

**TOWN OF LYNDON
SHEBOYGAN COUNTY, WISCONSIN**

**ORDINANCE NUMBER 4 OF 2000
AMENDED SLUDGE APPLICATION ORDINANCE**

An Ordinance amending the ordinance regulating the transportation and application of municipal biosolids, commonly known as sludge, on agricultural real estate in the Town of Lyndon, Sheboygan County, Wisconsin.

THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF LYNDON, SHEBOYGAN COUNTY, WISCONSIN DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Purpose

The purpose of this ordinance is to amend the prior sludge ordinance to regulate the transportation and application of municipal wastewater treatment plant biosolids, commonly known as sludge, recognizing the agricultural benefits of property application and to safeguard the health, safety and welfare of the residents of the Town of Lyndon.

Section 2: Definitions

The following terms have the following meanings.

- A. **BIOSOLIDS** Sludge that has been treated and can be used beneficially.
- B. **DNR** Wisconsin Department of Natural Resources.
- C. **SEPTAGE** The untreated sediment from septic or holding tanks as covered by Wis. Stats., SS146.20, as amended.
- D. **SITE** Any DNR approved agricultural real estate designated for dispersal of sludge. A site shall only include real estate parcels owned by the same person or entity.
- E. **SLUDGE** Sewage sediment that contains a heavy growth of microorganisms, resulting from vigorous aeration, the accumulated solids resulting from biological or chemical treatment, flotation filtration or sedimentation of wastewater.
- F. **TOWN** Town of Lyndon, Sheboygan County, Wisconsin.

Section 3: Permit

No one shall spread biosolids on any site in the town unless a permit has been issued to them by the town.

Section 4: Permit Procedure

- A. **DNR Permit** - The applicant shall first obtain a Department of Natural Resources permit according to Wis. Admin. Code, NR 204, as amended.
- B. **Application** - An application shall be made in writing by the owner of the wastewater treatment facility generating the biosolids 10 days prior to application and filed with the Town Clerk / Treasurer.
- C. **Information** - An application shall contain the following information:
 - 1. The legal description of the real estate.
 - 2. The DNR site number of the real estate upon which the sludge is to be applied.
 - 3. The length of time the application will take place.
- D. **Action** - Action on the permit applications will be by the Town Clerk's Office.
- E. **Term** - The term of the permit shall be as permitted by Wis. Admin. Code. NR 204.07 (3) (1) and (m) as amended.

- F. **Winter** - winter applications shall be allowed as permitted by the DNR on a case by case basis.
- G. **Hours** – Hours of application shall be in accordance with NR204. Exceptions to this requirement, for unusual circumstances, may be granted only by the Clerk-Treasurer, or designated alternate.
- H. **Permit Fee** - A non-refundable fee of \$50.00 per site shall accompany the application.
- I. **Residences** - No sludge may be applied near a residence at a distance less than permitted by Wis. Admin. Code, NR 204.07 as amended.
- J. **Water Supplies** - No sludge may be applied near a public or private water supply well at a distance of less than permitted by Wis. Admin. Code, N 204.07 as amended.
- K. **Permit Revocation** - An issued permit may be revoked by the town if conditions and/or terms of permit or applicable terms of Wisconsin Statutes and/or Wisconsin Administrative Code have been violated. The applicant shall be notified of alleged violations by registered or certified mail. The town shall conduct a public hearing following Class 1 notice. The Town Board of Supervisors shall act on the proposed permit revocation following hearing.
- L. **Map** - A map of the currently approved sites shall be posted in the town hall by the Clerk/Treasurer's Office.

Section 5: Penalty

Any person who violates this ordinance shall be assessed a forfeiture of not less than \$100.00 nor more than \$500.00 for each violation plus applicable court costs.

Section 6: Effective Date

This ordinance shall be effective upon its passage, posting and publication according to law. Following passage by the Town Board, this ordinance shall take effect the day after the date of publication or posting as provided by Sec. 60.80, Wis. Stats.
 Adopted this 10th day of May, 2000, Amended June 10, 2009, Amended August 12, 2009

**TOWN OF LYNDON
 PERMIT TO APPLY SLUDGE**

Permit # _____ I hereby certify that _____

Has permission to spread sludge on lands owned by _____
 and that the fee of \$50.00 has been paid.

Date _____

I have read and do I agree to abide by Town of Lyndon
 Ordinance # 4 of 2000
 Amended Sludge Application Ordinance.

 Sally Marver
 Clerk / Treasurer

 Applicant