

Document #:	<b><u>HOLDING TANK AGREEMENT</u></b>	
Name and Return Address:		
Parcel ID#:	Agreement Date:	
Holding Tank Owners(s):	Governmental Unit:	
We acknowledge that application is being made for the installation of a holding tank on the following property: (Provide <b>COMPLETE</b> legal land description below or attach).		
_____		
_____		
_____		

Or that continued use of the existing premises requires that a holding tank be installed on the property for the purposes of proper containment of sewage. At the time of this agreement public sewer is not available to this property. Also this property cannot be served by any other type of Private Onsite Wastewater Treatment System (POWTS) as permitted under SPS 383, Wis. Adm. Code, or Chapter 145, State Statutes unless specifically allowed by section 6.123(5)(e) of the Rock County Public Health Ordinance (RCPHO) or a variance to this section to allow a holding tank has been issued by the Rock County Board of Health. The governmental unit is the local municipality where the holding tank is proposed or the Rock County Health Department if the local municipality has so authorized and empowered.

Return To: \_\_\_\_\_

As an inducement to the Rock County Health Department (RCHD) to issue a sanitary permit for the above-described property, we agree to do the following:

- To conform to all applicable requirements of Ch. SPS 383, Wis. Adm. Code and the RCPHO relating to holding tanks. If the owner fails to have the holding tank properly serviced in response to orders issued by the local municipality and/or the RCHD to prevent a human health hazard as described in s. 254.59, Stats, the local municipality and/or the RCHD may enter upon the property and service the tank or cause the tank to be serviced and charge the owner by placing the charges on the tax bill as a special assessment for current services rendered. The charges will be assessed as prescribed by S. 66.0703, Stats.
- To pay all charges and cost incurred by the governmental unit for inspection, pumping, hauling, or otherwise servicing and maintaining the holding tank in a manner as to prevent or abate a human health hazard caused by the holding tank. The governmental unit shall notify the owner of any costs which 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 the costs and charges may be placed on the tax role as a special assessment for the abatement of a human health hazard, and the tax shall be collected as provided by law.
- Except as provided by s. 281.48 (3)(d), Stats., agrees to contract with a person who is licensed under s.281.48 (3), Stats and Ch. NR113, Wis. Adm. Code, to have the holding tank serviced and to file a copy of the contract or the owner's registration to the local municipality and/or the RCHD. The owner further agrees to file a copy of any changes to the contract, or a copy of a new service contract, with the local municipality and the RCHD within ten (10) business days from the date of the change to the service contract.
- To contract with a person licensed under Ch. NR 113, Wis. Adm. Code, who shall submit to the municipality and/or the RCHD, a report in accordance with s. SPS 383.55, Wis. Adm. Code, for the servicing of the holding tank and a semi-annual pumping summary. In the case of registration under s. 281.48(3)(d), Stats., the owner of the shall submit the report to the local municipality and/or the RCHD. The local municipality and/or the RCHD may enter upon the property to investigate the condition of the holding tank when pumping reports and meter readings may indicate that the holding tank is not being properly maintained.
- This agreement will remain in effect only until the governing municipality or governmental unit responsible for the regulation of POWTS certifies that the property is served by either a municipal sewer or a soil absorption system that complies with Ch. SPS 383, Wis. Adm. Code. In addition, the agreement may be canceled by executing and recording said certification with reference to this agreement in such manner which will permit the existence of the certification to be determined by reference to the property.
- 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.**

Owner(s) Name(s)- <b>Please Print</b>	Subscribed and sworn to before me this date:
	Notary Public ( <b>Signature</b> )
Notarized Owner(s) <b>Signature(s)</b>	My Commission Expires:

Form Completed by (name, title): \_\_\_\_\_