] Depth to observed groundwater;
  - [3] Depth to bedrock;
  - [4] Soil texture;
  - [5] Soil structure; and
  - [6] Land slope.
- (b) The County may require backhoe pits to be provided for verification and may require soil tests to be conducted under County supervision.
  - (c) The County may require the monitoring of groundwater levels for proposed subdivisions where the natural soil has been altered.
- (4) Revocation of certification. The County may rescind or suspend plat certification, issued under the provisions of this section, for any false statements or representation of facts on which the certification was issued.
  - (5) Fees. Fees for County plat review shall be submitted in accordance with provisions in Chapter 315, Land Division and Subdivision.

D. Standards.

- (1) General. The area and width of an unsewered lot shall be sufficient to permit the installation and use of a soil absorption system and one replacement system in accordance with Ch. COMM 83, Wis. Adm. Code.
- (2) Area and width.
  - (a) Each lot, based upon the most restrictive in situ soil application rate affecting the treatment and dispersal of effluent, shall have a lot area, average lot width and continuous suitable soil area not less than the minimums specified in the following table:

**Lot Area and Width**

**Minimums by Soil**

**Application Rate**

<b>In Situ Soil Application Rate (gallons/ square feet/day)</b>	<b>Lot Area (square feet)</b>	<b>Average Lot Width (feet)</b>	<b>Continuous Suitable Soil Area (square feet)</b>
0.7 or more	20,000	100	2,000
0.6 to 0.69	20,000	100	3,000
0.5 to 0.59	25,000	100	3,600
0.49 to 0.4	30,000	100	3,900
Less than 0.4	30,000	100	4,200

- (b) In situ soil application rates shall be determined in accordance with Ch. COMM 83, Wis. Adm. Code.
  - (c) For the purpose of determining lot area and width minimums, in situ soil application rates shall be determined assuming an effluent quality within the following range of maximum monthly average values for BOD5 and TSS:
    - [1] BOD5 greater than 30 milligrams per liter and less than or equal to 220 milligrams to liter; and
    - [2] TSS greater than 30 milligrams per liter and less than or equal to 150 milligrams per liter.
  - (d) A lot with in situ soil conditions requiring the final treatment and dispersal of effluent through a distribution network located at or above the surface of the in situ soil and discharging to the in situ soil, or a combination of in situ and engineered soils, shall have a minimum area and lot width sufficient to provide an area of continuous suitable soils not less than 150 feet in length measured perpendicular to the land slope nor less than 40 feet in width parallel to the land slope.
- (3) Lots. The shape and location of primary and replacement soil absorption areas, building areas and well or water supply line areas shall be clearly designated for each lot.
  - (a) Primary and replacement soil absorption areas shall accommodate a minimum design wastewater flow of 600 gallons per day.
  - (b) Minimum setback requirements contained in, but not limited to, the following shall be maintained:
    - [1] Chapter COMM 83, Wis. Adm. Code;
    - [2] Chapter TRANS 233, Wis. Adm. Code;
    - [3] Chapter NR 812, Wis. Adm. Code; and
    - [4] Chapter 350, Zoning, of the County Code.
  - (c) Changes, amendments or modifications of planned areas must be approved by the County.
- E. Soil evaluation. The collection and reporting of all soil data shall be in accordance with Ch. COMM 85, Wis. Adm. Code.
- F. Outlots. Buildings for human habitation are prohibited on outlots until such time that public sewer service becomes available to the outlots.
- G. Community systems. Where individual subdivision lots are to be served by a community system of collection and disposal of sewage effluent by soil absorption, the submitted preliminary and recorded final plats shall be clearly marked to indicate this condition.

- (1) If the components of such a community system are not in place and available to all of the proposed lots at the time of final plat submittal, a restriction shall be included on the recorded final plat requiring that buildings be served by an approved community system prior to occupancy.
- (2) All components of a community system shall be owned and maintained by a special purpose district.
- (3) All components of a community system shall be accessible through easements, public rights-of-way or land ownership.
- (4) Community system designs shall be submitted to, and approved by, the Department of Commerce and/or the Department of Natural Resources prior to final plat approval by the County.
- (5) Design standards.
  - (a) Residential.
    - [1] A community system shall be designed to accommodate a minimum design wastewater flow of 450 gallons per day per dwelling unit served.
    - [2] A restriction shall be included on the recorded final plat stating the maximum design wastewater flow allocated to each lot in terms of the number of bedrooms (i.e., 150 gallons per day per bedroom).
    - [3] The design wastewater flow of a proposed dwelling may not exceed the stated maximum allocated for the lot unless the community system is first altered to accommodate the increased flow.
  - (b) Public.
    - [1] A community system shall be designed to accommodate a minimum design wastewater flow of 400 gallons per day per public building or use served.
    - [2] A restriction shall be included on the recorded final plat stating the maximum design wastewater flow allocated to each lot.
    - [3] The design wastewater flow of a proposed building or use may not exceed the stated maximum allocated for the lot unless the community system is first altered to accommodate the increased flow.
  - (c) Contaminant load. The contaminant load of the wastewater discharged from any lot to a community system shall not exceed the contaminant load that the community system was designed to treat.