

**21.01 THE EXTENSION OF SEWERAGE SERVICES OF THE TOWN OF SALEM  
UTILITY DISTRICT NO.2 TO GANDER MOUNTAIN, INC.**

(1) **Adoption by Reference**

Except as otherwise specifically provided in this code or in the Wisconsin Statutes, the Administrative Code or Wisconsin case law, the ordinance provisions of Chapter 13 of the Town of Salem, Kenosha County, Wisconsin, titled MUNICIPAL UTILITIES, as the same may from time to time be amended, are hereby adopted, and by reference made a part of this Code as if fully set forth herein.

(2) **Resolutions, Rules and Regulations**

All users and customers in the Town of Randall who connect to the Town of Salem Utility District No.2 shall be subject to the resolutions, rules and regulations that may from time to time be adopted by the Town of Salem and/or the Town of Salem Utility District No.2 in governing, regulating and operating the Town of Salem Utility District No.2 municipal sanitary sewerage system.

(3) **Abandoned Private Sewerage System**

Any and all premises in the Town of Randall which become connected to the public sewerage system operated by the Town of Salem Utility District No.2 shall abandon said private sewerage system as required by Chapter ILHR 83 and other applicable Wisconsin Administrative Code provisions, and as required by Wisconsin Statutes and applicable ordinances.

(4) **Operation of Sewerage System**

The Town of Salem Utility District No.2 and/or the Town of Salem shall be permitted to exercise all appropriate rights, duties and responsibilities in the care, operation, maintenance, and repair of the municipal sewerage system located in the Town of Randall and under the responsibility of the Town of Salem Utility District No. 2.

(5) **Delinquent User Charges and Costs**

In the event Gander Mountain, Inc., or any other user/customer of the Town of Salem Utility District No.2 located in the Town of Randall shall fail to pay user charges or any other due and owing costs imposed by the District, the District may take legal action to recover the same. At the request of the District, the Town of Randall shall levy an

amount equal to such unpaid charges or costs as special charges against the real estate of the delinquent user/customer. Such special charges shall be levied and collected by the Town of Randall pursuant to Sec. 60.60(16), (1991-1992) Wis. Stats., and other applicable Wisconsin Statutes. Said special charges shall constitute a lien upon the user's/customer's real estate as provided by statute. The Town of Randall shall remit such special charges so collected to the District. Otherwise the charges shall constitute a lien upon the user's/customer's real estate as provided by statute. The Town of Randall shall remit such special charges so collected to the District. Otherwise the District shall be solely responsible for directly billing and collecting user charges and costs from the users/customers.

(6) **Liability of Town of Randall**

The Town of Randall does not possess any ownership or title interest in or to the extension of the sanitary sewerage system of the Town of Salem Utility District No.2 to Gander Mountain, Inc. Said extension of the sanitary sewerage system will for a period of time first be a private sewer line owned by Gander Mountain, Inc., but said sanitary sewerage system will subsequently become a part of the Town of Salem Utility District No.2. The Town of Randall shall not be held as assuming any responsibility or liability as to the care, operation, maintenance, or repair of said sanitary sewerage system, except as specifically provided in the Town of Randall Ordinances or as provided elsewhere in a binding written document. Any damages accruing against any person or entity arising from the care, operation, maintenance, or repair of the above noted sanitary sewerage system is not the responsibility of the Town of Randall and the Town of Randall shall not be held so liable.