

**TOWN OF GIBRALTAR**  
**SEWAGE SYSTEM ORDINANCE**  
**ORDINANCE NO. 1991-03**

The Town Board for the Town of Gibraltar, County of Door, State of Wisconsin, does hereby ordain as follows:

1. **PURPOSE.** The Town of Gibraltar, pursuant to Wisconsin Statute 145.05 and the Administrative Rules, hereby prescribe rules relating to permits for the installation, maintenance, alternation and inspection of sewage systems, except holding tanks which are handled by a separate ordinance. This ordinance is to safeguard the public health in the Town of Gibraltar.
  
2. **DEFINITIONS.**
  - 2.1. Private Sewage System has the meaning given under Section 145.01(14) of the Wisconsin Statutes, excluding holding tanks which are handled by a separate ordinance.
  - 2.2. Applicant means the owner of property who has applied to the Town of Gibraltar for a permit to install a private sewage system.
  
3. **PERMITS.**
  - 3.1. No private sewage system shall be installed in the Town of Gibraltar until a permit has been obtained from the Town Board.
  - 3.2. No permit shall be issued until the Town and the applicant enter into an agreement in which the applicant guarantees the pumping and transport of the contents of a private sewage system to an approved disposal site as and when required by the Wisconsin Administrative Code and the Wisconsin Statutes.
  - 3.3. This agreement shall specify that if the owner does not cause to have the private sewage system properly maintained and pumped as required, the Town of Gibraltar will provide the maintenance and pumping at the expense of the owner of the property. Said agreement shall be binding on the owners, their heirs, successors and assigns, and shall be recorded in the office of the Register of Deeds for Door County, Wisconsin.
  - 3.4. The Town board shall grant permits for private sewage systems only for such lands that are not served by public sewage systems in the form approved either by the State of Wisconsin or the County of Door.
  
4. **FEE.** A fee of \$\_\_\_\_\_ shall accompany each application for a private sewage system. Said fee shall be made payable to the Town of Gibraltar and shall be nonrefundable.
  
5. **TIME LIMIT.** The permit to install a private sewage system is valid until the system is installed or for a period of six (6) months from the date of issue, whichever shall first occur. A private sewage system construction permit may be transferred from the holder

to a subsequent owner of the land, except the subsequent owner must obtain a new copy of the private sewage system permit from the Town of Gibraltar and also endorse the original private sewage system agreement and agree to the terms contained therein.

6. PENALTY. Any person who violates any provision of this Ordinance, or the buyer of any property individually or through his or her or its agents or employees who shall violate any provision of this ordinance shall, upon conviction of such violation, be subject to a penalty of not less than \$10.00 per day, nor more than \$200.00 per day, together with the costs of prosecution. Each day that a violation shall exist shall be considered a separate and distinct offense.

7. OTHER PROVISIONS.

7.1. All other Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

7.2. The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect any other provisions of this Ordinance.

7.3. This Ordinance does not deal with holding tanks. Holding tanks are handled in a separate Ordinance. The passage of this ordinance does not affect the validity of the other, separate Holding Tank Ordinance.

8. This Ordinance shall be effective upon passage and publication.

TOWN BOARD FOR THE TOWN OF GIBRALTAR

Ray Slaby Jr., Chairman

Chris Demarinis, Clerk

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