

# Sewer Use Ordinance Revision Comments

June 8, 2026

## Comments received at Public Hearing, May 28, 2026

**Chris Castle, UW-Madison**

From the meeting transcript:

*"I have two comments I would like to make.*

*First, section 5.2.2 prohibits the disposal of any unused chemical products via the sewerage system and applies to all users. Section 5.2.3 already lists prohibited concentrations of specific chemicals. We would like a definition of unused chemical products and to understand the intent of this prohibition.*

*My second point, section 4.7.2 lists requirements for chloride reduction. The proposed verbiage references Wisconsin NR106.90, which describes voluntary chloride reduction practices. We would like to know if your intent is to make the listed tier two reduction practices mandatory for MMSD users. Thank you."*

**Mark Moder, City of Madison**

Mark Moder made verbal comments at the public hearing regarding Section 4.7.2. These verbal comments were reiterated in written comments from the City of Madison received on June 4, 2026 via email (see below), so they are not included here.

## Comments received via email

Comments were accepted via email at [info@madsewer.org](mailto:info@madsewer.org) through June 5, 2026 at 4 p.m.

**City of Madison**

Sent by Jim Wolfe, City Engineer; received at 3:39 p.m. Thursday, June 4, 2026  
*Comments sent as attachment (see page 3)*

**City of Monona**

Sent by Neil Stechshulte, City Administrator  
Received at 4:16 p.m. Thursday, June 4, 2026

From email:

*The City of Monona was not aware of the extent of the proposed changes to the sewer use ordinance—particularly Section 4.7.2 Chloride Reduction. Executive Director Eric Dundee recently met with Monona's Public Works Committee but did not mention the strict proposed limits on water softeners. Nor were we aware of the potential actions by City staff that would be needed to ensure compliance with these proposed changes. It is the opinion of our Public Works Department that if these mandates are passed, the City of Monona doesn't have the staff or budget to meet the requirements and ensure compliance. We agree that education is a critical*

*component to addressing salt usage, and Monona would be in a better position to assist in this manner than establishing regulatory limits that will be difficult to enforce.*

**Village of Windsor**

Sent by Jon Claas, Windsor Utilities Manager

Received at 10:34 a.m. Friday, June 5, 2026

*I am providing comment specifically on section 4.7.2 of the proposed SUO. Similar to other community customers reactions, I am questioning the practicality of mandating softener efficiency. It is simply an unenforceable requirement for our staff levels. Gaining access to customer homes is always challenging as we see scheduling water meter changes. This may also create a financial burden for many of our users too, if equipment replacement, blending valves, or plumbing changes were required.*

*It would seem to me that a desired chloride reduction through softener efficiency mandate should come from the top down (i.e. Dane County) and only apply to new installations which could be confirmed by building inspection. This may somewhat align with how the county restricts the use of phosphorus in lawn fertilizer.*

**City of Middleton**

Sent by Benjamin John, Director of Public Works

Received at 3:07 p.m. Friday, June 5, 2026

*Comments sent as attachment (see page 6)*

**City of Fitchburg**

Sent by Tim Voelker, P.E., Director of Public Works/City Engineer

Received at 3:58 p.m. Friday, June 5, 2026

*Below is the City of Fitchburg's written comment regarding the proposed changes to the sewer use ordinances at Madison Metropolitan Sewerage District (MMSD) that will likely have impacts to our community:*

- 1. Of particular concern to the City of Fitchburg are the proposed revisions to ordinances regarding water softeners. Under 4.7.2, MMSD is calling for all water softeners in each community to be set at 4,000 gains per pound of salt removal efficiency. This new ordinance would result in a significant undertaking by the City to coordinate with property owners, inspect, and test all of the water softeners in Fitchburg.*

*The City looks forward to further discussing the above written comment with you.*



Department of Public Works  
**Engineering Division**  
James M. Wolfe, P.E., City Engineer

City-County Building, Room 115  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703  
Phone: (608) 266-4751  
Fax: (608) 264-9275  
[engineering@cityofmadison.com](mailto:engineering@cityofmadison.com)  
[www.cityofmadison.com/engineering](http://www.cityofmadison.com/engineering)

Eric Dundee, P.E.  
Executive Director MMSD  
1610 Moorland Road  
Madison, WI 53713-3398

RE: UPDATES TO MMSD SEWER USE ORDINANCE

Dear Eric,

City of Madison Engineering has received notice of the proposed changes to your Sewer Use Ordinances. We appreciate the opportunity to provide comments both at the hearing and in writing. One item we would like to acknowledge though is with the initial summary provided with the changes. While the summary provided with the notice was helpful in some ways, some significant changes that would impact the District's customer communities were not highlighted. While the District may not find some of the proposed changes significant, it was potentially problematic to assume that those changes are not significant to your customer communities. Most specifically, the proposed changes to chloride control. Those changes are not mentioned in the summary nor at the hearing. While City Engineering staff is certainly aware of the reasons behind many of the proposed changes, it is important to understand that the proposed changes can have significant operational impacts on your municipal customers. With any future updates, we would like to request more transparency when changes are proposed that could impact the customer base and have potential impacts to City sewer ordinances.

It is our understanding that you have continued to have discussions regarding the proposed SUO changes, and some of our comments below may have already been factored into planned modifications to the proposed SUO. We still think it would be useful to formally submit these to you. Thank you for your continued work with the City of Madison, and we appreciate your willingness to give consideration to our comments and concerns.

Specific comments follow each section of proposed SOU ordinance language. Comments are provided following sections of the proposed SUO in ALL CAPS for clarity purposes only. Following our comments, we have also provided some suggested revised language.

4.3 Approval of Connections – the bolded language below that is being proposed to be required of all customer communities.

- (a) The Community Customer shall submit to the Director **a list of new or altered businesses and institutions, including but not limited to dental clinics, that have connected to Community Sewers by [May 1st] of each year and in the case of any of the following events at the business or institution: expansion; change in processes; or change in ownership at the facility.**
- (b) The list in subsection (c) above shall be submitted on a form provided by the District or by a method otherwise approved by the District and **shall include the following information:**
  - a. **Name of business or institution;**
  - b. **Address;**
  - c. **Owner of business or institution;**
  - d. **Authorized contact for business or institution, if different from the Owner;**
  - e. **Position and title of authorized contact person.**

**Assistant City Engineer**  
Bryan Cooper, AIA  
Gregory T. Fries, P.E.  
Chris Petykowski, P.E.

**Deputy Division Manager**  
Kathleen M. Cryan

**Principal Architect**  
Amy Loewenstein Scanlon, AIA

**Principal Engineer 2**  
Janet Schmidt, P.E.

**Principal Engineer 1**  
Kyle Frank, P.E.  
Mark D. Moder, P.E.  
Fadi El Musa Gonzalez, P.E.  
Andrew J. Zwieg, P.E.

**Financial Manager**  
Steven B. Danner-Rivers

CITY COMMENT - THE CITY OF MADISON HAS NO CURRENT MEANS/METHODS/REGULATORY AUTHORITY TO COLLECT OR PROVIDE THIS INFORMATION. UNLESS RELATED TO EFFLUENT CHARACTERISTICS (LIKE THE CITY'S RESTAURANT CLASS), ANY SUCH NEW REQUIREMENT WOULD SURELY BE MET BY SIGNIFICANT RESISTANCE AND WOULD BE VERY DIFFICULT, AT BEST, TO SUCCESSFULLY IMPLEMENT.

#### 4.7.2 Chloride Reduction.

(a) All Community Customers shall undertake efforts to reduce chlorides entering the Community Sewers including the following:

- i. Implementation of the source reduction measures set forth in Wis. Admin. Code § NR 106.90, as appropriate and adoption and enforcement of ordinances that implement the requirements of Wis. Admin. Code § NR 106.90(3)(a)1.-3.

CITY COMMENT: THESE REGULATIONS ARE VOLUNTARY IN STATE STATUE. BY ADOPTION IN YOUR CODE, THEY BECOME MANDATORY FOR ALL CUSTOMER COMMUNITIES. OUR SUGGESTION IS TO REPLACE "**IMPLEMENTATION**" IN 4.7.2(a)i WITH "**CONSIDERATION**." THIS OTHERWISE RAISES ADDITIONAL CONCERNS SUCH AS - WHAT IS THE DISTRICT'S PLAN FOR ENSURING ADOPTION ACROSS ALL COMMUNITIES IN A UNIFORM MANNER? OR HOW WILL THIS BE ENFORCED AND ADMINISTRATED?

- ii. Softeners shall be set up to be as salt efficient as possible: including meeting 4000 grains per pound of salt removal efficiency, including a blending valve, softening hot water only and/or including brine reclaim or other technologies

CITY COMMENT: THERE IS NO STATE PLUMBING CODE THAT REQUIRES THIS SOFTENER STANDARD AS THE UNIFORM DEWELLING CODE IS A CEILING, NOT A FLOOR, FROM A CODE PERPSECTIVE, HAS COUNSEL CONFIRMED THAT, EVEN IF THEY WANTED TO, MUNICIPALITIES CAN ENFORCE THIS ON 1 & 2 FAMILY DEWELLINGS? ADDITIONALLY, ENFORCING THIS WOULD REQUIRE SITE INSPECTIONS AND TESTING. EVEN ASSUMING AN ORDINANCE COULD BE CRAFTED THAT WOULD ALLOW ENFORCEMENT, IF THIS WERE TO BE A REQUIREMENT, THE CITY HAS APPROXIMATELY 80,000 PARCELS TO INSPECT MAKING IMPLEMENTATION AND ENFORCEMENT OF THIS TYPE OF AN ORDINANCE A MAJOR PROGRAMMATIC AND LOGISTICAL UNDERTAKING THAT COULD TAKE DECADES TO FULFILL. IF THIS WERE TO PROCEED AS A REQUIREMENT, HOW WILL ENFORCEMENT BY THE DISTRICT BE COMPLETED ON A UNIFORM BASIS AMONG ALL CUSTOMER COMMUNITIES?

WE SUGGEST LANGUAGE THAT WOULD MAKE THIS CHANGE MORE FOCUSED TOWARDS EDUCATION INTIALLY AND THAT EFFORTS BE MADE ON A BROADER SCALE THAN JUST BY COMMUNITY CUSTOMERS (I.E., AT THE DISTRICT LEVEL). ULTIMATELY, EDUCATION MAY END UP BEING THE ONLY VIALBE OPTION FOR COMMUNITY CUSTOMERS.

With consideration of the comments provided above, the City of Madison requests the MMSD Sewer Use Ordinance 4.7.2(a), (a)(i.) & 4.7.2(a)(ii) language be revised to the following (specific changes are italicized and bold):

(a) All Community Customers shall undertake efforts to reduce chlorides into entering the Community Sewers including, **but not limited to**, the following:

- i. **Consideration** of the source reduction measures set forth in Wis. Admin. Code § NR 106.90, as appropriate, including the adoption and enforcement of ordinances that implement the requirements of Wis. Admin. Code § NR 106.90(3)(a)1.-3.

- ii. **Requiring or educating** customers that softeners shall be set up to be as salt efficient as possible: including meeting 4000 grains per pound of salt removal efficiency, including a blending valve, softening hot water only and/or including brine reclaim or other technologies.

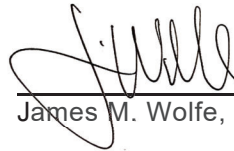
Additionally, the District is proposing a change in the reporting deadline section 4.7.2(b) as follows:

- (b) All Community Customers that own groundwater supply wells shall analyze at least one sample from each well annually for chloride and shall report the results to the District by **December 31** of each year...

CITY COMMENT – THE CITY WILL BE ASSEMBLING A VARIETY OF CHOLORIDE RELATED INFORMATION TO REPORT TO THE DISTRICT. WE REQUEST THAT THE DEADLINE BE CONSISTENT FOR ALL RELATED REPORTING REQUIREMENTS AND TO ALIGN WITH THE MS4 PERMIT DEADLINE, SIMILAR TO WHAT IS STATED IN 4.7.2(c).

Thank you again for the opportunity to provide comments, we would be happy to meet to discuss options on how to move forward.

Sincerely,



James M. Wolfe, P.E., City Engineer

JMW:gtf

CC: Christie Baumel, Mayor's Office  
Mark Moder, City Engineering  
Doran Viste, City Attorney's Office  
Greg Fries, City Engineering



## DEPARTMENT OF PUBLIC WORKS DIRECTOR

CITY OF MIDDLETON  
7426 HUBBARD AVENUE  
MIDDLETON, WI 53562-3118

PH: 608.821.8381  
EMAIL: [bjohn@cityofmiddleton.us](mailto:bjohn@cityofmiddleton.us)  
WEB: [www.cityofmiddleton.us](http://www.cityofmiddleton.us)

Eric Dundee, P.E.  
Executive Director MMSD  
1610 Moorland Road  
Madison, WI 53713-3398  
RE: UPDATES TO MMSD SEWER USE ORDINANCE

Dear Eric,

City of Middleton Engineering was made aware of the proposed changes to your Sewer Use Ordinances from other district communities. Please note no City of Middleton staff were provided notice regarding these proposed changes.

We appreciate the opportunity to provide comments both at the hearing and in writing. One item we would like to acknowledge though is with the initial summary provided with the changes. While the summary provided with the notice was helpful in some ways, some significant changes that would impact the District's customer communities were not highlighted. While the District may not find some of the proposed changes significant, it was potentially problematic to assume that those changes are not significant to your customer communities. Most specifically, the proposed changes to chloride control. Those changes are not mentioned in the summary nor at the hearing. While City Engineering staff is certainly aware of the reasons behind many of the proposed changes, it is important to understand that the proposed changes can have significant operational impacts on your municipal customers. With any future updates, we would like to request more transparency when changes are proposed that could impact the customer base and have potential impacts to City sewer ordinances.

It is our understanding that you have continued to have discussions regarding the proposed SUO changes, and some of our comments below may have already been factored into planned modifications to the proposed SUO. We still think it would be useful to formally submit these to you. Thank you for your continued work with the City of Middleton, and we appreciate your willingness to give consideration to our comments and concerns.

Specific comments follow each section of proposed SOU ordinance language. Comments are provided following sections of the proposed SUO in ALL CAPS for clarity purposes only. Following our comments, we have also provided some suggested revised language.

#### **4.7.2 Chloride Reduction.**

(a) All Community Customers shall undertake efforts to reduce chlorides entering the Community Sewers including the following:

- i. Implementation of the source reduction measures set forth in Wis. Admin. Code § NR 106.90, as appropriate and adoption and enforcement of ordinances that implement the requirements of Wis. Admin. Code § NR 106.90(3)(a)1.-3.

CITY COMMENT: THESE REGULATIONS ARE VOLUNTARY IN STATE STATUE. BY ADOPTION IN YOUR CODE, THEY BECOME MANDATORY FOR ALL CUSTOMER COMMUNITIES. OUR SUGGESTION IS TO REPLACE “IMPLEMENTATION” IN 4.7.2(a)i WITH “CONSIDERATION.” THIS OTHERWISE RAISES ADDITIONAL CONCERNS SUCH AS - WHAT IS THE DISTRICT’S PLAN FOR ENSURING ADOPTION ACROSS ALL COMMUNITIES IN A UNIFORM MANNER? OR HOW WILL THIS BE ENFORCED AND ADMINISTRATED?

- ii. Softeners shall be set up to be as salt efficient as possible: including meeting 4000 grains per pound of salt removal efficiency, including a blending valve, softening hot water only and/or including brine reclaim or other technologies

CITY COMMENT: THERE IS NO STATE PLUMBING CODE THAT REQUIRES THIS SOFTENER STANDARD AS THE UNIFORM DEWELLING CODE IS A CEILING, NOT A FLOOR, FROM A CODE PERPSECTIVE, HAS COUNSEL CONFIRMED THAT, EVEN IF THEY WANTED TO, MUNICIPALITIES CAN ENFORCE THIS ON 1 & 2 FAMILY DEWELLINGS? ADDITIONALLY, ENFORCING THIS WOULD REQUIRE SITE INSPECTIONS AND TESTING. EVEN ASSUMING AN ORDINANCE COULD BE CRAFTED THAT WOULD ALLOW ENFORCEMENT, IF THIS WERE TO BE A REQUIREMENT, THE CITY HAS APPROXIMATELY 80,000 PARCELS TO INSPECT MAKING IMPLEMENTATION AND ENFORCEMENT OF THIS TYPE OF AN ORDINANCE A MAJOR PROGRAMMATIC AND LOGISTICAL UNDERTAKING THAT COULD TAKE DECADES TO FULFILL. IF THIS WERE TO PROCEED AS A REQUIREMENT, HOW WILL ENFORCEMENT BY THE DISTRICT BE COMPLETED ON A UNIFORM BASIS AMONG ALL CUSTOMER COMMUNITIES? WE SUGGEST LANGUAGE THAT WOULD MAKE THIS CHANGE MORE FOCUSED TOWARDS EDUCATION INTIALLY AND THAT EFFORTS BE MADE ON A BROADER SCALE THAN JUST BY COMMUNITY CUSTOMERS (I.E., AT THE DISTRICT LEVEL). ULTIMATELY, EDUCATION MAY END UP BEING THE ONLY VIALBE OPTION FOR COMMUNITY CUSTOMERS.

Thank you again for the oppportunity to provide comments, we would be happy to meet to discuss options on how to move forward.

Sincerely,



Benjamin John, Director of Public Works

CC: Luke Melotik, City Engineer  
Mike Meier, Utility Manager  
Bryan Gadow, City Administrator  
Matthew Fleming, City Attorney