

No. 361, S.]

[Published July 13, 1949.

**CHAPTER 435.**

AN ACT to amend and re-enact chapter 69, laws of 1943, amending 144.05 (1) of the statutes, relating to discharging sewage effluent in certain areas.

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

Chapter 69, laws of 1943, is amended and re-enacted to read:

\* \* \* 144.05 (1), of the statutes is \* \* \* *amended* to read:

144.05 (1) When any city or village or owner shall have constructed or shall in the future construct a sewage system complying with section 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 or metropolitan sewage district comprised of 45,000 persons or more, shall be discharged directly into, or through any stream, or through any drain, into a lake of more than 2 square miles and less than 6 square miles in area located within 10 miles of the system or plant of such city, or metropolitan sewage district. *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, 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 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, 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 committee will accomplish substantially the same results in eliminating nuisance conditions on such a 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 nothing shall impair the authority of said 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 section 144.56 until final disposition thereof by the courts, if judicial review is sought under chapter 227.*

\* \* \*

Approved July 7, 1949.

---