

HOLDING TANK AGREEMENT

This agreement is made between Oneida County and the holding tank owner

Agreement date

Parcel identification number

Holding tank owner(s)

I (we) (hereafter "owner") acknowledge that application is being made for the installation of a holding tank system on the following described property (provide legal description).

Return to:

Sanitary permit # _____

As an inducement to the County of Oneida to issue a sanitary permit for the above-described property, we agree to the following:

1. Owner acknowledges and agrees 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.
2. Owner acknowledges and agrees that the property cannot be served by a municipal sewer.
3. Owner agrees to conform to all applicable requirements of DSPS 383, Wis. Admin. Code and the Oneida County 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 Oneida County to prevent or abate a human health hazard as described in §254.59, Wis. Stats., the county may enter upon the property and service the tank or cause to have the tank serviced and charge the owner pursuant to Wis. Stats 145.20 (4) by placing the charges on the tax bill as a special charge for current services rendered. The charges will be assessed as prescribed by §66.07(3), Wis. Stats.
4. Owner agrees to pay charges and costs incurred by the county for inspection, pumping, hauling or otherwise servicing and maintaining the holding tank in such a manner as to prevent or abate any human health hazard caused by the holding tank. The county shall notify the owner of any costs that shall be paid by the owner within thirty (30) days from the date of notice. In the event the owner does not pay the costs within thirty (30) days, the owner specifically agrees that all costs and charges may be placed on the tax roll as a special charge for the abatement of a human health hazard, and the tax shall be collected as provided by law.
5. The owner, except as provided by ss. 281.48, Wis. Stats., agrees to contract with a person who is certified under NR 114, Wis. Admin Code to have the holding tank serviced and to notify the county or its computer reporting system of the contract. The owner further agrees to notify the county or its computer reporting system of any change to the service contract within thirty (30) days from the date of the change to the service contract.
6. The owner agrees to contract with a person certified under NR 114, Wis. Admin. Code who shall, within thirty (30) days of servicing or maintenance of the holding tank, submit to the county or its computer reporting system a report in accord

with DSPS 383.55(2)b, Wis. Admin Code for the servicing or maintenance. In the case of registration under §281.48, Wis. Stats., the owner shall submit the report to the county or its computer reporting system. The county may enter upon the property to investigate the condition of the holding tank when pumping reports indicate that the holding tank is not being properly maintained

7. 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 component that complies with DSPS 383, Wis. Admin. Code. In addition, this agreement may be cancelled by executing and recording, at the expense of the owner, said certification with reference to this agreement in such manner that will permit the existence of the certification to be determined by reference to the property.
8. This agreement shall be binding upon the owner, the heirs of the owner and assignees of the owner. The owner shall submit the agreement to the Register of Deeds and the agreement 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. **Failure of the owner to comply with all the provisions of this agreement will constitute a violation of the provisions of the sanitary permit and may subject the owner to a forfeiture as prescribed by Section 13.63, Oneida County Private Sewage System Ordinance.**

Owner(s) signature X _____ (print name) _____ X _____ (print name) _____ Subscribed and sworn to before me on this date: _____ _____ Notary Public My commission expires: _____	Oneida County official signature X _____ (print name) _____ (title) _____ Subscribed and sworn to before me on this date: _____ _____ Notary Public My commission expires: _____
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Drafted by: **Oneida County Corporation Counsel**