



Capacity, Management, Operation & Maintenance

CMOM IN WISCONSIN 3. LEGAL AUTHORITY



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Legal Authority is the third element of a Capacity, Management, Operation & Maintenance (CMOM) Program.

Adequate legal authority is the foundation of a successful CMOM program. In order to operate and maintain your sewer system, you must have certain legal mechanisms in place to do so. Legal authority provides the utility with the ability to establish sewer service charges; regulate and control the type, volume and strength of wastewater being discharged into the sewer system; to regulate grease from restaurants and institutions; to connect new developments; to plan and specify sewer design, installation and maintenance; to require private sewer inspections and rehabilitation; and to enforce with actions for non-compliance, permits, fees, and fines.

As asked for in the Compliance Maintenance Annual Report (CMAR), check those items for which you have legal authority:

Sewer Use Ordinance , last revised on _____

A sewer use ordinance is probably the most critical legal document you have for your sewer system. You should review it and your sewer user charges regularly and revise it as needed with legal counsel.

Pretreatment or Industrial Control

Programs (list all significant users)

High flow and/or high strength wastes can impact the collection system and treatment plant, and thus legal controls need to be in place, either through user fees/surcharges, permits or a pretreatment program that limit such discharges.

Fat, Oil and Grease Control (list all FOG contributing users)

A Grease Control and Inspection program should be established to protect sewer pipes and lift stations from grease buildup and plugging of sewer pipes and equipment.

Illicit Discharges by commercial or industrial users

All connections to a sewer system by a commercial or industrial user should be approved for discharges as regulated through the sewer use ordinance. Sewer televising can be one tool to locate unauthorized discharges.

Private property clear water (sumps pumps, roof or foundation drains)

Legal authority to inspect and prohibit private residences for pumps or drains that contribute excess clearwater to the sewer systems is very important in reducing inflow.

Private lateral inspections/repairs

Legal authority to inspect or require inspection of private laterals and repair as needed is very important in reducing

infiltration and reducing the risk of basement backups for the homeowner.

Service and management agreements (list the agreements)

It is important for a utility to be able to enter into contracts for servicing equipment and/or inter-municipal agreements for operating/managing their collection systems by other entities, if needed.

Enforcement Actions (discuss the steps and procedures)

An Enforcement Program and steps should be clearly spelled out, understood and documented so that in cases where enforcement needs to be taken, it is legally defensible. Legal counsel should review and approve any enforcement program.