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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| Document Number/Plan I.D. No.                                                                                                                                                        | <b>Holding Tank Agreement</b><br>This agreement is made between the Buffalo County Zoning Department and holding tank owner(s). |                                                                    |
| Name and Address:                                                                                                                                                                    |                                                                                                                                 |                                                                    |
| Tax Parcel I.D.                                                                                                                                                                      | Agreement Date:                                                                                                                 |                                                                    |
| City, Village or Town:                                                                                                                                                               |                                                                                                                                 |                                                                    |
| We acknowledge the application being made is for the installation of (a) holding tank(s) on the following property: (Please provide the complete address and legal land description) |                                                                                                                                 | Return address after recording:                                    |
|                                                                                                                                                                                      |                                                                                                                                 | Buffalo County Zoning Department<br>P.O. Box 492<br>Alma, WI 54610 |

For 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. Also, a municipal sewer cannot now serve the property, or any other type of private sewage system as permitted under Wis. Adm. Code, SPS 383, or Ch. 145 Stats.

As an inducement to the **County of Buffalo** to issue a State Sanitary Permit for the above described property, we agree to do the following:

1. Owner agrees to conform to all applicable requirements of Wis. Adm. Code, SPS 383, relating to holding tanks. If the owner fails to have the holding tank properly serviced in response to orders issued by the Buffalo County Zoning Department to prevent or abate a human health hazard as described in s. 254.59, Stats., the Buffalo County Zoning Department may enter upon the property and service the tank or cause to have 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. 66.60, Stats.
2. The owner agrees to include a written statement form if the holding tank is designed to serve a use with a design wastewater flow of less than an annual daily average of 160 gallons per day, subject to Section 131.5(c) of the Buffalo County Sanitary Ordinance, to agree to install another type of system if any change of occupancy or use occurs which results in a design wastewater flow that equals or exceeds 160 gallons annual daily average. The original documentation will be placed on file at the Buffalo County Zoning Department.
3. The owner agrees to pay all charges and cost incurred by the Buffalo County Zoning Department 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 Buffalo County Zoning Department 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 roll as a special assessment for the abatement of a human health hazard, and the tax shall be collected as provided by law.
4. The owner, except as provided by s. 146.20(3)(d), Stats, agrees to contract with a person who is licensed under Ch. NR 113, Wis. Adm. Code, to have the holding tank serviced and to file a copy of the contract or the owner's registration with the Buffalo County Zoning Department. The owner further agrees to file a copy of any changes to the service contract, or a copy of a new service contract, with the Buffalo County Zoning Department within ten (10) business days from the date of change to the service contract.
5. The owner agrees to contract with a person licensed under Ch. NR 113, Wis. Adm. Code, who shall submit to the Buffalo County Zoning Department on a semiannual basis a report in accordance with SPS 383.52(1)(c) 2, for the servicing of a holding tank. In the case of registration under s. 146.20(3)(d), Stats., the owner shall submit the report to the Buffalo County Zoning Department. The Buffalo County Zoning Department 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 managed.
6. This agreement will remain in effect only until the Buffalo County Zoning Department certifies that the property is served by either a municipal sewer or a soil absorption system that complies with Wis. Adm. Code and SPS 383. In addition, this agreement shall 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.
7. 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-Please Print                                   | Subscribed and sworn to before me on this date: |
| Notarized Owner(s) Signature                                 | Notary Public                                   |
| This instrument drafted by: Buffalo County Zoning Department | My Commission Expires                           |

## Holding Tank Agreement

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### Zoning Department Use Only

|                                                  |                                                 |
|--------------------------------------------------|-------------------------------------------------|
| Zoning Department Officials Name - Please Print  | Subscribed and sworn to before me on this date: |
| Zoning Department Officials Title - Please Print | Notary Public                                   |
| Notarized Zoning Department Officials Signature  | My Commission Expires                           |