

# HOLDING TANK AGREEMENT

This agreement is made between the governmental unit and holding tank owner(s)

Agreement Date:	Town/Village/City of:
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Property Owner(s):
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Parcel I.D. Number:
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We acknowledge that application is being made for the installation of (a) holding tank(s) on the following described property (Provide full legal description: ¼ ¼ Section, Township, Range).

**DO NOT WRITE IN SPACE ABOVE**

This instrument drafted by (person filling out form):	Return to (Name and address of property owner):
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As an inducement to **Ashland County** to issue a sanitary permit for the above described property, we agree to do the following:

1. Owner agrees to conform to all applicable requirements of Ch. Comm 83, Wis. Adm. Code relating to holding tanks. If the owner fails to have the holding tank properly serviced in response to orders issued by the governmental unit or the Department of Commerce to prevent or abate a human health hazard as described in s. 254.59, Stats., the governmental unit 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. Owner agrees to pay all charges and costs incurred by the governmental unit or county 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 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 roll as a special assessment for the abatement of a human health hazard, and the tax shall be collected as provided by law.
3. The owner, 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 with the governmental unit. 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 governmental unit within ten (10) business days from the date of change to the service contract.
4. The owner agrees to contract with a person licensed under Ch. NR 113, Wis. Adm. Code, who shall submit to the county on a semiannual basis a report detailing the servicing of the holding tank. The governmental unit or county 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.
5. This agreement will remain in effect only until the county office responsible for the regulation of private onsite wastewater treatment systems certifies that the property is served by either a municipal sewer or a private onsite wastewater treatment system that complies with Ch. Comm 83, Wis. Adm. Code. In addition, this agreement may be cancelled 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 this 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.

<b>ACKNOWLEDGMENT</b>	
_____ _____ <b>Notarized Signature(s) of Property Owner(s)</b>	STATE OF _____ ) )ss _____ COUNTY )
_____ <b>Printed Name(s) of Property Owner(s)</b>	Personally came before me on _____, the above-named _____ _____ to me known to be the person(s) who executed the foregoing Instrument and acknowledged the same.
_____ Signature of Government Official (Chairman or Clerk of town/city where property is located)	* _____ Notary Public, State of _____ My Commission (is permanent) (expires: _____)
_____ <b>Printed Name &amp; Title of Government Official</b>	

**Return this form to: Register of Deeds; 201 West Main Street; Ashland County Courthouse; Ashland, WI 54806 with a \$30 fee written out to "Ashland County Register of Deeds".**