

## CHAPTER 2

### Pollution Abatement

- 7-2-1 Cleanup of Polluting Substances
- 7-2-2 Storage of Polluting Substances

#### SEC. 7-2-1 CLEANUP OF POLLUTING SUBSTANCES.

- (a) In this chapter:
  - (1) **Discharge.** "Discharge" means, but is not limited to, releasing, spilling, leaking, pouring, emitting, emptying or dumping.
  - (2) **Polluting Substances.** "Polluting Substance" means "hazardous waste" as that term is defined in .144.61(5) Wis. Stats., "hazardous chemical", "hazardous substance" and "toxic chemical" as those terms are defined in .166.20(1) Wis. Stats., and "substance" as that term is defined in .160.01(8) Wis. Stats.
  - (3) **Responsible Party.** "Responsible Party" means a person or other legal entity who owns, leases or controls land within the city contaminated by a polluting substance; or a person or other legal entity who possesses or controls a polluting substance which is discharged or who causes the discharge of a polluting substances within the city.
- (b) **Responsibility.** All responsible parties discharging polluting substances or discovering polluting substances that have been discharged on their premises shall take the actions necessary to restore the environment to the extent practicable and minimize the harmful effects from the discharge to the air, lands and waters within the jurisdiction of the City.
- (c) **Notification.** Responsible parties shall notify the City Fire Department of all discharges of polluting substances immediately upon discovery.
- (d) **Removal or Other Emergency Action.** When action required under 7-2-1(b) of this Code is not being adequately taken or the identity of the responsible party is unknown, the city may investigate, identify, locate, monitor, contain, remove, remediate or dispose of the polluting substance, or take any emergency action which it deems necessary.

- (e) **Special Charge.** In addition to all other remedies and methods provided by law, the cost of all services rendered by the city to investigate, identify, locate, monitor, contain, remove, remediate or dispose of a polluting substance shall be assessed as a special charge to the owner of the premises contaminated by the polluting substance. The charges shall be current and due at such time as the City Clerk-Treasurer mails a statement setting forth the same to the owner, occupant or person in charge of the property served. If said statement is not paid in full within thirty (30) days thereafter, the City Clerk-Treasurer shall enter the charges in the tax roll as a special tax against said lot or parcel of land, and the same shall be collected in all respects like other taxes upon real estate.

State Law Reference: Sections 144.76 and 66.60(16)(a) Wis. Stats.

**SEC. 7-2-2 STORAGE OF POLLUTING SUBSTANCES.**

It shall be unlawful for any responsible party to store a polluting substance in the city in a manner that would permit it to be discharged onto the ground surface or into any street, sewer, ditch, drainageway, lake or stream within the jurisdiction of the City.