

**Vernon County Ordinance**  
(See Vernon County Website for Complete Ordinance)

## **DIVISION 2. MINIMUM STANDARDS**

### **Sec. 70-71. Compliance.**

(a) All structures or premises in the county that are permanently or intermittently intended for human habitation or occupancy, which are not serviced by a public sewer, shall have a system for holding or treatment and dispersal of sewage and wastewater and which complies with the provisions of this article.

(b) The private sewage system for newly constructed structures or structures requiring a reconnection permit shall be installed, inspected and approved before the structure may be occupied.

(Ord. No. 2000-02, § 2.01, 8-8-2000)

### **Sec. 70-77. Sanitary permits required; exceptions.**

(a) Every private sewage system and/or Privy shall require a separate application and sanitary permit.

(b) A sanitary permit shall be obtained by the property owner, or his agent or contractor, in the name of the property owner, prior to the installation, establishment or construction of any structure which requires a private sewage system. Any property owner, or his agent or contractor, who starts construction prior to obtaining a sanitary permit is in violation of this article and may be subject to the penalties provided in this section.

(c) A sanitary permit shall be obtained by the property owner, or his agent or contractor, before any private sewage system, or part thereof, may be installed, replaced, reconnected or modified. A sanitary permit is not required for the addition of manhole risers or the replacement of manhole covers, manhole risers, baffles or pumps.

(d) If any part of a private sewage system has failed or requires replacement or modification, the entire system shall be evaluated for compliance with existing codes prior to the issuance of a sanitary permit. Such evaluation shall include a soil and site evaluation for the components that utilize in situ soil for treatment or dispersal, unless a valid report is already on file with the department. If any part of the system is found to be defective or not in conformance with the applicable provisions of this article, the sanitary permit application shall include specifications for the repair, renovation, replacement or removal of such part.

(Ord. No. 2000-02, § 3.02, 8-8-2000)

### **Sec. 70-86. Construction affecting wastewater flow or contaminant load.**

Prior to commencing the construction of an addition to, or modification of, a structure which will affect the wastewater flow and/or contaminant load to an existing private sewage system, the owner of the property shall:

(1) Possess a sanitary permit to construct a new private sewage system or modify an existing private sewage system to accommodate the modification in wastewater flow or contaminant load; or

(2) Provide the following to the department:

a. Documentation that a private sewage system of adequate capability and capacity to accommodate the wastewater flow and contaminant load already exists to serve the structure, as specified in Wis. Admin. Code SPS 383;  
b. Documentation showing that the location of the proposed structure conforms to the applicable setback distances to all of the existing private sewage system components; and  
c. Documentation as specified in section 70-85(c)(2)-(4).

(3) If the existing private sewage system is found to be undersized, construction of the building addition or modification shall be allowed only if permitted by Wis. Admin. Code SPS 383 and 384, and an affidavit for the use of the undersized system is on file with the county zoning office.

(4) Any installation, addition or modification of a system must be completed and accepted before the addition or modified area of the structure may be occupied.

(Ord. No. 2000-02, § 3.11, 8-8-2000)

### **Sec. 70-75. Non-Plumbing Sanitation Systems.**

a. A privy is allowed only when the building served by the privy is not provided with plumbing or plumbing fixtures. A building or structure that has internal piping or has been "roughed in" with piping shall be considered to have plumbing.

b. Location:

Pit and vault privies shall not be erected within:

- (1) Fifty feet of any well, stream or lake;
- (2) Ten feet of a door or window of any building;
- (3) Ten feet from the line of any street or public thoroughfare;
- (4) Twenty-five feet of any lot line; and
- (5) Meet the shoreland setback of Wisconsin Administrative Code NR115.

c. Permit, fee, and agreement.

1. Prior to the installation of a privy, a property owner shall obtain a county sanitary permit for the privy and pay the applicable fee.

## Wisconsin Statues & Administrative Code

(Visit [wi.gov](http://wi.gov) or [dpsp.wi.gov](http://dpsp.wi.gov) for complete statutes and administrative code)

### 145.195 Building on unsewered property.

(1) No county, city, town or village may issue a building permit for construction of any structure requiring connection to a private on-site wastewater treatment system unless a private on-site wastewater treatment system satisfying all applicable regulations already exists to serve the proposed structure or all permits necessary to install a private on-site wastewater treatment system have been obtained.

(2) Before issuing a building permit for construction of any structure on property not served by a municipal sewage treatment plant, the county, city, town or village shall determine that the proposed construction does not interfere with a functioning private on-site wastewater treatment system. The county, city, town or village may require building permit applicants to submit a detailed plan of the owner's existing private on-site wastewater treatment system.

**History:** [1977 c. 258](#); [1999 a. 150 s. 87](#); Stats. 1999 s. 145.195; [2007 a. 147](#); [2011 a. 146](#); [2015 a. 197 s. 51](#).

**NOTE:** [Chapter 258, laws of 1977](#), which created this section, contains a prefatory note.

**Cross-reference:** See also ch. [SPS 383](#), Wis. adm. code.

An onsite inspection of an existing private sewage system must be made before a building permit may be issued for any type of construction requiring a connection to that system. [75 Atty. Gen. 38](#).

### SPS 383.25 Governmental programs.

#### (1) DELEGATION OF RESPONSIBILITIES.

(a) Pursuant to s. [145.20 \(1\) \(am\)](#), Stats., the delegation by a governmental unit of the administration and enforcement of this chapter to a town sanitary district or public inland lake protection and rehabilitation district shall be by ordinance.

(b) A copy of an ordinance delegating administration and enforcement of this chapter to a town sanitary district or public inland lake protection and rehabilitation district shall be forwarded to the department at least 30 days prior to the effective date of the ordinance.

#### (2) ISSUANCE OF BUILDING PERMITS.

(a) *General.* Pursuant to s. [145.195](#), Stats., the issuance of building permits by a municipality for unsewered properties shall be in accordance with this subsection.

**Note:** See ch. [SPS 383 Appendix](#) for a reprint of s. [145.195](#), Stats.

(b) *New construction.* A municipality may not issue a building permit to commence construction or installation of a structure that necessitates the use of a POWTS to serve the structure, unless:

1. The owner of the property possesses a sanitary permit for the installation of a POWTS in accordance with s. [SPS 383.21](#); or

**Note:** Section [SPS 383.21](#) outlines the procedures for the issuance of sanitary permits. Section [145.19](#), Stats., mandates that no private sewage system may be installed unless the owner of the property holds a valid sanitary permit.

2. A POWTS of adequate capability and capacity to accommodate the wastewater flow and contaminant load already exists to serve the structure.

**Note:** See ss. [SPS 383.02](#) and [383.03](#) concerning the application of current code requirements to existing POWTS.

#### (c) *Construction affecting wastewater flow or contaminant load.*

1. A municipality may not issue a building permit to commence construction of any addition or alteration to an existing structure when the proposed construction will modify the design wastewater flow or contaminant load, or both, to an existing POWTS, unless the owner of the property:

- a. Possesses a sanitary permit to either modify the existing POWTS or construct a POWTS to accommodate the modification in wastewater flow or contaminant load, or both; or
- b. Provides documentation to verify that the existing POWTS is sufficient to accommodate the modification in wastewater flow or contaminant load, or both.

2. For the purpose of this paragraph, a modification in wastewater flow or contaminant load shall be considered to occur:

- a. For commercial facilities, public buildings, and places of employment, when there is a proposed change in occupancy of the structure; or the proposed modification affects either the type or number of plumbing appliances, fixtures or devices discharging to the system; and
- b. For dwellings, when there is an increase or decrease in the number of bedrooms.

(d) *Documentation of existing capabilities.* Documentation to verify whether an existing POWTS can accommodate a modification in wastewater flow or contaminant load, or both, shall include at least one of the following:

1. A copy of the plan for the existing POWTS that delineates minimum and maximum performance capabilities and which has been previously approved by the department or the governmental unit.
2. Information on the performance capabilities for the existing POWTS that has been recognized through a product approval under ch.

## 2017 Wisconsin Act 240

The language in (b) below was amended by 2017 Wisconsin Act 240

Date of enactment: April 3, 2018

Date of publication: April 4, 2018

(Full legal effect on the day after its date of publication)

### **101.648 Waiver; smoke detector and carbon monoxide detector requirements; plumbing and electrical standards.**

(1) In this section:

(a) "Building permit" means a permit that authorizes the construction or occupancy of a one- or 2-family dwelling.

(b) "Dwelling construction standard" means a requirement imposed under s. 101.645 (3) or 101.647 (3) or a requirement imposed under any provision of ch. 101 or 145 ~~applicable inside one- and 2-family dwellings~~ or under any ordinance of a political subdivision relating to standards for electrical wiring or plumbing ~~applicable inside~~ one- and 2-family dwellings.

This change makes a religious waiver effective only INSIDE dwellings. Outside plumbing is no longer waived and must be installed by a licensed plumber according the SPS 381 through 387, the State Plumbing Code.

All wastewater (gray and black) generated from a dwelling must be disposed of in a private onsite wastewater system properly located in suitable soils identified by a soil evaluation and installed by a licensed plumber utilizing state approved products.