

**LAFAYETTE COUNTY**

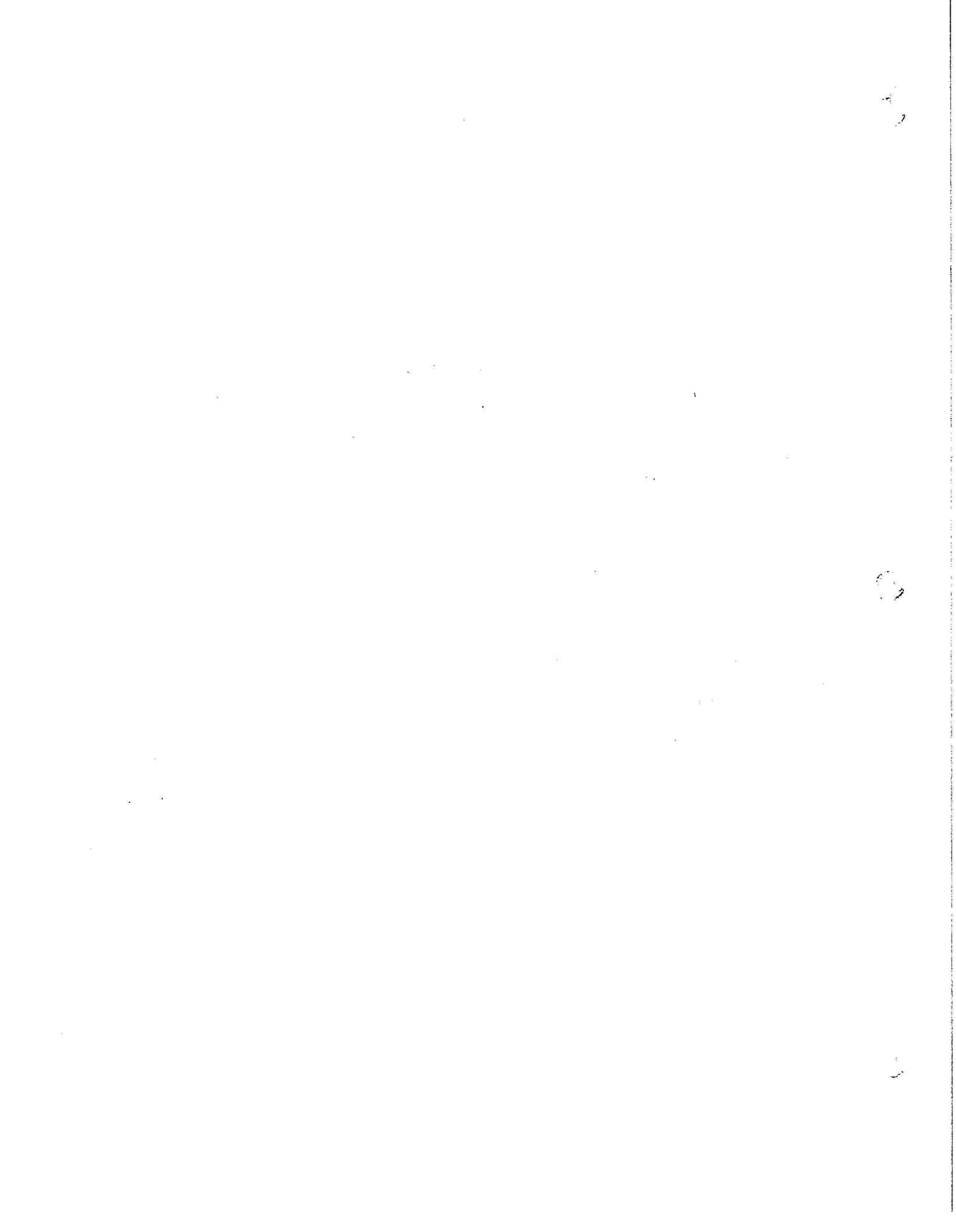
**SANITARY CODE**

**Chapter 6-6**



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# LAFAYETTE COUNTY SANITARY CODE

## SECTION

### 6-6-1.1 AUTHORITY

This Sanitary Code is adopted pursuant to the provisions of Wisconsin Statutes Chapter 59, and adopts by reference Chapter 145 and 146 of the Wisconsin Statutes, as well as the applicable provisions of the Wisconsin Administrative Code. These rules, regulations and laws shall apply until amended and then shall apply as amended. The provisions of this title shall control where they are more restrictive. This subchapter and all other applicable federal, state and Lafayette County regulations hereunder shall apply notwithstanding approval or disapproval of any town or town board. This Sanitary Code applies to all unincorporated areas of Lafayette County whether or not any Town Board has approved or disapproved of them.

### 6-6-2.1 GENERAL PROVISIONS. - COMPLIANCE

The installation and maintenance of water supply and private sewage systems shall be in full compliance with this subchapter and other applicable federal, state and Lafayette County regulations. Private water supply and private sewage systems shall each required a permit as provided by this subchapter.

### 6-6-2.2 ABROGATION AND GREATER RESTRICTIONS

It is not otherwise intended by this subchapter to repeal, abrogate, or impair any existing deed restrictions or ordinances.

### 6-6-2.3 INTERPRETATION

In their interpretation and application, the provisions of this subchapter shall be held to minimum requirements and shall be liberally construed in favor of the County and shall not be deemed a limitation or repeal of any other powers granted by Wisconsin Statutes.

### 6-6-2.4 SEVERABILITY

If any section, clause, provision or portion of this subchapter is adjusted unconstitutionally or invalid by a court of competent jurisdiction, the remainder of this subchapter shall not be affected thereby.

### 6-6-3.1 PUBLIC WATER SUPPLY

All plumbing fixtures shall be served by public water supply system where available. Where such public water system is not available, a private water supply system may be used.

### 6-6-3.2 PRIVATE WATER SUPPLY

Construction, materials, location and permits for private water supply shall be as governed by the Wisconsin Department of Natural Resources under applicable provisions of the Wisconsin Administrative Code.

### 6-6-4.1 WASTE DISPOSAL

No person shall permit the discharge of liquid waste into any surface waters in violation of the Wisconsin Statutes or this subchapter.

### 6-6-4.2 INDUSTRIAL WASTE TREATMENT

Industrial waste treatment disposal systems shall be subject to approval by the Department of Natural Resources prior to construction pursuant to applicable sections of the Wisconsin Statutes and Wisconsin Administrative Code.

### 6-6-4.3 RUBBISH IN NAVIGABLE WATERS

It shall be unlawful to throw, discard, or discharge into any navigable waters any can, bottle or rubbish. This provision shall also be enforced by the Lafayette County Sheriff and his duly authorized deputies.

### 6-6-4.4 SOLID WASTE DISPOSAL

Solid waste disposal sites are prohibited unless the Department of Natural Resources authorizes a permit for such sites and facilities and, in addition, a Special Exception Permit is granted by the county on conformity with the applicable requirements of the Chapter 6 of the Lafayette County Ordinances and Wisconsin Statutes.

### 6-6-5.1 SEWAGE DISPOSAL

All premises intended for human occupation or occupancy shall be provided with an adequate functioning sewer, privy, private sewage system, or other approved method of sewage disposal by a licensed installer.

### 6-6-5.2 INCORPORATION OF PROVISIONS BY REFERENCE

This subchapter incorporates by reference all applicable rules, regulations and laws as set forth in Wisconsin Statutes Chapters 145 and 146 as well as the applicable provisions of the Wisconsin Administrative Code. These rules, regulations and laws shall apply until amended and then shall apply as amended.

### 6-6-5.3 PUBLIC SEWER

All plumbing fixtures shall be connected to a public sanitary sewer system where available. Where such a public sewer system is not available, a private sewage system may be used. Private sewage systems shall be discontinued and replaced within one (1) year after a public sewer system becomes available.

### 6-6-5.4 PRIVATE SEWAGE SYSTEM

#### (A) Sanitary Permit

- (1) **Sanitary Permit Required.** Work on or the change of use of structure or facility requiring a private sewage system shall not begin until a sanitary permit has been issued by the Lafayette County Zoning Administrator. No private sewage system shall be installed, extended, enlarged, converted or structurally altered without a sanitary permit and without full compliance with the provisions of Wisconsin Statutes, Wisconsin Administrative Code requirements and of this subchapter. Applications for a Sanitary Permit shall be made to the Zoning Administrator on forms furnished by the Zoning Administrator.
- (2) **Permit for Public Buildings.** A sanitary permit shall not be issued for any structure or facility open to the public which requires a private sewage system and/or any water system until the plans for such systems have been approved by the appropriate state agency.

#### (A) Privies

- (1) Privies shall be constructed and maintained in a manner prescribed under applicable provisions of the Wisconsin Administrative Code and filed in the office of the County Clerk and Zoning Administrator. Privies shall be maintained in a clean condition.
- (2) Privies shall be located at the minimum horizontal distance of:
  - (A) 75 feet from dwellings or rain water cistern;
  - (B) 25 feet from a lot line;
  - (C) 25 feet from a slope 12 percent or greater at the edge of a watercourse;
  - (D) 50 feet from any well or ground water storage reservoir used for drinking water;

- (E) 50 feet from the high water mark of a watercourse;
- (F) The bottom of open pits shall be three (3) feet above creviced bedrock and the high groundwater level. All privies in areas subject to periodic flooding shall be located and constructed to minimize health hazards.

(3) Variances.

The Planning and Zoning Committee may grant variances from the sanitary provisions of this subchapter in the manner provided in Section 6-6-6.3 of this subchapter where, owing to special conditions a literal enforcement of provisions of this subchapter will result in unnecessary hardship and so that the spirit of the subchapter shall be observed and substantial justice done. No variance shall be permitted which does not meet minimum Division of Health or other state requirements or which will threaten health or safety or cause nuisances. All habitable buildings shall be provided with properly functioning systems.

6-6-6.1 ADMINISTRATION

Any administrative provisions of this subchapter are intended to augment and supplement the main administrative provisions of the Lafayette County Zoning Ordinance as set forth in Subchapter 6-7.

6-6-6.2 FEES

Fees for the permit and inspections shall be paid at the time of issuance. The Planning and Zoning Committee shall establish a fee schedule and shall review that schedule on a periodic basis.

6-6-6.2 SANITARY PERMIT. Cases When Sanitary Permit is Required:

- (A) Before an building or other structure is erected or moved for human occupancy and before any structural alteration so as to change its use to human occupancy.
- (B) Before any private sewage or water system is constructed or structurally altered.

6-6-7.1 ENFORCEMENT AND PENALTIES

Any building or structure hereinafter erected, moved or structurally altered or any use hereinafter established in violation of the provisions of this Ordinance and its subchapters by any person, firm association, corporation (including building contractors) or his or their agent, shall be unlawful. The Zoning Administrator shall report all violations to the Planning and Zoning Committee. The Zoning Administrator shall forward reports of



violations to the District Attorney or Corporation Counsel, who may prosecute such violations. The violator shall, upon conviction, forfeit to the County of Lafayette a penalty of not less than one hundred dollars (\$100.00), nor more than one thousand dollars (\$1,000.00) together with taxable costs of such action. Each day during which such violation exists shall constitute a separate offense. Every violation of this Ordinance and its subchapters is a public nuisance and the creation thereof may be enjoined and the maintenance thereof may be abated by action at suit of the County of Lafayette, the State of Wisconsin, or any citizen thereof. A citation may be issued for violation of provisions of this Ordinance and its subchapters as provided for by the Lafayette County ordinance relation to it.

