



LINCOLN COUNTY LAND SERVICES PLANNING & ZONING DIVISION

Lincoln County Service Center
801 N. Sales Street, Suite 103
Merrill, WI 54452-1632

Telephone - (715) 539-1087 Fax - (715) 539-8325

July 23, 2015

To: Plumbers and/or Landowners installing holding tanks in Lincoln County

RE: Holding Tank Documents

Our office allows the owner/plumber to prepare their own Holding Tank Agreement and Holding Tank Servicing contract. The owner/plumber must submit them, along with a copy of the applicant's most recent deed and the proper recording fee (\$30- regardless of number of pages) for the Holding Tank Agreement at the time the sanitary permit application is submitted to the Zoning office. *If the complete legal description does not fit into the box on the document please attach a 2nd page as a "rider".*

Register of Deeds will not record incomplete documents or documents that are not completed in ink (black). Please make sure you follow the instructions and that everything is filled out accurately and legibly. It is VERY important that the information be correct because if for some reason the agreement with incorrect information does get recorded, the document will have to be re-done correctly and re-recorded AT THE OWNER'S EXPENSE. Even if Zoning has completed a portion of the form for you it is your responsibility to review it and confirm it to be correct.

Please find enclosed Holding Tank Agreement and Servicing Contract forms, examples and instructions for completing them. Use these master forms to reproduce copies as needed, contact our office for more forms or download them off of the county website.

Please do NOT use faxed copies of the Holding Tank Agreement form as it will distort the small print and probably not be accepted for recording.

If you have any questions please feel free to call our office. Our office hours are from 8:00 a.m to 4:30 p.m., Monday through Friday.

Sincerely,

LINCOLN COUNTY ZONING ADMINISTRATION

HOLDING TANK AGREEMENT

(Original document will be recorded in the Register of Deeds office)

INSTRUCTIONS:

FORM MUST BE COMPLETED AND SIGNED IN BLACK INK. ALL INFORMATION MUST BE COMPLETE & LEGIBLE OR IT WILL NOT BE ACCEPTED AT THE REGISTER OF DEEDS.

1. The area in the **top right MUST be left blank for recording information.** ALL OTHER BOXES MUST BE COMPLETED.
2. Fill in the Parcel Number. This number should be the Tax Parcel Number and can be found near the upper right hand corner of the owner's tax bill. (Example: 04.213107.001.002)
3. This is the date the agreement is made between the owner and the Governmental Unit (TOWN).
4. The Governmental Unit is the local municipality in which the property is located. (TOWN)
5. Print or type the property owner(s)' name exactly as they appear on the deed. If both owners are listed on this document they must both sign (notarized) at the bottom of the page.
6. Fill in the legal description as it appears on the most recent deed. If space is insufficient in area provided, you must attach a rider. *IF YOUR PROPERTY IS DESCRIBED BY A METES & BOUNDS DESCRIPTION MAKE SURE YOU HAVE INCLUDED THE COMPLETE LEGAL DESCRIPTION ON THE HOLDING TANK AGREEMENT. PLEASE INCLUDE A COPY OF YOUR MOST RECENT DEED SO WE CAN MAKE SURE WHAT'S TO BE RECORDED MATCHES YOUR DEED. If the legal description has been filled in by the Zoning Office, please verify that the information is correct.*
7. Print or type the owner(s)' name exactly as it appears on the deed. If both are listed on this document, both must sign before a notary.
8. The owner(s) must sign **IN THE PRESENCE OF A NOTARY PUBLIC.** **Please make sure that the Notary stamps or seals** the document over their signature.
9. The person that filled in items 2 through 7 must print or type their name here.
10. The Governmental Official information must be completed by the TOWN CHAIRMAN. It needs to be signed and DATED.

You should make two copies of the completed form. One copy will be kept by the town, one copy should be given to the plumber. ***THE ORIGINAL MUST BE RETURNED BY EITHER YOU OR YOUR PLUMBER TO THE ZONING OFFICE WITH THE \$30 RECORDING FEE, Check payable to: Lincoln County.*** We can not process the sanitary application submitted by your plumber until we have the original document and recording fee. (If you have a copy of your most recent deed please include it) After this HT agreement has been recorded, the original will be returned to you for your records/reference.

HOLDING TANK AGREEMENT

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

Parcel Number: 08.133105.001.02 (2)	Agreement Date: 6/25/10 (3)
Governmental Unit: Town of Conning (4)	Holding Tank Owner(s) (print or type): John M. Doe Jane R. Doe (5)
<p>We acknowledge that application is being made for the installation of (a) holding tank(s) on the following property: (Provide legal land description. Please PRINT or TYPE. Use reverse side or additional pages if needed.)</p> <p>All that part of the NW 1/4 NE 1/4 of Section 13, T31N, R05E, Town of Conning, Lincoln County, Wis. described as follows: Commencing at the SE corner of the NW 1/4 NE 1/4, the P.O.B. thence North 500 ft.; thence West 170 ft.; thence South 500 ft.; thence East of P.O.B. EXCEPTING that part described in Volume 679 Page 345. (6)</p>	

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Return to:
Lincoln County Zoning

As an inducement to Lincoln County to issue a sanitary permit for the above described property, we agree to the following:

1. To conform to all applicable requirements of 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 Lincoln County to prevent or abate a human health hazard as described in §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 §66.60, Stats.
2. To pay all charges and cost incurred by the governmental unit 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 the law.
3. Except as provided by §281.48(3)(d) Stats., agrees to contract with a person who is licensed under §281.48(3)(a), Stats. To have the holding tank serviced and to file a copy of the contract or the owner's registration with the governmental unit. The owner further agrees to file a copy of any changes to the services 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. To contract with a person licensed under §281.48(3)(a), Stats., who shall submit holding tank servicing reports to the county in accordance with Comm 83.55. Wis. Adm. Code. In the case of exception under §281.48(3)(d), Stats., the owner shall submit the reports to the county. The governmental unit or county may enter upon the property to investigate the condition of the holding tank when pumping reports may indicate that the holding tank is not being properly maintained.
5. This agreement will remain in effect only until Lincoln County certifies that the property is served by either a municipal sewer or a private sewage system other than a holding tank that complies with Comm 83, Wis. Adm. Code. In addition, this agreement may 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.
6. This agreement shall be binding upon the owner, the heirs of the owner, and assignees of the owner. 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(s) -- Please print: John Doe Jane R. Doe (7)	Subscribed & sworn to before me on this date: 5/24/10	Governmental Unit Official Name and Official Title -- Please print: Robert Q. Official Chairman, Town of Conning
Notarized Owner(s) Signature(s): John M. Doe Jane R. Doe	Notary Public (Printed or typed): BETH M HUMPHREY	Governmental Unit Official Signature AND Date signed: Robert Q. Official 6/25/10 (10)
	Notary Public (Signature): BETH M HUMPHREY	
	My Commission Expires: 10-9-11	

Drafted by: **Jane Doe** (9)
(Name of person completing form - required)



HOLDING TANK AGREEMENT

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

Parcel Number:	Agreement Date:
Governmental Unit:	Holding Tank Owner(s)(print or type):
<p>We acknowledge that application is being made for the installation of (a) holding tank(s) on the following property: (Provide legal land description. Please PRINT or TYPE. Use reverse side or additional pages if needed.)</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	

Return to:
Lincoln County Zoning

As an inducement to Lincoln County to issue a sanitary permit for the above described property, we agree to the following:

1. To conform to all applicable requirements of SPS 383, Wis. Adm. Code relating to holding tanks. If the owner fails to have the holding tank properly serviced in response to orders issued by Lincoln County to prevent or abate a human health hazard as described in §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 §66.60, Stats.
2. To pay all charges and cost incurred by the governmental unit 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 the law.
3. Except as provided by §281.48(3)(d) Stats., agrees to contract with a person who is licensed under §281.48(3)(a), Stats. To have the holding tank serviced and to file a copy of the contract or the owner's registration with the governmental unit. The owner further agrees to file a copy of any changes to the services 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. To contract with a person licensed under §281.48(3)(a), Stats., who shall submit holding tank servicing reports to the county in accordance with SPS 383.55. Wis. Adm. Code. In the case of exception under §281.48(3)(d), Stats., the owner shall submit the reports to the county. The governmental unit or county may enter upon the property to investigate the condition of the holding tank when pumping reports may indicate that the holding tank is not being properly maintained.
5. This agreement will remain in effect only until Lincoln County certifies that the property is served by either a municipal sewer or a private sewage system other than a holding tank that complies with SPS 383, Wis. Adm. Code. In addition, this agreement may 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.
6. This agreement shall be binding upon the owner, the heirs of the owner, and assignees of the owner. 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(s) – Please print:	Subscribed & sworn to before me on this date:	Governmental Unit Official Name and Official Title – Please print:
	Notary Public (Printed or typed)	
Notarized Owner(s) Signature(s):	Notary Public (Signature)	Governmental Unit Official Signature <u>AND</u> Date signed:
	My Commission Expires:	

Drafted by: _____
(Name of person completing form- required)

Personal information you provide may be used for secondary purposes (Privacy Law, s.15.04(1)(m))

BLACK INK ONLY

\htagreement rev. 12/17/12

HOLDING TANK SERVICING CONTRACT – see example page

(Kept on file in Zoning Office. Document does NOT get recorded in Register of Deeds)

INSTRUCTIONS:

1. Fill in the Holding Tank Owner(s) Name(s). Print or type the property owner's name as it appears on the deed and provide mailing address & phone number
2. Print, type or stamp the service provider's name, address & phone number.
3. Fill in the parcel number. This number should be the Tax Parcel Number and can be found near the upper right hand corner of the owner's tax bill. (Example: 01.234567.001.002.00.00)
4. Fill in the proposed/existing total gallons of the holding tanks to be serviced.
5. Fill in the legal description, as it appears on the most recent deed.
6. Please read through the agreement.
7. Property owner(s) must sign & date.
8. Service Provider's must sign & date.
9. The Service Provider's registration number should be filled in by the service provider.

You should make two copies of the completed form. One copy will be kept by the service provider, one copy should be kept by you for your records/reference. **THE ORIGINAL MUST BE RETURNED TO THE ZONING OFFICE TO BE RETAINED ON FILE.** (no recording fee required for this document)

The Zoning office will return incorrect or incomplete documents.

If you have any questions call the Lincoln County Zoning Office at (715) 539-1087.

HOLDING TANK SERVICING CONTRACT

This contract is made between the Holding Tank Owner(s) and Service Provider

Holding Tank Owner(s) Name(s)

John & Jane Doe

Service Provider's Name

ACME Septic Service

Address:

N1234 Center Av
Merrill, WI 54452

Address:

5678 Pumper Ln
Merrill, WI 54452

Phone #:

715-555-1234

Phone #:

715-555-2345

For the maintenance of (a) holding tank(s) on the following property:

PARCEL#: 01.23330001.002.00.00

Proposed total tank volume: 4 2 x 2000 gal
4000 total (gallons)

Site Address (only if different from mailing address listed above - list road name if no address):

N1279 State Rd 64

Provide Legal Description of Parcel:

Section 23, T33N, R07E, NE1/4 NE1/4

- Owner agrees to file a copy of this contract with the County of Lincoln.
- Owner agrees to have the holding tank(s) serviced by the service provider and guarantees to permit the service provider to have access and to enter upon the property for the purpose of servicing the holding tank(s). The owner agrees to maintain the access road so the service provider can service the holding tank(s) with the pumping equipment. Owner further agrees to pay the service provider for all charges incurred in servicing the holding tank(s) as mutually agreed upon by the owner and service provider.
- The owner is responsible for ensuring that holding tank access opening covers (manhole covers) remain locked or secured to prevent unauthorized access.
- Service provider agrees to submit reports for the servicing of the holding tank(s) to Lincoln County, as required by SPS 383.55, Wis. Admin. Code. Service provider further agrees to include the following in these reports:
 - Name, address and registration number of the person servicing the holding tank;
 - Name of the owner of the holding tank;
 - Location of the property on which the holding tank is installed;
 - Sanitary permit number issued for the holding tank;
 - Dates on which the holding tank was serviced;
 - Volumes in gallons of the contents pumped from the holding tank for each servicing;
 - Disposal sites to which the contents from the holding tank were delivered.
- This agreement will remain in effect until the owner or service provider terminates this contract. In the event of a change in this contract, owner agrees to file any changes to this service contract or a new service contract with Lincoln County within ten (10) business days from the date of change of this contract.

Owner's Signature(s)

John Doe
Jane Doe

Service provider's Signature

Joe Pumper

Date signed:

7/23/15

Date signed:

7/23/15

Service provider's License #:

987654

HOLDING TANK SERVICING CONTRACT

This contract is made between the Holding Tank Owner(s) and Service Provider

Holding Tank Owner(s) Name(s)

Service Provider's Name

Address: _____

Address: _____

Phone #: _____

Phone #: _____

For the maintenance of (a) holding tank(s) on the following property:

PARCEL#: _____ Proposed total tank volume _____ (gallons)

Site Address (only if different from mailing address listed above – list road name if no address): _____

Provide Legal Description of Parcel: _____

1. Owner agrees to file a copy of this contract with the County of Lincoln.
2. Owner agrees to have the holding tank(s) serviced by the service provider and guarantees to permit the service provider to have access and to enter upon the property for the purpose of servicing the holding tank(s). The owner agrees to maintain the access road so the service provider can service the holding tank(s) with the pumping equipment. Owner further agrees to pay the service provider for all charges incurred in servicing the holding tank(s) as mutually agreed upon by the owner and service provider.
3. The owner is responsible for ensuring that holding tank access opening covers (manhole covers) remain locked or secured to prevent unauthorized access.
4. Service provider agrees to submit reports for the servicing of the holding tank(s) to Lincoln County, as required by SPS 383.55, Wis. Admin. Code. Service provider further agrees to include the following in these reports:
 - a. Name, address and registration number of the person servicing the holding tank;
 - b. Name of the owner of the holding tank;
 - c. Location of the property on which the holding tank is installed;
 - d. Sanitary permit number issued for the holding tank;
 - e. Dates on which the holding tank was serviced;
 - f. Volumes in gallons of the contents pumped from the holding tank for each servicing;
 - g. Disposal sites to which the contents from the holding tank were delivered.
5. This agreement will remain in effect until the owner or service provider terminates this contract. In the event of a change in this contract, owner agrees to file any changes to this service contract or a new service contract with Lincoln County within ten (10) business days from the date of change of this contract.

Owner's Signature(s)

Service provider's Signature

Date signed: _____

Date signed: _____

Service provider's License #: _____