

Chapter 7

Sanitary Sewer Service Area Boundary

7.01 Purpose

The purpose of this chapter is to establish procedures for amending the boundary of the sanitary sewer service area and allocating the capital cost of serving new development.

7.02 Applicability

- (1) This chapter applies to all cities, villages, and towns within the District's planning area.
- (2) This chapter applies only to requests for amendments to the sanitary sewer service area. This chapter does not apply to requests for amendments to the political boundary or any other boundary of the District.

7.03 Prohibition of Service Outside of Boundary

The District may not provide sanitary sewer service to areas outside of the sanitary sewer service area boundary.

7.04 Regional Water Quality Management Plan Amendments

Before requesting a boundary amendment from the District, a city, village, or town shall obtain amendments to the Regional Water Quality Management Plan from the Southeastern Wisconsin Regional Planning Commission, including approval from the Department. If the proposed sanitary sewer service area boundary amendment would also require an amendment to the planning area boundary, then the city, village, or town shall concurrently seek the planning area boundary amendment.

7.05 Notice of Public Participation Process

The governmental unit seeking the boundary amendment shall notify the District of the public participation process that will occur, according to sec. NR 121.07(1)(b), Wis. Adm. Code, for the proposed Regional Water Quality Management Plan amendment.

7.06 Boundary Amendment Requests

To obtain an amendment to the sanitary service area boundary, a city, village, or town shall submit a boundary amendment request. The request shall include the following elements:

- (1) A cover letter describing the requested action;
- (2) A resolution adopted by the legislative body of the governmental unit requesting the boundary amendment;
- (3) A resolution adopted by the legislative body of the governmental unit requesting the Regional Water Quality Management Plan amendment from the Southeastern Wisconsin Regional Planning Commission;
- (4) A summary of the comments received during the public participation process and the governmental unit's response;
- (5) A copy of the amendment to the Regional Water Quality Management Plan;
- (6) A copy of the letter from the Department to the Southeastern Wisconsin Regional Planning Commission approving the boundary amendment;
- (7) The current value of the property within the area to be added;
- (8) Estimated property value after completion of planned development;
- (9) For residential land, the number of existing and proposed units and acres, and
- (10) For commercial and industrial land, the number of existing and proposed acres for each type of use.

7.07 Prevention of Internal Areas without Sewers

If a proposed boundary amendment would cause a parcel or group of parcels to be surrounded by the sanitary sewer service area, then the District shall disapprove the boundary amendment.

7.08 District Action

After receiving a complete request for a boundary amendment, the District shall review the request for consistency with the current facilities plan. If the request is consistent with the current facilities plan, then the District shall submit the proposed boundary amendment to the Commission for consideration.

7.09 Capital Charges [Reserved]

7.10 Effective Date

A boundary amendment becomes effective upon adoption by the Commission.

7.11 Determining the Value of Parcels Partially Inside the Sanitary Sewer Service Area

If a parcel is partially inside the sanitary sewer service area, with the remainder of the parcel outside of the sanitary sewer service area, then the value of the property within the sanitary sewer service area shall be the sum of the following two components:

- (1) the value of capital improvements to the portion of the property within the sanitary sewer service area and
- (2) the value of the land with the service area, determined by multiplying the total value of the land by the percentage of the total land within the sanitary sewer service area.