

Assembly Bill 718

Published
January 19, 1966.

CHAPTER 532

AN ACT to amend 144.05 (1) of the statutes, relating to treatment of sewage or effluent discharge into certain lakes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 144.05 (1) of the statutes is amended to read:

144.05 (1) When any city or village or owner ~~shall have~~ *has* constructed or ~~shall in the future construct~~ *constructs* a sewage system complying with s. 144.04, the outflow or effluent from such system may

be discharged into any stream or drain constructed pursuant to law, but no such outflow of untreated sewage or effluent from a primary or secondary treatment plant from a city, village, town, town sanitary district or metropolitan sewage district ~~comprised of 45,000 persons or more in a county having a population of 240,000 or more, according to the latest U.S. bureau of census figures available including any special census of municipalities within the county, any part of which is located within a drainage basin which drains into a lake of more than 2 square miles and less than 16 square miles in area, shall be discharged directly into, or through any stream, or through any drain, into such a lake of more than 2 square miles and less than 6 square miles in area located within 10 18 miles of the system or plant of such city, village, town, town sanitary district or metropolitan sewage district. Any municipality in such a county, any part of which is located within such a drainage basin and which is located within 10 miles of a metropolitan sewerage district on the effective date of this amendment (1965), shall be added to such metropolitan sewerage district upon application of the governing body of such municipality as provided in s. 66.205 (1), provided that such petitioning municipality pays its fair share of the cost of attachment as determined by mutual agreement or a court of competent jurisdiction.~~ All necessary construction of plant, system or drains for full compliance with this subsection in the discharge of untreated sewage or sewage effluent from all existing primary or secondary plants shall be completed by ~~June 1, 1951~~ September 1, 1970, and the plans for any new system or plant shall include provisions for compliance with this subsection. The state committee on water pollution ~~shall have the power and authority~~ may at any time to order and require any owner of an existing plant to prepare and file with it, within a prescribed time, preliminary or final plans or both, for proposed construction to comply with this subsection. In lieu of the construction in compliance with the foregoing provision for diversion from such lakes, any owner of an existing plant, on or before ~~June 1, 1950~~ September 1, 1967, or any owner of a new system or plant prior to construction of such new system or plant, may file with the committee on water pollution such plans for advanced treatment of effluent from primary or secondary treatment as in the judgment of ~~said the~~ committee will accomplish substantially the same results in eliminating nuisance conditions on such lake as would be accomplished by diversion of secondary sewage effluent from said lake (without at the same time creating other objectionable or damaging results), and such owner shall be exempt from the foregoing provisions of this subsection for diversion from such lakes upon approval of such plans and installation of advanced treatment facilities and procedures in compliance therewith, ~~provided that~~ but nothing shall impair the authority of ~~said the~~ committee to require at any time preliminary or final plans, or both, for diversion construction. Any person violating ~~the provisions of~~ this subsection or any order issued in furtherance of compliance therewith shall forfeit to the state not less than \$100 nor more than \$500 for each violation, failure or refusal. Each day of continued violation shall be deemed a separate offense. No such penalty shall be invoked during the time that any petition for review of an order is pending under s. 144.56 until final disposition thereof by the courts, if judicial review is sought under ch. 227.

SECTION 2. This act shall take effect on September 1, 1967.

Approved December 29, 1965.