

VILLAGE OF THIENSVILLE
COMMITTEE OF THE WHOLE
AGENDA

DATE: Monday, February 4, 2013

LOCATION: 250 Elm Street
Thiensville, WI

Tme: 6:00 PM

I. Call To Order

II. Roll Call

President:	Van Mobley	
Trustees:	Kim Beck	Kenneth Kucharski
	Ronald Heinritz	David Lange
	Rob Holyoke	John Treffert
Administrator:	Dianne Robertson	
Staff:	Director of Public Works Andy LaFond,	Fire Chief Brian Reiels
	Police Chief Scott Nicholson	

III. BUSINESS

A. Review Capital Expenditures List

Documents: [CAPITAL FEBRUARY 4, 2013.PDF](#)

B. Review And Recommendation Regarding Ordinance No. 2013-01 Inspections Of Private Property And Remedial Work By The Village For Plumbing, Sewer, Water And Stormwater Compliance

Documents: [01-31-2013 SEWER ORDINANCE MEMO.PDF](#), [THIENSVILLE-SEWER LATERALS\) \(2\).PDF](#), [DIVISION_1._GENERALLY.PDF](#), [DIVISION_3._CONNECTIONS.PDF](#), [DIVISION_4._STANDARDS.PDF](#)

C. Review And Recommendation Regarding The MMSD I/I Program

Documents: [MMSD PRIVATE PROPERTY II COMPARISONS.PDF](#)

D. Review And Recommendation Regarding A Sign Code Revision As Recommended By The Plan Commission And Reviewed By The Historic Preservation Commission

Documents: [SIGN CODE UPDATES AS OF 1-16-2013.PDF](#)

E. Review And Recommendation Regarding Appointing Laurie S. Karafin To The Fire Department

F. Review And Recommendation Regarding Renaissance Committee Member Appointment Of Steve Meyer

G. Review And Recommendation Regarding Bike & Pedestrian Member Appointment Of John Liegeois To Replace Tom Clark

IV. BUSINESS FROM THE FLOOR

A. Citizens to be Heard

Open to any citizen who wishes to speak on items not on the agenda. Please step to the podium and give your name and address for the record.

V. MISCELLANEOUS BUSINESS BY TRUSTEES AS MAY PROPERLY BE BROUGHT BEFORE THE BOARD.

- A. Inter-Governmental Committee with Mequon
- B. Use of 101 Green Bay Road, Old Village Hall & Fire Station
- C. Acceptance/Report of Gifts Received
- D. Dialog with Mequon regarding water utility service
- E. Review next month's meeting date schedule

VI. MOTION TO ADJOURN TO CLOSED SESSION

Pursuant to Chapter 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility regarding personnel issue and evaluation of Village administrator.

1. Roll Call Vote

VII. MOTION TO RECONVENE IN OPEN SESSION

- A. Vote Of Board To Reconvene.
- B. Review And Recommendation To Extend A Conditional Offer To A Police Officer Candidate.

VIII. ADJOURNMENT

Dianne S. Robertson, Village Clerk

January 31, 2013

Please advise the Thiensville Municipal Hall, 250 Elm Street (242-3720) at least 24 hours prior to the start of this meeting if you have disabilities and desire special accommodations.

Notice is hereby given that a quorum of the Village Board and/or Village Committees may be in attendance at this meeting to present, discuss and/or gather information about a subject over which they have decision-making responsibility, although they will not take any formal action thereto at this meeting.

VILLAGE OF THIENSVILLE
2012 CAPITAL EXPENDITURE REQUESTS
FEBRUARY 4, 2013

<u>DEPARTMENT</u>	<u>AMOUNT BUDGETED</u>	<u>AMOUNT REQUESTED</u>	<u>ITEM DESCRIPTION</u>
Police	\$ 4,500.00	\$ 4,500.00	(3) VIEVU WEARABLE VIDEO CAMERAS
Police	\$ 4,200.00	\$ 4,200.00	(2) BALLISTIC SHIELDS
Public Works	\$ 59,694.00	\$ 3,840.00	REPLACE STREET LIGHT GLASS FIXTURES
In reserves			



250 Elm Street, Thiensville, WI 53092
262-242-3720 Fax 262-242-4743

Village of
Thiensville

Memo

To: Village President & Village Board
From: Andy LaFond, Director of Public Works
Date: January 31, 2013
Re: Sanitary Sewer Ordinance

As requested by the Village Board, Trustee Treffert and Village staff met to make revisions to the proposed ordinance so that the ordinance reflected the Village Boards philosophy without compromising the known ownership of private laterals.

Below are the following documents that will assist you in understanding not only the help you understand the existing ordinance but to also help you understand the proposed changes:

- 1) Revised "Whereas" clauses that describe the current situations that require the Village Board to review the existing ordinances.
- 2) Existing Sanitary Sewer Ordinance with red-lined proposed changes. (2 attachments)
- 3) Existing Building Ordinance with yellow highlights.

Most of the proposed changes are now drafted from an ordinance adopted in the Village of Elm Grove. Elm Grove has many similarities to Thiensville, being size, floodplain issues, age of structures and we share the same Village engineer.

After the Committee of the Whole meeting discussions the revisions will be forwarded to the Village attorney for formal drafting of the ordinance.

Sewer lateral inspection ordinance suggestions 1/29 13 John treffert

Original

Whereas (1), The Village wishes to have access to inspect private property laterals for Inflow and infiltration into the Sanitary sewer system; and

Whereas (2,) the Village wishes to expand the titling of Section 14-267 to include Plumbing, Sewer, Water, and Stormwater compliance; and

Whereas(3), the Village wishes to have a procedure in place to have the Director of Public works or the Village Administrator

Suggestions for additional information in the ordinance:Some of these could be definitions.

Whereas(10), A sewer lateral on a property is the underground pipe which conveys a building structure's waste water(generated from bath rooms, restrooms, utility sinks, kitchens, basement floor drains, etc) to a sanitary sewer main(definition below)

Whereas(20) A sanitary sewer main is the underground pipe running past a property(usually under streets) which collects wastewater from multiple properties and conveys it to a network of sanitary sewer mains leading to the Villages Wastewater ~~Lift~~ Pumping stations on Main street for conveyance via large interceptor sewers to the Milwaukee Metropolitan Sewerage District (MMSD) treatment plant in South Milwaukee.

Whereas(30) The owner of any property receiving sewer service from the Village through any lateral connection to a sewer main owns the lateral and is financially responsible for maintaining the lateral and keeping it in good working order from the structure utilizing the service to the point of connection into the sewer main including but not limited to all connective fittings such as wye joints.

Whereas(40) The Village's Sewer Utility owns and is financially responsible, and has an ongoing program, for maintaining the sewer mains(along with their access manholes) and the lift station and keeping them in good working order.

Whereas(50): Excess clear water that flows into sanitary sewer pipes, including laterals, from ground water and storm water is called infiltration and inflow, or I&I. Groundwater(infiltration) seeps into faulty laterals that have holes, cracks, joint failures, collapsed sections, and loose connections. Storm water(inflow) rapidly flows into sewer laterals via foundation drains, storm drain cross connections, leaking basement foundations resulting in water running across basement floors into floor drains, and sump pumps illegally connected to a drain inside the building.

Whereas(60) I&I causes sanitary sewer mains and laterals to become surcharged(full beyond their designed carrying capacity) which can lead to (a), the backup of sewerage into basements, (b) forcing the Village to use by-pass pumps to empty the surcharged pipes and/or the Village Lift stations storage tanks into ditches and/or streams, and (c) the village incurring extra gallonage charges from MMSD for processing.

Whereas(70) Faulty private laterals are considered to be a ~~primary~~ **Major** source of I&I and may result in basement back-ups into the home/building with the non-compliant lateral as well as into many neighboring properties creating (a) significant public health and safety issues. (b) the potential devaluation of a neighborhood, (c) a source of pollution to area surface waters: wetlands, streams, and rivers, and (d) a source of contamination for ground waters from which private and community wells draw their water.

Whereas (80) Faulty laterals can also, when I&I is not flowing into them, leak raw sewerage out thereby contaminating ground water and potentially drinking water wells on an on-going basis.

Whereas(90) The Village, under the direction of the Director of Public Works, periodically contracts with professional sewer inspection and repair services that utilize mobile underground cameras inserted into the sewer main man-holes to visually inspect and detect faulty laterals as defined above as well as foreign objects, root intrusions, and sagging or low spots all of which may result in sewerage backups into the building structures even during non-storm events.

Whereas(100) These inspections require cameras to enter into the lateral on private property and may require the injection of dyes underground into the lawns and gardens on private property

Whereas(110) The costs of these inspections will be absorbed by the Village and may be contracted for by the Director of Public works or his designee when (a) a street or road is scheduled to be reconstructed, (b) an area of the Village is experiencing sewer main surcharges, (c) basement backups are being reported, (d) if volumetric measuring devices indicate that an area is the source of excessive sewerage flows or(e), at any time deemed necessary for the public good.

Whereas (120) The Director of Public works or his designee will inform the owners of property owners in writing of the inspection plans(notification may occur after the inspection in case of emergency) of the plans for inspections-public information sessions may be held if the number of property owners is large.

Whereas(130) The Director of Public works or his designee will notify the property owners in writing(an attempt will be made for verbal notification in an emergency) of the results of the inspection along with the opportunity to view the video recording at Village Hall.

Whereas If after proper notification is attempted including a mailed letter, a certified letter, and two attempts to reach the property owner at the property the Village of Thiensville and the State of Wisconsin allow for an Inspection warrant to be obtained.

Whereas,~~(140)~~ The Director of Public Works or his designee will issue an repair order ~~to repair~~ to any property owner found to have a defective lateral, foundation drain, sump pump, or any other source of excessive clearwater. Where the amount of clearwater is determined to be adversely effecting the entire sytem or the defective lateral is or could cause damage to village roads or right of way.

Whereas, The Director of Public Works will work with the property owner to find the most cost effective repair method, including lining, grouting, or spot relay. If the inspection is part of a larger project the Director of public works will obtain bid pricing so the property owner can take advantage of the possible cost savings associated with a larger project.

Whereas, If the Inspection and ordered repairs are part of an MMSD funded Private Property Infiltration and Inflow Study/Project area the Village will use the MMSD funds to pay for 100% of the inspection costs and 100% of the repair cost minus a \$500 administrative fee.^[alf1]

~~This part needs more work regarding coordination and economies of scale. Need to address what happens if owners denies access.~~

~~Also make a separate ordinance for handling Village assistance in funding the repairs when \$ are available such as the MMSD program.~~

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Chapter 78 - UTILITIES
ARTICLE III. - SANITARY SEWER SYSTEM
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DIVISION 1. - GENERALLY

[Sec. 78-76. - Definitions.](#)
[Sec. 78-77. - Declaration of policy.](#)
[Sec. 78-78. - Creation.](#)
[Sec. 78-79. - Management.](#)
[Sec. 78-80. - Application of article.](#)
[Sec. 78-81. - Use of public sewers—Restricted.](#)
[Sec. 78-82. - Same—Use of sump pumps.](#)
[Sec. 78-83. - Penalty for violation of article.](#)
[Secs. 78-84—78-105. - Reserved.](#)

Sec. 78-76.- Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act means the Federal Water Pollution Control Act (33 USC 1251 et seq.) as amended by the Federal Water Pollution Control Act Amendments of 1972 (Pub. L. 92-500) and Pub. L. 93-243, or as modified by Wis. Stats. ch. 147 or appropriate sections of the Wisconsin Administrative Code, adopted pursuant to Wis. Stats. ch. 147.

Approving authority means the village board or its duly authorized deputy, agent or representative.

BOD means the quantity of oxygen expressed in milligrams per liter (mg/l) utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five days at a temperature of 20 degrees Celsius. The laboratory determinations shall be made in accordance with procedures set forth in Standard Methods.

Building sewer, lateral or service pipe means a sewer which carries only sewage or industrial wastes from the building plumbing to the public sanitary sewer.

Collection system means the system of sewers and appurtenances for the collection, transportation and pumping of domestic wastewater and industrial waste.

Connection means each physical connection to the collection system or private sewer system which connects to the municipal collection system.

Connection charge means a charge levied on users for each lateral connected to the public sanitary sewer.

Debt retirement means all annual principal and interest requirements and obligations of the approving authority for the sewage system.

Discharge monitoring station means a sampling and metering station required to be installed through a discharge monitoring agreement signed by an industrial user with the village in order to obtain information on a user's discharge to the system and to establish sewer user and debt charges.

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Domestic wastewater means waterborne wastes normally being discharged from the sanitary conveniences of dwellings, apartment houses, hotels, office buildings, factories and institutions, free of industrial wastes and in which the average concentration of suspended solids is established at or below 200 mg/l, the BOD is established at or below 200 mg/l, and the total phosphorus at or below ten mg/l.

Flow proportional composite sample means a sample consisting of portions of waste taken in proportion to the volume of flow of such wastes.

Industrial cost recovery means recovery by the approving authority from the industrial users of the sewage system of the amount allowable to the treatment of wastes from such users pursuant to section 204(b) of the Federal Act.

Industrial user means any nongovernmental, nonresidential user of publicly owned wastewater works which discharges more than the equivalent of 5,000 gallons per day (GPD) of sanitary wastes and whose activities are identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under the following divisions:

- (1) Division A. Agriculture, Forestry and Fishing;
- (2) Division B. Mining;
- (3) Division D. Manufacturing;
- (4) Division E. Transportation, Communications, Electric Gas and Sanitary Services; and
- (5) Division I. Services.

In determining the amount of a user's discharge for purposes of industrial cost recovery, the village may exclude domestic wastes or discharges from sanitary conveniences. After applying the sanitary waste exclusion, dischargers in the above divisions that have a volume exceeding 5,000 GPD or the weight of biochemical oxygen demand (BOD) or suspended solids (SS) equivalent to that weight found in 5,000 GPD of sanitary waste are considered industrial users. Sanitary wastes, for purposes of this calculation of equivalency, are the wastes discharged from residential users. Any nongovernmental user of a publicly owned wastewater treatment facilities which discharges wastewater to the wastewater treatment facilities which contains toxic pollutants or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to contaminate the sludge of any municipal system, or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a public nuisance, or creates any hazard in or has an adverse effect on the waters receiving any discharge from the wastewater treatment facilities shall be an industrial user, even if it does not discharge the equivalent of 5,000 gallons per day of sanitary wastes.

Industrial waste means any waterborne solids, liquids or gaseous wastes other than domestic wastewater, resulting from discharging from, flowing from or escaping from any commercial, industrial, manufacturing or food processing operation or process or from the development of any natural resource, or any mixture of these with water or domestic wastewater.

Intercepting sewer means a sewer constructed to receive the dry weather flow of untreated or inadequately treated sewage from one or more existing sanitary sewer system terminals other than from a dwelling or building that presently discharges or formerly discharged flow directly into any waters of the state, and convey the flow to a wastewater treatment facility or is to serve in lieu of an existing or proposed wastewater treatment facility.

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Natural outlet means any outlet into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

Normal sewage means sanitary sewage in which BOD, suspended solids, phosphorus or nitrogen concentrations do not exceed normal concentrations of:

- (1) A five-day, 20 degree Celsius, BOD of not more than 200 parts per million;
- (2) A total suspended solids concentration of not more than 200 parts per million; or
- (3) Phosphorus not more than ten parts per million.

Operation and maintenance cost means the actual sums spent by the village in the operation and maintenance of its sewage system consisting of, but not limited to, each and all of the following purposes:

- (1) Wages and salaries and employees' related expenses of operating, maintenance, clerical, laboratory and supervisory personnel, together with fringe benefits and premiums paid on such wages and salaries for the state workmen's compensation coverage.
- (2) Electrical power and other utility services.
- (3) Chemicals, fuel and other operating supplies.
- (4) Repairs to and maintenance of associated equipment.
- (5) Premiums for hazard insurance.
- (6) Premiums for insurance providing coverage against liability for the injury to persons and/or property.
- (7) Rents and leasing costs.
- (8) Operation, licensing and maintenance costs for trucks and heavy equipment.
- (9) Consultant and legal fees.
- (10) Training and educational expenses.

Person means any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, governmental agency or other entity and agents, servants or employees.

pH means the logarithm (base 10) of the reciprocal of the hydrogen concentration expressed in moles per liter. It shall be determined by one of the procedures outlined in the Standard Methods.

Phosphorus means the total phosphorus as determined by procedures set forth in Standard Methods.

Public sewer means a sewer or lateral in public right-of-way abutting properties and is controlled or owned by the public authority.

Replacement fund means expenditures for obtaining and installing equipment, accessories and appurtenances which are necessary during the useful life of the sewage system to maintain the

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capacity and performance for which such system was designed and constructed.

Residential equivalency charge means a charge levied on users for debt retirement, operation and maintenance costs and replacement fund. The charge shall be based on the average gallons of water used by a residential customer as determined by the village.

Residential equivalent connection (REC) means the wastewater flow and loadings to the system equivalent to that contributed by an average residential family equivalent. An average residential family equivalent shall be calculated yearly by the village.

Sanitary sewer means a sewer that conveys domestic wastewater or industrial waste or a combination of both, and into which stormwater, surface water and groundwater or unpolluted industrial wastewater are not intentionally contributed.

Septage means scum, liquid, sludge or other waste from a septic tank, soil absorption field, holding tank, vault toilet or privy. This does not include the waste from a grease trap.

Sewer system means all facilities for collecting, transporting and pumping domestic wastewater, industrial wastes and septage.

Slug means any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period longer than 15 minutes more than five times the average 24-hour concentration or flows during normal operation and which adversely affects the collection system and/or performance of the wastewater treatment facilities.

Standard Methods means the examination and analytical procedures set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater," as prepared, approved and published jointly by the American Public Health Association and the Water Pollution Control Federation.

Storm sewer means a sewer which carries storm and surface drainage but excludes domestic wastewater and industrial wastes.

Superintendent means the village administrator who shall be in charge of and supervise the operations and functions of the sewer system.

Surcharge user means a user of the sewer system who discharges wastes which have higher concentrations than domestic wastewater and is assessed an additional charge (surcharge) for the constituents higher in concentration than domestic wastewater.

Total suspended solids means solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by a laboratory filtration device. Quantitative determination of total suspended solids shall be made in accordance with procedures set forth in Standard Methods. Also referred to as suspended solids.

Unpolluted water means water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharging to the sanitary sewers and wastewater treatment facilities provided.

Use factors means flow, BOD, total suspended solids, phosphorus, and infiltration/inflow or the quantity of these factors as determined by the village by sampling and monitoring.

User means any person discharging domestic wastewater or industrial wastes into the collection

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system or entity discharging septage or other waste hauled or trucked to the sewer system.

Waste means any solids, liquid or gaseous material or combination thereof discharged from any residences, business buildings, institutions, industrial establishments and septage haulers into the collection system, storm sewer or septage receiving station.

Wastewater means a combination of the water-carried waste discharged into the collection system from residences, business buildings, institutions and industrial establishments, together with such groundwater, surface water and stormwater as may be present.

Wastewater pumping station means a pumping facility utilized to pump wastewater within the collection system.

Wastewater treatment facilities means any Milwaukee Metropolitan Sewerage District-owned facility, devices and structures used for receiving and treating wastewater from the village collection system.

WPDES permit means a permit to discharge pollutants obtained under the Wisconsin Pollutant Discharge Elimination System (WPDES) pursuant to Wis. Stats. ch. 147.

(Ord. No. 1987-6, § II(13.04), 12-30-87)

Cross reference— Definitions generally, § 1-2.

Sec. 78-77.- Declaration of policy.

The village board finds and declares that the public health, comfort and safety is preserved and enhanced by the provision of the sewer system in the promotion of a clean and healthful environment and that the failure to connect to the sewer system is contrary to minimum health standards.

(Ord. No. 1987-6, § II(13.05(1)), 12-30-87)

Sec. 78-78.- Creation.

The village board pursuant to the provisions of Wis. Stats. § 66.067 does hereby declare that the sewer system of the village consisting of the collection system, waste collection and disposal operations, sewer system and all other appurtenances and equipment used for such purposes, or wastewater treatment facility shall be designated the sewer system utility.

(Ord. No. 1987-6, § II(13.01), 12-30-87)

Sec. 78-79.- Management.

(a) The operation, management and control of the sewer system utility is vested in the village board as a sewage commission under the provisions of Wis. Stats. § 66.066(1) and is referred to as the approving authority. All records of the sewer system utility shall be kept by the village administrator in the village hall or other officially designated place.

(b) The rules, regulations and rates set forth in this article shall be considered part of the regulations applicable to every individual or entity connected to the sewer system and all persons discharging wastes to the sewer system. The rules, regulations and rates may be changed from time to time as determined by the village board, and the right is reserved to make special rates and contracts in all proper cases.

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(c) The village board shall cause an annual audit of the books of the sewer system utility made and shall make the books and records relating to the sewer system utility available for inspection during regular business hours.

(d) A proportionate distribution of operation, maintenance and replacement costs shall be maintained among user classes. Users shall be notified annually of the sewer service charges associated with the sewer system.

(Ord. No. 1987-6, § II(13.02), 12-30-87)

Sec. 78-80.- Application of article.

The application of this article, its rules, regulations and rates shall apply to all individuals, firms, corporations and institutions residing within the corporate limits of the village, and any person by attachment to the sewer system or otherwise by contract or agreement coming within the village sewer service area, subsequent to the effective date hereof, and all entities hauling wastes or trucking wastes and discharging to the sewer system.

(Ord. No. 1987-6, § II(13.03), 12-30-87)

Sec. 78-81.- Use of public sewers—Restricted.

No person shall discharge or cause to be discharged any stormwater, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, unpolluted industrial process water, cistern, overflow or foundation drainage to any sanitary sewer.

(Code 1984, § 13.05(1))

Sec. 78-82.- ~~Same—Use of sump pumps.~~ Clear Water Flow Into Sanitary Sewer System

(a) No roof downspout, cistern, swimming pool or water-chilled air conditioner, exterior foundation drain, areaway drain, sump pump or other source of surface runoff, stormwater, surface water, clear water waste, or groundwater shall be allowed to flow, directly or indirectly, into the Village sanitary sewer system.

(b) The Board of Trustees finds that direct or indirect discharge of any surface runoff, stormwater, surface water, clear water waste or groundwater into the Village sanitary sewer system is a significant factor in causing sanitary sewers to overflow and thereby contributing to sewage backup into basements. Therefore, any such direct or indirect flow of such waters into the Village sanitary sewer system is hereby declared to constitute a public nuisance and violations of this section may be prosecuted in the manner provided for in Chapter 823 of the Wisconsin statutes, as amended from time to time, as well as by any other means provided under this article or any applicable law.

(ac) *Required for subsurface drainage.* All subsurface drainage shall be disconnected from the sanitary sewer and a sump pump installed which will discharge to a storm sewer when necessary. Where the building is not serviced by a storm sewer, the sump pump shall discharge to the roadside drainage ditch located in front of the building. Where a storm sewer drainage ditch or other drainage facility is located in the back of the property, the sump pump discharge shall be made to such storm sewer, drainage ditch or other drainage facility only with the written approval of the plumbing inspector and subject to review by the state department of natural resources, division of environmental protection. In other cases the sump discharge pipe shall be to the front of the building.

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(bd) *Discharge from foundation drains and ground infiltration.* All sump pumps installed for the purpose of discharging clear water from foundation drains and ground infiltration, and where the building is not serviced by a storm sewer or drainage ditch, shall discharge no closer than three feet to the lot line from October 1 until May 1, and shall not discharge onto a paved roadway. Sump pumps may be discharged onto a paved roadway from May 1 to October 1.

(1) All sump pump discharge pipes shall be located one foot above the permanent ground grade to a point at least three feet out from the building. A pipe disconnect coupling shall be installed three feet out from the building so that the aboveground portion of the discharge pipe can be disconnected from the underground portion during freezing weather, if necessary.

(2) The sump discharge pipe shall be to the front of the building.

(3) All sump pumps installed to discharge clear water from foundation drains and ground infiltration must be directly connected to a storm sewer when available. Where the building is not serviced by a storm sewer, the sump pump shall discharge to the roadside drainage ditch located in front of the building. Where a storm sewer drainage ditch or other drainage facility is on another side of the property, the sump pump discharge may be made to such storm sewer, drainage ditch or other drainage facility only with the written approval of the plumbing inspector.

(4) All sump pumps installed to discharge clear water from foundation drains and ground infiltration, and where the building is not serviced by a storm sewer, shall discharge into an underground conduit leading to the roadside drainage ditch located in front of the building served, except in those circumstances noted in subsection (b)(3) of this section. The sump discharge pipe shall be located so that the drainage shall be across the owner's property toward the roadside ditch or drainageway. Sump pump pipes and their discharge are prohibited from being installed in the public road right-of-way. Specifically, the discharge outlet of sump pump pipes shall be located not less than one nor more than three feet behind the right-of-way line and at no time shall any sump discharge water drain onto a paved roadway or curb and gutter.

(e) Inspection In addition to other powers, the Public Works Director is hereby authorized to locate and define the boundaries and areas of excessive clear water infiltration or flowage into the sanitary sewer system.

(1) The Public Works Director may designate certain inspectors to investigate and check all buildings within an area suspected to be a clear water infiltration area, the area is scheduled for a road reconstruction or resurfacing, or at any time deemed necessary for the public good. Such inspectors shall have the power, after reasonable notice, to enter such premises above or below ground, including access from the main by remote inspection camera for the purpose of any inspection, observation, measurement, sampling and testing deemed necessary by said inspectors^[a1] to ensure compliance with this article. If, however, any inspector is denied entry after presentation of his or her identification, he or she may procure a special inspection warrant in accordance with § 66.122, Wis. Stats. If such inspectors deem such evidence or findings are inconclusive or if the property owner makes such a request, or the scope of the project dictates, an outside test shall be made by pouring a colored dye mixed with water into a hole drilled a short distance from the outside wall of the building, or along the lateral trench, and then checking the nearest downstream manhole to such premises to determine if the colored water is flowing into the manhole.

(2) Such inspectors shall report their findings to the Public Works Director and the Public Works

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Director/Village Administrator shall then have the power to direct such property owners to disconnect any downspouts, exterior foundation drains, areaway drains, sump pumps, or other sources, including privately owned sewer laterals, of surface runoff or groundwater which discharge clear water, directly or indirectly, into the sanitary extension sewer system of the Village.

(Code 1984, § 13.05(2))

Sec. 78-83.- Penalty for violation of article.

(a) Any person who fails to comply with any of the provisions of this article or with an order of the village issued in pursuance of this article, or shall tamper with metering or sampling, shall be liable to the village for any expense, loss or damage occasioned by such violation including reasonable attorney's fees and other expenses of litigation and, upon conviction of any violation of this article, shall be fined not less than \$100.00 nor more than \$2,500.00 per violation, plus damages. Each day a condition is allowed to exist which is contrary to all or any part of this article shall constitute a new violation. Change of ownership or occupancy of premises delinquent under the provisions of this article shall not be cause for reducing or eliminating charges due and penalties for violations.

(b) If any user shall discharge a waste or wastewater including septage that is inhibiting to the sewer system or wastewater treatment facility, such user shall pay a penalty of up to \$200.00 per violation, upon conviction. Each day a violation occurs shall constitute a separate violation. Such penalty shall be added to the monthly or quarterly billing statement, if not paid within 30 days of conviction or such other time as set by the court.

(c) In addition to the court proceedings and penalties described in subsections (a) and (b) of this section, whenever a person violates any provision of this article or fails to comply with any order of the village, the village may order that an action be commenced on behalf of the village in the county circuit court for the purpose of obtaining an injunction restraining the person violating this article or failing to comply with the order, from making any further discharges into the sewer system of the village.

(Ord. No. 1987-6, § II(13.18), 12-30-87)

Secs. 78-84—78-105.- Reserved.

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DIVISION 3. - CONNECTIONS

[Sec. 78-131. - Notice to connect; failure to comply; action by village; lien.](#)

[Sec. 78-132. - Alternative disposal.](#)

[Sec. 78-133. - Plumbers.](#)

[Sec. 78-134. - Maintenance of services.](#)

[Sec. 78-135. - User requirements.](#)

[Sec. 78-136. - Excavations; permit required.](#)

[Sec. 78-137. - Laterals.](#)

[Sec. 78-138. - Tapping the mains.](#)

[Secs. 78-139—78-160. - Reserved.](#)

Sec. 78-131.- Notice to connect; failure to comply; action by village; lien.

(a) To ensure preservation of public health, comfort and safety, the owner of any house, building, or property used for human occupancy, employment, recreation, or other habitation, situated within the village and adjacent to a public sewer or in a block through which a public sewer extends, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article, within 12 months after the public sewer first becomes operational or, if an immediate health hazard exists, within 30 days upon receipt of notice from the county health officer or the village building inspector.

(b) If a person fails to comply with such notice to connect within the given period of time, the village may, at its option:

(1) Cause such connection to be made and bill the property owner for such costs. If such costs are not paid within 30 days, such costs shall be assessed as a special tax lien against the property, unless the owner within 30 days after the completion of the work, files a sworn affidavit with the village clerk stating that he cannot pay such amount in one sum and asking that it be levied in not to exceed five equal annual installments. The amount shall be so collected with interest at a rate which is sufficient to recover the village's costs of borrowed funds or interest lost, plus one percentage point per annum from the completion of the work, the unpaid balance to be a special tax lien.

(2) Impose a standby charge, for the period of time in excess of 12 months that such failure continues after the date the public sewer first becomes operational, after ten days' written notice to any owner failing to make a connection to the sewer system, for an amount equal to 150 percent of the residential equivalency charge, payable monthly for the period in which the failure to connect continues. Upon failure to make such payment said charge shall be levied as a tax against the lot or parcel to which sewer service was furnished.

(Ord. No. 1987-6, § II(13.05(2)), 12-30-87)

Sec. 78-132.- Alternative disposal.

(a) No person shall construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended to be used for the disposal of domestic wastewater, if a public sewer is available.

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(b) No person shall discharge to any natural outlet within the village in any area under the jurisdiction of the village, sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article.

(Ord. No. 1987-6, § II(13.05(3)), 12-30-87)

Sec. 78-133.- Plumbers.

No plumber or other person will be permitted to engage in or work at any plumbing in connection with the sewer system without first receiving a license from the state bureau of plumbing.

(Ord. No. 1987-6, § II(13.05(4)), 12-30-87)

Sec. 78-134.- Maintenance of services.

(a) *Public Sewers* All sewer services within the limits of the village at the point of connection to the street main and all street mains, shall be maintained and repaired by the village without expenses to the property owner, except when they are damaged as a result of negligence on the part of the property owner or occupant, in which case they will be repaired at the expense of the property owner.

(b) *Private Sewers and Laterals* All building sewers and laterals located in the public right-of-way or easement from the point of connection to the sewer main and all facilities throughout the premises served, including but not limited to all connective fittings such as wye joints must be maintained free of defective conditions, by and at the expense of the owner or occupant of the property served. This shall include payment of all expenses associated with the cleaning, maintenance or repair or replacement of the lateral line, restoration of lawn or other landscaping improvements, which at the discretion of the Village may be undertaken, and repair of the street, if necessary, in accordance with Village of Elm Grove road cut specifications.

(1) *Notification* The property owner must notify the Village in writing prior to initiating work on any lateral other than routine cleaning. It shall be the property owner's responsibility to keep the sewer service lateral free from obstruction or defective conditions at all times.

(d) *Disturbance and Abandonment.*

(1) If an existing building is razed, or remodeled in any manner resulting in the disturbance of an existing lateral, there must be a complete replacement of the existing lateral with a new PVC lateral entirely at the expense of the property owner.

(2) An exception to the replacement of an existing lateral may be granted by the Village Director of Public Works if satisfactory evidence is submitted timely demonstrating that the existing lateral is of PVC construction or the existing lateral has been lined, and the existing lateral has been televised demonstrating that it is entirely free from major defects.

(3) In the event of abandonment, the lateral shall be severed from the main and a permanent seal, of a method and material approved by the Director of Public Works, shall be placed at the main connection so as to permanently seal the main from infiltration. The abandonment shall be inspected and tested to the satisfaction of the Director of Public Works. The permanent seal shall be installed by the property owner at the owner's sole expense.

(Ord. No. 1987-6, § II(13.05(5)), 12-30-87)

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Sec. 78-135.- User requirements.

(a) *Application for service.* Every person requesting connection to the sewer system shall file an application in writing to the village, in such form as is prescribed for that purpose. Blanks for such applications will be furnished at the office of the village administrator. The application must state fully and truly all the use which will be presently made. If any change in use from that set forth in this application is contemplated, the user must obtain further application and permission from the village administrator. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. The application may be for service to more than one building, or more than one unit of service through one service connection; and, in such case, charges shall be made accordingly. If it appears that the service applied for will not provide adequate service for the contemplated use, the village administrator may reject the application. If the village administrator approves the application, the village administrator shall issue a permit for services as shown on the application. All expenses relating to the connection to the sewer system shall be paid by the applicant or owner.

(b) *Tap permits.* After sewer connections have been installed into any building or upon any premises no plumber shall make any alterations, extensions, or attachments, unless the party ordering such tapping or other work shall obtain and exhibit the proper permit for the same from the building inspector.

(c) *User to keep in repair.* All users shall keep their own service pipes in good repair and protected from frost, at their own risk and expense, and shall prevent any unnecessary overburdening of the sewer system. The user is responsible for their service pipe from the street main through their facility served.

(d) *User use only.* No user shall allow other persons to connect to, or permit other uses to be made of, the sewer system through his lateral.

(e) *User to permit inspection.* Every user shall permit the village or its duly authorized agent, at all reasonable hours of the day, to enter their premises or building to examine the pipes and fixtures, and the manner in which the drains and sewer connections operate, and they must at all times, frankly, and without concealment, answer all questions put to them relative to its use. Should the owner or occupant of the premises refuse voluntary access to the premises, the building inspector is authorized to seek a special inspection warrant under Wis. Stats. § 66.122.

(f) *Responsibility.* No claim shall be made against the village or its agents or employees by reason of the breaking, clogging, stoppage, or freezing of any service pipe; nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary by the village absent of gross negligence of the village, its agents or employees. The village may cut off the service at any time for the purpose of repairs or any other necessary purpose, any permit granted or regulation to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer service within an area of the village, the village shall, if practicable, give notice to each affected user.

(Ord. No. 1987-6, § II(13.05(6)), 12-30-87)

Sec. 78-136.- Excavations; permit required.

Excavation requirements in the public right-of-way shall be as specified and required by the authority having jurisdiction over the right-of-way. In all cases, a permit is required.

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(Ord. No. 1987-6, § II(13.05(7)), 12-30-87)

Sec. 78-137.- Laterals.

(a) All laterals on private property will be installed in accordance with the Wisconsin Administrative Code as from time to time amended.

(b) The building sewer shall be inspected by the building inspector or his designee upon completion of placement of the pipe and before backfilling and tested before and after backfilling. The building inspector or his designee may order any building sewer exposed and removed if the building sewer is covered before inspection.

(Ord. No. 1987-6, § II(13.05(8)), 12-30-87)

Sec. 78-138.- Tapping the mains.

(a) No persons, except those having special permission from the village or persons in their service and approved by them, will be permitted under any circumstances to tap the public sanitary sewers. The kind and size of the connection to the public sanitary sewers shall be that specified in the permit or order from the village. A minimum of 48 hours' notice shall be given to the village prior to tapping any main.

(b) Pipes should always be tapped at the top, and not within six inches of the joint, or within 24 inches of another lateral connection.

(c) When any building sewer service is to be relaid and there are two or more buildings on such service, each building shall be disconnected from such service and a new building sewer shall be installed for each building.

(Ord. No. 1987-6, § II(13.08(9)), 12-30-87)

Secs. 78-139—78-160.- Reserved.

DIVISION 4. - STANDARDS

[Sec. 14-301. - State regulations adopted.](#)
[Sec. 14-302. - Rain and surface water connections.](#)
[Sec. 14-303. - Clear water compliance inspections.](#)
[Sec. 14-304. - Repairs and construction.](#)
[Sec. 14-305. - Sanitary facilities.](#)
[Sec. 14-306. - Drain junctions.](#)
[Sec. 14-307. - Discharge regulations.](#)
[Secs. 14-308—14-330. - Reserved.](#)

Sec. 14-301.- State regulations adopted.

(a) *By reference.* Wis. Stats. ch. 145 and the state plumbing code, chapter ILHR 81-84 of the Wisconsin Administrative Code are adopted by reference in this section. Failure to comply with any of the provisions of such regulations shall constitute a violation of this article, punishable according to the penalties provided in this article.

(b) *On file.* A copy of the state plumbing code shall be on file in the offices of the plumbing inspector and the village clerk.

(Code 1984, § 15.01; Ord. No. 1995-06, § 15.01, 10-16-95)

Sec. 14-302.- Rain and surface water connections.

(a) No person shall connect any building or premises sewer or drainage system with any public sanitary sewer by a drain or connection by which rain or clear water shall enter the village sanitary sewer system.

(b) The village plumbing inspector or his designee, upon identification, may enter any building or premises supplied with public water service or public sewer facilities for the purpose of inspecting and testing all plumbing, together with all form of clear water drainage, to ascertain quantity, quality and condition of sanitary and clear water sewage facilities.

(c) All building foundation drains shall terminate in a sump pit. An approved ejector pump shall be maintained to be functional.

(d) All sump pumps installed for the purpose of discharging clear waters from foundation drains and ground infiltration, and where the building is not serviced by a storm sewer, shall either discharge into a conduit leading to a drainage ditch or shall discharge onto the ground at least three feet out from the building and one foot above the permanent grade. The sump discharge pipe shall be to the front of the building except where a public drainage ditch, street or drainage easement is on another side of the property, it may be located on that side of the building at least three feet from the corner of the building and be located in such a manner that the drainage shall be across the owner's property toward a street or drainage easement so as not to run on adjacent properties or to create a nuisance.

(e) All other rulings pertaining to clear water connections shall be as governed by the Wisconsin

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Administrative Code.

(Code 1984, § 15.14; Ord. No. 1995-06, § 15.07(1)—(5), 10-16-95)

Sec. 14-303.- Clear water compliance inspections.

(a) *Inspection of sump pumps.* Upon resale or change of ownership of any residential or commercial building, the village administrator or plumbing inspector shall cause all sump pumps to be inspected.

(b) *Fees.* Fees for such inspection shall be as provided by resolution of the village board and on file in the village clerk's office.

(Code 1984, § 15.14; Ord. No. 1995-06, § 15.07(6), 10-16-95)

Sec. 14-304.- Repairs and construction.

When an old or defective fixture is removed to be replaced by a new one, the reconstruction of the soil, waste and vent piping shall conform to the requirements of this article.

(Code 1984, § 15.17; Ord. No. 1995-06, § 15.08, 10-16-95)

Sec. 14-305.- Sanitary facilities.

Every building intended for human habitation or occupancy, or premises abutting on a street in which there is a public sewer, shall have a connection with the sewer. Any building abutting on a street in which there is a public sewer and which is used exclusively for dwelling purposes shall have available to its occupants a water closet, wash basin and bathtub all in clean, working order and shall be provided with a water supply piping adequate in size to properly cleanse or flush all fixtures.

(Code 1984, § 15.20; Ord. No. 1995-06, § 15.09, 10-16-95)

Sec. 14-306.- Drain junctions.

(a) *Clerk to keep record.* The village clerk shall keep a record of all connections to the public sewer system. They shall also maintain proper records recording the charges for and the collection of sewer rentals at the rates as provided for in chapter 78.

(b) *Location of drain junctions.* No persons except licensed plumbers shall tap or make connections with the public sewer system or any part thereof. Such information as the plumbing inspector or the superintendent of the sewage plant may have with regard to the location of sewer junctions or slants will be furnished to the plumbers at their risk as to the accuracy of same. When, in accordance with the measurements furnished by the plumbing inspector or the superintendent of the sewage plant, the junction is not found within three feet of both ways of measurement given, a slant connection with a one-eighth inch bend shall be used and such connection shall be made under the direction of the plumbing inspector.

(Code 1984, § 15.24; Ord. No. 1995-06, § 15.13, 10-16-95)

Sec. 14-307.- Discharge regulations.

(a) No person shall dump or dispose of materials other than stormwater into the municipal separate storm sewer system. The accidental discharge of substances other than stormwater into the municipal separate storm sewer or bodies of water in the village shall immediately be reported to the village

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department of public works, village police department or Wisconsin Department of Natural Resources.

(b) No person shall discharge polluted stormwater from industrial activity into the municipal separate storm sewer system.

(c) In the event that a Village of Thiensville storm sewer connects to a downstream storm sewer maintained by the City of Mequon, or in the event that a City of Mequon storm sewer is connected to a downstream Village of Thiensville storm sewer, an appropriate intermunicipal agreement shall be created to control the contribution of pollutants from one municipal separate storm sewer system to another.

(d) The Village of Thiensville shall carry out inspections, surveillance and monitoring procedures to detect illicit discharges into the municipal separate storm sewer system.

(e) No person shall discharge, spill or otherwise deposit substances or materials which are not entirely composed of stormwater onto driveways, sidewalks, parking lots or other impervious or pervious areas that drain into the streams and watercourses within the village.

(f) The following discharges are exempt from the provisions of this article:

(1) Discharges authorized by a permit issued by the Wisconsin Department of Natural Resources;

(2) Discharges resulting from fire fighting activities;

(3) Discharges from uncontaminated groundwater, portable water sources, roof drains, foundation drains and foundation drain sump pump discharges, air conditioning condensation, lawn watering, watering main and hydrant flushing and swimming pools, if the pool water has been dechlorinated;

(4) Discharges from individual automobile washing by automobile owners not involving any commercially zoned site;

(5) Agricultural activities if such activities are done in a manner consistent with good soil and water conservation practices;

(6) Facility maintained activities undertaken by any federal, state, county or municipal agency if facility maintenance is done in accordance to all applicable construction erosion control measures.

(Ord. No. 2004-05, 3-16-04)

Secs. 14-308—14-330.- Reserved.

MMSD Private Property I/I Funding Comparisons

1/31/2013

The following is a comparison of how other MMSD communities have decided to fund Private Property I/I projects.

Bayside:

100 % funded investigative

100% funded rehab (lateral lining)

Brookfield- 100% testing funded

- Foundation drain removal-100% funded \$8,000 cap
 - Lateral lining -75% funded \$8,000
 - Surface drainage 50% funded \$8,000 cap
- Total cap / property \$10,000

Brown Deer:

100% investigative \$500 cap

25%, \$3,000 cap for voluntary rehab

10%, \$1,000 cap for involuntary or muni ordered repairs

100% for all work in the right of way

Glendale:

100% of investigative and rehab

Greenfield:

100% investigative \$500 cap

100% to \$6,000 and 75% thereafter to a cap of \$12,000 total for laterals and foundation drain related

50%, \$6,000 cap for all other types of eligible.

Mequon:

100% investigative

Rehab plan yet to be determined.

Milwaukee:

100% investigative and rehab

Muskego:

100% investigative and rehab

Whitefish Bay- 0% funded for rehab (assessing cost of rehab)

- 100% testing funded

West Allis - 100% rehab/testing funded

West Milwaukee:

100% investigative and rehab

Elm Grove - 100% rehab/testing funded

Franklin - 100% rehab/testing funded

Germantown – 30% rehab funded, 100% testing funded, loan available from Village at 4%

Fox Point - \$5,000 rehab max funded w/ \$500 charged for testing

ARTICLE V- PERMANENT SIGNS

Sec.16.5 – Sign plan required

Sign Plan: Properties located in the R-4 and R-5 Multiple Family residence Districts, the B-1 through the B-4 Business Districts, and the I-1 Institutional District and the P-Park Districts shall submit a sign plan for review by the Historic Preservation Commission, when applicable, prior to review and approval by the Plan Commission.

E. A landscape plan for the sign base (monument sign) shall extend landscaping for a minimum of fifty (50) square feet of landscape area five (5) feet from the base of the sign.

ARTICLE 11. – PROHIBITED SIGNS

Sec. 16.10 – Prohibited signs

~~E. Pole Signs: New pole or pylon signs are prohibited as signage. Other signage types allowed by this Code are sufficient for all developments. Pole or pylon signs in existence as of the date of this Ordinance will be considered legal non-conforming signs and may remain in place either until said sign is proposed for replacement, a change in the sign face, or is required to be removed because it is in a dilapidated state and/or structurally unsound (at which time the replacement sign must have a visible base or support other than a pole or pylon) or until the specific sign has met the end date in any future amortization schedule approved by the Village Board.~~

Sec. 16.16 – Design guidelines

All signs shall be architecturally integrated with their surroundings in terms of size, shape, color, texture and lighting so that they are complementary to the overall design of the building, the aesthetics of the community and are not in visual competition with other signs in the area.

All signs shall complement their surroundings without competing with each other, shall convey their message clearly and legibly, shall be weather resistant, and if illuminated, shall not be overly bright for their surroundings and not exceed 1 foot candle of illumination at the property line. Externally illuminated signs shall have adequate shading and be directed at the sign in such a way that the lighting will not produce glare affecting oncoming vehicles.

The following additional design guidelines shall be considered in the review and consideration of signage proposed within the Village of Thiensville:

- Village of Thiensville 2010 Master Architectural Guidelines
- Town Center Plan and Design guidelines
- Historic Preservation Commission Guidelines for signs located on any historic landmark site, structure or district.

The design guidelines for signage included in Chapter 1.2.12 of the Mequon-Thiensville Town Center

Design Guidelines and Phase I Concept Design Plan 2005, and from time to time amended, Historic Preservation Commission Guidelines and Architectural Guidelines shall be used as additional criteria in the review and approval of signs within the Town Center.

- A. Ground or Monument signs
 - 1. The color scheme of the sign shall follow the color scheme of the principal building, to the greatest extent practical.
 - 2. Architectural features (e.g., sills, piers, reveals, capstone, medallions, etc.) which are part of the architectural style of the principal building shall be incorporated into the sign, to the greatest extent practical.
- B. Shopping Center and Multiple-Tenant Commercial Building Signs. A shopping center or multiple tenant commercial building may provide the following signage:
 - 1. Sign Plan Required: Sign plans for multi-tenant buildings shall be designed to complement the style, color and materials of the building. The best sign programs are integrated such that they become a natural part of the building façade. New signs proposed for existing buildings shall provide a compatible appearance with the building signage of the other tenants. With multiple signs on a single building, even where no sign program currently exists, an attempt should be made to incorporate a unifying element (such as size) to all tenant signs as they are replaced.
 - 2. Master Identification Signage. A Master identification sign may be provided which displays the name of the shopping center and may also include information such as, but not limited to, names of individual stores, hours of operation and/or special sales information. The master identification sign shall not exceed ~~thirty-two (32)~~ forty (40) square feet per side in area and ~~ten (10)~~ fifteen (15) feet in height and the location shall be approved by the Plan Commission prior to issuance of a sign permit.
 - 3. Exterior Wall Signage. One exterior wall sign may be provided for each individual tenant business that has an exterior storefront wall in a shopping center. No exterior wall sign shall extend more than twelve (12) inches out from a building's wall surface. In multi-tenant buildings, separate signage may be allowed that complies with the requirements for the maximum square footage allowed for the building frontage. The maximum area of each tenant wall sign shall be computed using the formula in Sec. 16.17 A. Wall Signs. If a tenant's store is at a corner and has two exterior storefront walls, one separate exterior wall sign may be permitted on each exterior wall as long as the combined area of both signs does not exceed 100 percent of the total area allowed for the tenant space and the sign on a minor storefront may not be more than 30 percent of the total allowed signage for the tenant.

(ALSO, SEE FIGURE 2 AND 3 IN THE APPENTIX FOR GRAPHICS AND FORMULA EXAMPLES FOR CALCULATING THE MAXIMUM AREA FOR INDIVIDUAL TENANT WALL SIGNS)

- C. Landscaping: ~~A minimum of 50 square feet of landscaping shall be designed around the base of ground/monument signs to integrate the sign with the surrounding area.~~
 - 1. In the case of a free-standing or monument sign, a landscaped area shall extend a minimum

- of five (5) feet from the base of the sign and shall be approved by the Plan Commission.
2. Where any sign is to be externally illuminated using ground mounted fixtures, landscape planting shall be installed in such a manner to entirely shield the light source from the surrounding view. Landscaped plantings shall be of the type as will ensure effective year long screening.
- D. Internal Lighting: The sign face shall be constructed with an opaque surface to allow internal light to only project through the cut-out lettering and/or logos. Dark colored backgrounds on signs are generally encouraged. Stark white or extremely bright background colors such as bright red, orange or yellow are discouraged.
 - E. External Lighting shall be directed at the sign only and shall not exceed 1 foot candle of illumination at the property line. Externally illuminated signs shall have adequate shading and be directed at the sign in such a way that the lighting will not produce glare affecting oncoming vehicles. ~~Externally illuminated signs are discouraged.~~
 - F. Consistency within The Sign Plan: The background color, type, style and print color of the sign should be consistent. However, the use of a logo which provides identification for the business can be used to bring distinction to the business within the framework established by the sign program.

Sec. 16.17 – Signs permitted in ~~all business districts and the I-1 Institutional district~~ the B-1 district with a permit

Signs are permitted in ~~all business and manufacturing districts~~ the B-1 District are subject to the following restrictions: **(SEE FIGURE 1 in the APPENDIX FOR EXAMPLES OF SIGN TYPES)**

- A. **Wall Signs.** One wall sign per commercial building placed against and not extended more than twelve (12) inches out from a building's wall surface. The maximum area of any wall sign shall be computed using the following formula.

~~1. BUILDINGS SET BACK 30 FEET OR LESS FROM THE RIGHT OF WAY LINE~~

~~Single Tenant Buildings with a setback of thirty (30) feet or less:~~ Total maximum area of

signage shall not exceed .50 feet in area for every one (1) linear foot of building front width; however, no sign shall exceed fifty (50) square feet in area for any one premise. Thus, a building with a front width of 100 linear feet would be allowed maximum wall signage of 50 square feet: 100ft. X .5 = 50 square feet of wall signage.

~~Multi-tenant Buildings with a setback of thirty (30) feet or less:~~ In multi-tenant buildings ~~set-back thirty (30) feet or less,~~ separate signage for individual tenants may be allowed that in the aggregate does not exceed the maximum square footage allowed for the total building façade.

The sign area for each tenant will be proportional to the front width of the tenant space based upon and computed using the ratio of the front width of the tenant space to the total front width of the building façade.

For example,

- Tenant A has thirty (30) feet of frontage on a building with a total front width of sixty (60) linear feet that is allowed a maximum sign area of thirty (30) square feet (.5ft. X 60ft.)
- The ratio of Tenant A's front width of thirty (30) feet to the total building front width of sixty (60) feet is (30 divide by 60) or 50% of the total building width. Thus, Tenant A would be allowed a maximum sign area of ten (15) square feet.
- If Tenant B occupies twenty (20) feet of frontage, the ratio of Tenant B's front width to the total building front width is 20 divide by 60 or 33%. Thus, Tenant B would be allowed a maximum sign area of ten (10) square feet.
- The remaining tenant would be allowed five (5) square feet of wall signage.

2. BUILDINGS SET BACK GREATER THAN 30 FEET FROM THE RIGHT OF WAY

Buildings with a setback GREATER than thirty (30) feet: Total maximum area of signage shall not exceed 0.5 feet in area for every one (1) linear foot of building front width. For a building set back thirty feet (30) or more from the right-of-way line, an additional 1.0 foot for each foot the building is setback over thirty (30) feet up to a maximum sign of seventy (70) square feet.

For example,

- A building with a front width of 100 linear feet that is setback 50 feet from the right-of-way line would be allowed maximum wall signage of seventy (70) square feet, as calculated below:
- (.5 feet X 100ft. = 50 square feet) Plus (1.0 feet X 20 feet = 20 square feet [the difference between a 30 foot setback and a 50 foot setback] for a total maximum sign area of 70 square feet.

Multi-tenant Buildings: In multi-tenant buildings, with a setback greater than thirty (30) feet, separate signage may be allowed that in the aggregate does not exceed the maximum square footage allowed for the total building façade. The sign area for each tenant will be proportional to the front width of the tenant space based on the ratio for the front width of the tenant space to the total front width of the building façade.

For example,

- If Tenant A occupies half a buildings front width of 100 feet with a building setback of 50 feet, Tenant A would be allowed 50% of the maximum 70 square feet or a maximum allowed signage of 35 square feet.
- If Tenant B occupies twenty-five (25) feet of frontage, Tenant B would be allowed

~~25% of the maximum allowed signage (25 feet divide 100 feet = 25%) or 17.5 square feet.~~

(SEE FIGURES 2 AND 3 IN THE APPENDIX FOR FORMULA EXAMPLES AND GRAPHICS ILLUSTRATING HOW TO CALCULATE THE MAXIMUM AREA FOR WALL SIGNS)

Wayfarer signs may be deemed permissible in the historic district subject to the following limitations; one sign per commercial building placed against and not extended more than 12 inches outside of a building's wall surface and shall not exceed .75 square feet in area for every one (1) linear foot of building face on which it is mounted or shall not exceed the following calculation: building face on which the sign is mounted and building setback of face of building = total frontage and setback times .30 = total square feet allowed per building whichever is less; however, limited to 78 square feet in area and 15 feet high in the historic district; and limited to 78 square feet in total area, unless a deviation from the size requirements of this subsection is approved by the Village Plan Commission. "Height" as noted in this subsection shall be determined by measuring the entire sign, from base to top, excluding any border or framing surrounding the sign surface. Wayfarer signs including multiple advertisers may be permitted in the historic district.

- B. Monument, Ground Signs and Ground-mounted Projecting Signs:** There shall not be more than one freestanding monument, ground or ground-mounted projecting sign (defined as a double-sided sign face attached to a single decorative support beam using a decorative bracket) for each principal building.
1. **Area of Monument and Ground Signs.** The area of a monument or ground sign shall be proportional to the size of the building ~~and distance back from the right-of-way~~. Monument and ground signs shall not exceed twelve (12) square feet on one side nor twenty-four (24) feet on all sides for any one premises, except in the case of multi-tenant buildings as regulated in Sec. 16.16 DESIGN GUIDELINES of this chapter, the master identification sign shall not exceed thirty-two (32) square feet in area and ten (10) feet in height and the location shall be approved by the Plan Commission prior to the issuance of a sign permit.
 2. **Location.** A monument or ground sign may not be located closer than four (4) feet to any property line or driveway. Monument or ground signs shall meet the following setback requirements: Front yard setback: 0 feet. Side yard setback: ten (10) feet; setback from driveway ~~ten (10) feet~~ four (4) feet. Under no condition shall a sign be allowed within the street right-of-way.
 3. **Height.** Ground or monument signs shall not exceed six (6) feet in height as measured from preconstruction grade at the base of the sign except that decorative finials attached to the top of the supports may be up to six (6) inches above the six (6) foot height maximum for supports. A monument sign base shall not project higher than three (3) feet, as measured from preconstruction grade at the base of the sign. The face of a monument sign may not exceed three (3) feet in height.
 4. **Design.** Monument signs and ground signs shall have a base constructed of brick, stone or wood. Ground supports shall be constructed of brick, stone or wood and shall be architecturally designed.

5. Area of Ground-mounted Projecting Signs. A ground-mounted projecting sign may have no more than two faces (back to back) and the maximum area of the sign face may be no greater than (9) square feet in area for each face.
6. Height of a ground-mounted projecting sign. The maximum height of the sign face for a ground-mounted projecting sign may be no higher than six (6) feet six (6) inches above grade. The maximum height of the support structure is shall not exceed eight (8) feet.
7. Location of a Ground-mounted Projecting Sign. Ground-mounted projecting signs may ~~project no further~~ extend no further than three (3) feet from the support structure and the far

end of the sign face may be no closer than three (3) feet to the ultimate right-of-way.

8. Landscaping. ~~A minimum of 50 square feet of landscaping shall be designed around the base of ground/monument and ground-mounted projecting signs to integrate the sign with the surrounding area shall~~ extend a minimum of five (5) feet from the base of the sign and shall be approved by the Plan Commission.
9. Time and Temperature Devices may be erected as either monument signs or wall signs and shall meet all requirements attendant to those sign types. No time and temperature device, however, shall be located closer than 750 feet to another time and temperature device, or exceed twenty-five square feet in area.
10. Internal Lighting: The sign face shall be constructed with an opaque surface to allow internal light to only project through the cut-out lettering and/or logos. Dark colored backgrounds on signs are generally encouraged. Stark white or extremely bright background colors such as bright red, orange or yellow are discouraged.

C. **Marquee, Awning, Window or Canopy Signs** affixed flat to the surface of the marquee, awning, window or canopy are permitted provided that the sign does not extend vertically or horizontally beyond the limits of said marquee, awning, window or canopy. Plastic type awnings of any kind are not allowed. "Traditional" type awnings/canopies are strongly recommended. A marquee, awning or canopy sign may extend to within one (1) foot of the vertical plane formed by the curb. A name sign not exceeding four (4) square feet in area located immediately in front of the entrance to an establishment may be suspended from a canopy provided that the name sign shall be at least eight (8) feet above the sidewalk. The gross surface of an awning, canopy or marquee sign shall not exceed fifty (50) percent of the gross surface area of the face of the awning, canopy or marquee to which such sign is affixed or thirty (30) square feet in area, whichever is less.

D. **Building-mounted Projecting Signs (including Awning Signs)** shall be permitted in the Village subject to the following requirements:

1. The owner of a projecting sign must file with the Village Clerk a current certificate of insurance before he/she shall be permitted to install a projecting sign over a public right-of-way, and must maintain a certificate of insurance that complies with the terms of this ordinance at all times while the sign is displayed.
2. The certificate of insurance purchased and maintained by the sign owner must have commercial general liability aggregate of a minimum of \$1,000,000.00, and must name the Village of Thiensville as an additional insured party.
3. The projecting sign shall be illuminated from the exterior only. No interior illumination shall be permitted on projecting signs.
 - a. The projecting sign shall in no case be closer than two (2) feet from a curb or project

more than four (4) feet from the façade of a building; and shall have a minimum clearance of eight (8) feet, measured grade level to the bottom of the sign, and a maximum height of twelve (12) feet, measured grade level to the top of the sign; and shall not exceed ~~nine (9)~~ sixteen (16) square feet in area per surface; and shall have no more than two (2) surfaces, a front and a back, both of which are perpendicular to

the building façade.

- b. The projecting sign must be mounted firmly, in a workmanship-like manner and projects more than one foot, generally perpendicular from a structure or building face.

(SEE FIGURE 4 IN THE APPENDIX FOR MEASURING HEIGHT AND CLEARANCE OF SIGNS)

E. **A-frame/Sandwich Board Signs.** ~~An a-frame/Sandwich Board Sign is a portable sign that stands on the ground, has two sides of which form a triangle (A-frame).~~ No A-frame sign shall be permitted until a permanent sign has been permitted for the premises.

1. One A-frame Sign is allowed per business by permit and shall stand no more than four (4) feet in height with each sign surface not to exceed eight (8) square feet. A-frame signs shall not exceed fifteen (15) square feet per side and shall be placed on private property. A-frame signs shall be secured in a manner acceptable to the Building Inspector.
2. A-frame signs can only be placed within the linear building frontage of the business or entity it represents and can only advertise that business.
3. A-frame signs can only be displayed during the business hours of the entity it represents.
4. A-frame signs must be built in a professional manner of durable materials such as wood or plastic composites that mimic wood and must be framed around d the edges.
5. A-frame signs must be placed so as not to block building entrances, exits, sidewalks or other traveled right-of-way areas, and on private property when available. If there is no private location for an A-frame sign, only then will public right-of-way be considered for placement.
6. A-frame signs must be adequately weighted or anchored to prevent movement by wind or other elements.

F. **Window Signs.**

Permanent window signs (WINDOW VINYLs) shall be placed only on the inside of the windows of commercial buildings and shall not exceed thirty (30) percent of the total glass area of the pane upon which the sign is displayed. Permanent window signs may be placed on the interior of the glass doors to a commercial building and shall not exceed twenty-five (25) percent of the glass pane upon which the sign is displayed.

(PLEASE SEE SECTION 17.0704 SIGNAGE REQUIRMENTS FOR UNIQUE AND UNUSUAL CIRCUMSTANSES.

Sec. 16.17a. Signs allowed in all other Commercial and Institutional Districts. For commercial and institutional uses in the B-2, B-3, B-4 and I-1 Districts only the following signs are hereby allowed subject to Plan Commission approval and issuance of a sign permit.

1. Wall signs.

- a. Number. There shall not be more than one wall sign for each principal building placed against and not extended more than 12 inches outside of the building's wall surface except for multi-tenant buildings as regulated in Section _____ of this chapter and except in the case of buildings that front two public streets, one may be permitted for each façade facing a public street.
- b. Area. The gross surface area of a wall sign shall not exceed 0.5 feet in area for every one (1) linear foot of building front width or 60 square feet, whichever is smaller.
- c. Location. A wall sign may be located on the outermost wall of any principal building but shall not extend further than 12 inches out from the building's wall surface.
- d. Height. The wall sign shall not project higher than the parapet line of the wall to which it is affixed. A wall sign shall not exceed 12 feet in height from the base of the building wall to which it is affixed.
- e. Internal Lighting: The sign face shall be constructed with an opaque surface to allow internal light to only project through the cut-out lettering and/or logos. Dark colored backgrounds on signs are generally encouraged. Stark white or extremely bright background colors such as bright red, orange or yellow are discouraged.

f.

2. Freestanding, pole or monument signs. Monument signs are encouraged by the Village in areas where a freestanding or pole signs are not appropriate, such as a very small front yard.

- a. Number. There shall not be more than one freestanding, pole or monument sign for each principal building.
- b. Area. The gross surface area of a freestanding, pole or monument sign shall not exceed forty (40) square feet on one side nor eighty (80) square feet on all sides, except in the case of multi-tenant buildings as regulated in Sec. 16.16 DESIGN GUIDELINES of this chapter. Freestanding, pole or Monument Signs. Freestanding, pole or Monument Signs shall not exceed fifteen (15) feet in height above the finish grade at the base of the sign.
- c. Location. A freestanding, pole or monument sign may not be located closer than four (4) feet to a public road ultimate right-of-way, property line or driveway.
- d. Height. A freestanding/pole sign shall not extend higher than fifteen (15) feet from the grade at the base of the sign. A monument sign shall not extend higher than six (6) feet from the grade at the base of the sign.
- e. Internal Lighting: The sign face shall be constructed with an opaque surface to allow internal light to only project through the cut-out lettering and/or logos. Dark colored backgrounds on signs are generally encouraged. Stark white or extremely bright background colors such as bright red, orange or yellow are discouraged.

3. Window signs.

- a. Neon signs. Each business tenant shall be allowed to display on each public streets it fronts _____ a neon sign not to exceed 300 square inches in size for 50 percent of the window area,

whichever is less. Neon signs shall emit a steady light and only be illuminated during business hours. Blinking, flashing, strobe or other light animation shall not be allowed.

b. Temporary signs. Temporary, non-illuminated signs covering less than 25 percent of the individual window area shall be allowed.

c. Business decals. Business decals not exceeding two square feet in size shall be allowed.

4. Multiple Tenant Signs. In accordance with the regulations in Section 16.16-Design Guidelines, multiple tenant buildings located in the B-2, B-3, B-4 and I-1 Districts shall be limited to one wall sign per tenant not exceeding 30 square feet. The multiple tenants may also share the free standing sign. Major tenants may be allowed a larger wall sign subject to Plan Commission approval.

5. Building Mounted Projecting Signs.

- a. The owner of a projecting sign must file with the Village Clerk a current certificate of insurance before he/she shall be permitted to install a projecting sign over a public right-of-way, and must maintain a certificate of insurance that complies with the terms of this ordinance at all times while the sign is displayed.
- b. The certificate of insurance purchased and maintained by the sign owner must have commercial general liability aggregate of a minimum of \$1,000,000.00, and must name the Village of Thiensville as an additional insured party.
- c. The projecting sign shall be illuminated from the exterior only. No interior illumination shall be permitted on projecting signs.
- d. The projecting sign shall in no case be closer than two (2) feet from a curb or project more than four (4) feet from the façade of a building; and shall have a minimum clearance of eight (8) feet, measured grade level to the bottom of the sign, and a maximum height of twelve (12) feet, measured grade level to the top of the sign; and shall not exceed twelve (12) sixteen (16) square feet in area per surface; and shall have no more than two (2) surfaces, a front and a back, both of which are perpendicular to the building façade.
- e. The projecting sign must be mounted firmly, in a workmanship-like manner and projects more than one foot, generally perpendicular from a structure or building face.
(SEE FIGURE 4 IN THE APPENDIX FOR MEASURING HEIGHT AND CLEARANCE OF SIGNS)

SECTIONS 16.24- ~~Signage Requirements for unique and unusual circumstances~~

~~In the case of those properties that are unable to accommodate any of the types of signage permitted by this ordinance due to unique and unusual circumstances of the site, or when a sign does not meet the letter of the regulations contained herein but is more compatible with the building or site, with adjoining uses as well as the general character of the area and/or zoning-~~

~~district in which the sign is located, or where there are site specific hardships such as topographic aberrations and visual encumbrances, the Plan Commission may, in its judgment, waive or modify the provisions of this chapter where it would further the public interest.~~

OR SIMPLY

SECTION 16.24 Variances

The Plan Commission may, in its judgment, waive or modify the provisions of this chapter where it would further the public interest.