

RESOLUTION NO. 164

RE: FOG CONTROL PROGRAM

WHEREAS, Heart of the Valley Metropolitan Sewerage District (the "District") is a metropolitan sewerage district serving the wastewater needs of various communities located in Outagamie and Calumet Counties, Wisconsin; and

WHEREAS, the District has previously adopted a "Sewer Use and User Charge Ordinance, No. 2006-1" (the "Ordinance"), which regulates, among other things, the discharge of wastewaters into the Public Sewerage System; and

WHEREAS, Sec. 4.02(6)(c) of the Ordinance prohibits the following discharges into the Public Sewerage Systems, to-wit:

Wastewater from Users containing Floatable Oils, fat, grease or wax, whether emulsified or not in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures from zero to sixty five degrees Celsius (0-65° C) or thirty two to one hundred fifty degrees Fahrenheit (32-150° F) at the point of discharge as analyzed for in accordance with Standard Methods (polar substances);

and

WHEREAS, Sec. 5.10 of the Ordinance provides:

GREASE AND/OR SAND TRAPS. Grease, oil, and sand traps shall be provided when required by law or, in the opinion of the Director, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Article IV of this Ordinance or any flammable wastes, sand, or other harmful ingredients, except that such traps shall not be required for private living quarters or dwelling units. All traps shall be located as to be readily and easily accessible for cleaning and inspection. In maintaining these traps, the owner (s) shall be responsible for the proper removal and disposal by appropriate means of the captured material, and shall maintain records of the dates and means of disposal as may be reasonably requested by the Director and which records shall be periodically provided to the Director. Disposal of the collected materials performed by owner's (s') personnel or currently licensed waste disposal firms must be in accordance with current WDNR rules and regulations;

and

WHEREAS, the discharge of liquid wastewater containing fats, oils, grease, flammable wastes, sand or other harmful waste (herein "FOG"), contrary to the foregoing provisions of the District's Ordinance, can damage the Public Sewerage Systems and adversely affect the operation of the District's Wastewater Treatment Plant and associated facilities; and

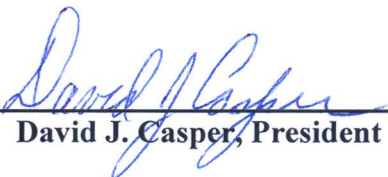
WHEREAS, the Commission of the District desires to establish a "FOG Control Program" for purposes of implementing, administering and enforcing the foregoing provisions of the Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the Heart of the Valley Metropolitan Sewerage District as follows:


1. Recitals. The recitals to this Resolution are hereby incorporated by reference. All capitalized words or terms set forth shall have the meanings assigned in the Ordinance or as otherwise set forth herein.
2. Consultant. The District shall retain the services of a consultant to develop, on behalf of the District, a FOG Management Program (the "Program"), the purpose of which shall be to identify sources of FOG, to monitor the discharges of FOG, to reduce the FOG discharges into the Public Sewerage Systems; and to assist in the administration and enforcement of the Ordinance.
3. Program Approval. Once the Consultant has developed the Program, it shall be submitted to the Commission for review, approval and subsequent implementation. Once approved, the Program shall be administered by the District in conjunction with the cooperation and assistance of each Municipality served by the District.
4. Program Costs. The cost of developing, implementing and administering the Program shall be billed back to each Municipality, in such manner and in such amount as the Commission may from time to time determine. Any such amount so billed shall be deemed to be a sewer service charge to the affected Municipality and collected in the manner provided for by law or by the Ordinance.
5. Enforcement. Any person making a discharge of FOG into the Public Sewerage Systems, which is not in compliance with the Program, shall be deemed to have violated the Ordinance, and subject to all of the penalties, forfeitures and enforcement actions described therein.

The undersigned does hereby certify the foregoing resolution was duly adopted by the Commission of the Heart of the Valley Metropolitan Sewerage District at its meeting held on October 28, 2014.

**HEART OF THE VALLEY METROPOLITAN
SEWERAGE DISTRICT**

By: 
David J. Casper, President

ATTEST:

By: 
Bruce M. Siebers, Secretary

Adopted this 28th day of October, 2014.