

CHAPTER 9

Underground Storage Tanks

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
5-9-1	Storage Tanks for Class I, II and III Liquids	2020-20	11/16/20
5-9-2	Installation	2020-20	11/16/20
5-9-3	Penalties		

SEC. 5-9-1 STORAGE TANKS FOR CLASS I, II AND III LIQUIDS.

- (a) **Definitions.** "Class I, II and III liquids" shall have the meaning provided therefore in Wis. Adm. Code Ch. ATCP 93.
- (b) **Adoption of State Code by Reference.** Wis. Adm. Code Ch. ATCP 93 is hereby adopted by reference and made a part hereof as if fully set forth herein.
- (c) **Responsibility of Owners and/or Operators of Storage Tanks.** The owner and/or operator of any aboveground or underground storage tank for Class I, II and III liquids shall, at all times, be responsible for the integrity of each storage tank at each location, together with the piping and dispensing systems connected therein from the time of installation until termination of use, in accordance with Wis. Adm. Code Ch. ATCP 93.
- (d) **Enforcement of Wis. Adm. Code Ch. ATCP 93.** Pursuant to Wis. Adm. Code Ch. ATCP 93, and the terms of a Professional Services Contract between the Village and the Wisconsin Department of Agriculture, Trade, and Consumer Protection, the Fire Department is authorized to issue permits, charge fees and take enforcement action authorized thereby. The Chief of the Fire Department, and designee(s), shall exercise jurisdiction over this Chapter and the groundwater protection-related provisions of Wis. Adm. Code Ch. ATCP 93 in the Village of Caledonia.
- (e) **Storage Tank Permit.**
- (1) A permit, under Wis. Adm. Code Ch. ATCP 93, through the Fire Department, shall be required for the abandonment, closure, removal or change in service or placing the system temporarily out of service, of any aboveground or underground storage tank for Class I, II and III liquids with a capacity of more than sixty (60) gallons. "Storage tank system" shall include piping, vents, leak detection systems, cathodic protection and spill/overflow protection systems.
 - (2) The owner and/or operator of any such storage tank shall file an application therefor with the Fire Department, on designated forms with the applicable fee. The application shall include:
 - a. Three (3) copies of a site assessment plan in accordance with Wis. Adm. Code Ch. ATCP 93.465; and
 - b. Three (3) site plot plans drawn to scale showing the following:
 1. Property lines;
 2. All buildings and structures;
 3. All tanks and piping;

4. Adjacent streets;
 5. Overhead and underground utilities;
 6. Limits of the excavation; and
 7. Temporary location of excavated dirt and backfill.
- (3) Fees for such permit shall be:
- a. Plan Review – Twenty-five Dollars (\$25.00).
 - b. Site Inspection – First Tank: Fifty Dollars (\$50.00).
 - c. Site Inspection – Each Additional Tank: Twenty-five Dollars (\$25.00).

SEC. 5-9-2 INSTALLATION.

- (a) **Plan Submittal.** All underground storage tank and/or aboveground tank installations in excess of five thousand (5,000) gallons shall have plans submitted to the Department of Industry and Human Relations in accordance with Wis. Adm. Code Ch. ATCP 93.
- (b) **Storage Tank Permit.**
- (1) A permit, under Wis. Adm. Code Ch. ATCP 93.145, Wis. Adm. Code, Approval of Proposed Construction, Installation or Operation, through the Fire Department, shall be required for the installation of any aboveground or underground storage tank for Class I, II and III liquids with a capacity of less than five thousand (5,000) gallons. "Storage tank system" shall include piping, vents, leak detention systems, cathodic protection and spill/overflow protection systems.
 - (2) The owner and/or operator of any such storage tank shall file an application therefor with the Fire Department, on designated forms with the applicable fee. The application shall include three (3) site plot plans drawn to scale showing the following:
 - a. Property lines;
 - b. All buildings, structures and class of construction;
 - c. All tanks and piping;
 - d. Adjacent streets;
 - e. Sanitary sewers, storm sewers, water mains, private water mains, water service piping, water wells, water reservoirs and any stream or body of water which is within two hundred (200) feet of the tank;
 - f. Type of tank supports, clearances including clearances between tanks, type of venting and pressure relief used and combined capacity of all venting and relief valves on each tank for aboveground storage;
 - g. Overhead and underground utilities;
 - h. Limits of the excavation; and
 - i. Temporary location of excavated dirt and backfill.
 - (3) Fees for such permit shall be as indicated on page two of the application form, adopted herein by reference.”

SEC. 5-9-3 PENALTIES.

- (a) Failure to comply with any orders issued pursuant to the provisions of this Chapter by the Chief of the Fire Department or the Bureau, or duly authorized representative shall constitute an ordinance violation, and any person, firm or corporation found guilty of such

violation shall, upon the conviction thereof, be fined a sum not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), together with the costs of the prosecution, and in default of payment thereof shall be imprisoned until such forfeiture and cost are paid, but not to exceed fifteen (15) days.

- (b) Except as otherwise provided in this Chapter, each and every twenty-four (24) hours such violation shall continue shall constitute a separate offense.
- (c) Any person, firm or corporation found guilty of a violation of any Section of this Chapter for which a specific penalty is not herein provided shall, upon conviction thereof, be fined the sum of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), together with the costs of the prosecution, and in default of payment thereof shall be imprisoned until such forfeiture and cost are paid, but not to exceed thirty (30) days.