

KENOSHA COUNTY HOLDING TANK AGREEMENT	
This agreement is made between Kenosha County and holding tank owner(s)	
Return Address KENOSHA COUNTY DIV OF PLANNING & DEVELOPMENT 19600 75 th Street, Suite 185-3 BRISTOL WI 53104-9772	Owners Name and Mailing Address
Parcel ID #	Project Property Street Address
Legal Description – See Attached	

We acknowledge that application is being made for the installation of (a) holding tank(s) and that continued use of the existing premises requires that a holding tank be installed on the property for the purpose of proper containment of sewage. Also, the property cannot be served by a municipal sewer, and this type of private sewage system is permitted under SPS 383 WI Administrative Code, or Ch. 145 WI Stats. and Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance.

As an inducement to the COUNTY OF KENOSHA to issue a sanitary permit for the above-described property, we agree to do the following:

1. Owner agrees to conform to all applicable requirements of SPS 383 WI Adm. Code and Ch. 15, Kenosha County Sanitary Code and Private Sewage System Ordinance relating to holding tanks. If the owner fails to have the holding tank properly serviced in response to orders issued by the County to prevent or abate a human health hazard as described in s. 254.59, Stats., the County may enter upon the property and service the tank or cause to have the tank to be serviced and charge the owner by placing the charges on the tax bill as a special assessment for current services rendered. The charges will be assessed as prescribed by s. 66.0703 Stats.
2. The owner agrees to install a water meter with a remote reading device where required by SPS 383, WI Adm. Code or Ch. 15 of the above stated county ordinance. The use of the meter will be connected to the water service of the building(s) being served by the holding tank with all outside hose bibs by-passed from the meter. Meters may be required at the time of new construction, replacement of a system with a holding tank or as a condition of compliance resulting from a violation. Installation of the water meter shall be done in accordance with SPS 382, WI Adm. Code and the owner shall be responsible for the purchase, installation, maintenance and repair of the water meter. The owner agrees to allow the County Sanitarian to enter the above-described property to read and/or inspect the water meter and holding tank during normal business hours.
3. In the event the owner fails to maintain the holding tank the County has the authority to initiate maintenance to prevent or abate any human health hazard. The owner agrees to pay all charges and costs incurred by the County including but not limited to: inspection fees, citations, fines, pumping and maintenance, repair, replacement, plumbing and alterations. The County shall notify the owner of all costs which shall be paid by the owner within thirty (30) days from the date of notice. If the owner fails to pay all costs within the thirty (30) day period the owner then agrees to the charges being placed on the property tax rolls as a special assessment as provided by law for abatement of the human health hazard. The owner shall realize the County may seek other litigation in order to be reimbursed for costs incurred as well as citations and fines allowed by Ch. 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance.
4. The owner agrees to contract with a person who is licensed under Ch. NR 113, WI Adm. Code, to have the holding tank serviced and to file a copy of the contract with the County. The owner further agrees to file a copy of any changes to the service contract, or a copy of a new service contract, with the County within ten (10) business days from the date of change to the service contract.

5. The owner agrees to contract with a person licensed under Ch. NR 113, WI Adm. Code, who shall submit to the county on an annual basis a report in accordance with SPS 383, WI Adm. Code, for the servicing of the holding tank. In the case of registration under NR113.05(5) the owner shall submit the report and current licensing to the County. The County may enter upon the property to investigate the condition of the holding tank when pumping reports or meter readings may indicate that the holding tank is not being properly maintained or when there has been a complaint filed or evidence indicating a holding tank is being mismanaged.
6. This agreement will remain in effect only until the County certifies that the property is served by either a municipal sewer or a soil absorption system that complies with SPS 383, WI Adm. Code. In addition, this agreement may be canceled by executing and recording with the Register of Deeds said certification with reference to this agreement in such manner which will permit the existence of the certification to be determined by reference to the property.
7. This agreement shall be binding upon the owner, the heirs of the owner, and assignees of the owner and shall be recorded by the Register of Deeds in a manner which will permit the existence of the agreement to be determined by reference to the property where the holding tank is installed.
8. All manhole risers shall extend a minimum of four inches above final finished grade. If after holding tank installation, it is found that the manhole does not extend four inches above final finished grade, it shall be corrected at the owner's expense. Riser height shall be considered acceptable when surface water does not collect around the manhole riser and meets or exceeds the minimum height.
9. The holding tank shall be regularly pumped of its wastewater when contents are within one foot of the holding tank inlet invert elevation and/or at the time of high water alarm activation. Failure to pump and/or allow sewage to discharge from the tank or divert sewage from the holding tank is a violation of Ch. 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance.
10. If it is found that the holding tank contents are not regularly disposed of as required by law or it is found that the treatment tank has been altered in any way to allow removal of waste contents in an unlawful manner, the owner will be issued a citation at the time of discovery and for each day after discovery that the violation is allowed to exist.

County Sanitarian's Signature	Alex S. Priesgen	Date
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SIGNATURE SHALL BE NOTARIZED

Owners Name (Please Print)	Date
Owners Signature	
<p>The above instrument was signed by _____ before me this _____ day of _____, 20____.</p> <p>State of _____</p> <p>County of _____</p>	
Notary Public Signature	Print Name
My Commission Expires	