

1 **RESOLUTION #** 2014-08

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3 **Resolution Adopting Revised Private Sewage System Ordinance Text Amendments**  
4 **#TXT-14-01**

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6 To the Honorable members of the Burnett County Board of Supervisors;

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8 **WHEREAS**, the Burnett County Land Use/Zoning Office has recommended amendments to  
9 the Burnett County Land Use/Zoning Ordinance, and

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11 **WHEREAS**, the Burnett County Land Use and Information Committee has reviewed the  
12 proposed amendments, and

13  
14 **WHEREAS**, a public hearing was held as per Wisconsin State Statutes 59.69(5)(e)2. on  
15 March 4, 2013, regarding proposed amendments, and

16  
17 **WHEREAS**, no Township objections were received.

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19 **NOW THEREFORE BE IT RESOLVED**, that the Burnett County Board of Supervisors,  
20 in accord with the provisions of the Wisconsin State Statute Section 59.69(5)(e) does hereby  
21 amend the Burnett County Private Sewage Ordinance as per the attached Land Use and  
22 Information Committee’s approved language.

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24 Respectfully submitted by the Land Use and Information Committee  
25 Signed and dated this 4 day of March, 2014  
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29 \_\_\_\_\_  
30 Maury Miller

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Charles Awe

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33 \_\_\_\_\_  
34 Norman Bickford

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Brent Blomberg

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37 \_\_\_\_\_  
38 Wayne Burmeister

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Dorothy H. Richard

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41 \_\_\_\_\_  
42 Jeremy Gronski  
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1 State of Wisconsin  
2 County of Burnett

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4 I, Wanda Hinrichs, the duly elected and qualified County Clerk in and for Burnett County, do  
5 hereby certify that the attached Resolution 2014-08, Resolution Adopting Revised Private  
6 Sewage System Ordinance Text Amendments #TXT-14-01 was adopted by the Burnett  
7 County Board of Supervisors at a legally assembled meeting at which a quorum was present  
8 and acted throughout. The date of passage was March 20, 2014.

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10 *Wanda Hinrichs*

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13 Wanda Hinrichs,  
14 Burnett County Clerk

## Proposed amendments to Burnett County Private Sewage System Ordinance

Any references to “Comm” statutes should be amended with a “SPS” prefix and the addition of a “3” to the current number, as examples illustrate. This is to bring ordinance into compliance, after the State Code was changed to reflect the relocation of the Dept. of Commerce to the Dept. of Safety & Professional Services.

The replacement of all terms listed below through the ordinance in its entirety, to reflect updated statutory references:

- “Comm 52.63” to be replaced with “SPS 352.63”
- “Comm 81” to be replaced with “SPS 381”
- “Comm 82” to be replaced with “SPS 382”
- “Comm 83” to be replaced with “SPS 383”
- “Comm 84” to be replaced with “SPS 384”
- “Comm 85” to be replaced with “SPS 385”
- “Comm 91” to be replaced with “SPS 391”

### 70-47 Limitations

~~(d) Installation of a holding tank is prohibited if any other type of private on-site wastewater treatment system permitted by Wis. Admin. Code ch. Comm 83, may be utilized.~~

~~(e) Exceptions:~~

~~(1) POWTS designs that have required maintenance and service frequencies of 12 months or less, which are not required to be utilized.~~

~~(2) A temporary holding tank may be installed if a public sewer, approved by the department of natural resources, will be installed to serve the property within two years of the date of sanitary permit issuance. In addition to items required in section 70-72, an application for a sanitary permit to install a temporary holding tank shall include written statements from:~~

~~a. The municipality or sanitary district, verifying the date that public sewer will be installed and available to serve the property;~~

~~b. The department of natural resources, verifying approval of the public sewer; and~~

~~c. 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 two years of the date of sanitary permit issuance, the holding tank must be replaced with another type of system recognized by Wis. Admin. Code ch. Comm 83.~~

~~(3) A holding tank may be installed to serve a use with a design wastewater flow of less than 150 gallons per day. In addition to items required in section 70-72, an application for a sanitary permit to install a holding tank to serve a use with less than 150 gallons per day shall include a written statement from the property owner, agreeing to install another type of system approved under Wis. Admin. Code ch. Comm 83, if any change of occupancy or use occurs which results in a design wastewater flow which equals or exceeds 150 gallons per day.~~

70-74. Permit Cards.

- (c) The permit card shall be displayed at the site, **prior to any construction or land disturbing activities**, in such a manner that it will be visible from a road abutting the lot during all construction phases.

70-148. Maintenance.

- (b) The **designated agent of the property owner, or the owner's agent or certified entity**, shall report to the county **when each inspection, maintenance or servicing event is completed**, in accordance with Wis. Admin. Code ch. Comm 83, and this article.

70-149. POWTS maintenance program.

- (d) ~~The owner of such landowners~~ **designated agent or certified entity performing a POWTS inspection** shall furnish the county with a copy of the inspection report verifying the condition of the tank, whether wastewater or effluent from the POWTS is ponding on the ground surface, **the date on which the servicing event occurred, and the amount in gallons that was removed from the POWTS.** ~~and All inspection report data must be submitted the date of pumping within 30 calendar days of the date of following the inspection and pumping or servicing event in the manner specified by the County, and include any other information required by SPS 383.55 or Wis. Admin. Code, including other pertinent maintenance or management reports required by SPS 383 or 384 and Wis. Admin. Code. Reports shall include all information required in Wis. Admin. Code § Comm 83.55, and be signed by the person inspecting and pumping the private sewage system. Other maintenance or management reports required by Wis. Admin. Code chs. Comm 83 or 84, should be included with this report.~~