



The State of Wisconsin
Department of Justice

John William Calhoun
Assistant Attorney General
(608) 266-0929

September 7, 1984

Bronson C. La Follette
Attorney General

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Mailing Address: P.O. Box 7857
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Ed Garvey
Deputy Attorney General

Ms. Kristine Cusick
District Attorney, Chippewa Falls
Office of District Attorney
Post Office Box 550
Chippewa Falls, Wisconsin 54729

Dear Ms. Cusick:

This is in response to your letter of August 6, 1984, in which you asked three questions regarding sanitary permits.

The answer to questions one and two is yes. A sanitary permit is required to replace or correct a part of a sewage system.

The answer to your third question is that a permit is valid for 2 years. However, when any installation covered by this permit is completed within the 2-year period, the permit simply ceases to exist. The work is complete and a new permit describing the extent of the replacement or repairs is required.

I hope this answers your questions satisfactorily.

Sincerely,


John William Calhoun
Assistant Attorney General

JWC:jp

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District
Attorney
Chippewa Falls

BY

COUNTY OF CHIPPEWA**OFFICE OF DISTRICT ATTORNEY**

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August 6, 1984

Office of the Attorney General
114 E. Capitol
Madison, WI 53702

Re: Request for an Opinion

Dear Attorney:

A recent case in our County has presented a problem concerning the interpretation of Section 145.135 of the Wisconsin Statutes. The facts of the case are as follows:

A licensed plumber obtained a sanitary permit in September of 1982 for the installation of a private sewage system. The system was installed in May of 1983.

Thereafter, a problem arose within the system, apparently the plumber had not installed the system at the proper depth. Therefore, the soil absorption system had to be replaced. The replacement was finished in June of 1983, within 2 years from the issuance of the sanitary permit. The plumber did not apply for a new permit. I was then asked to issue a complaint for the failure to get a permit.

My questions are as follows:

1. Whether or not a sanitary permit is required for the replacement of part of a sewage system. (soil absorption system)?
2. Whether or not a permit is required to correct or repair a part of a sewage system?
3. Whether or not a person may repair or replace part of a system within the two year period of the initial sanitary permit?

In other words, when does the permit expire?

Thank you for any help you can give me in these matters.

Sincerely,

Kristine Cusick
KC/dw

cc: LeRoy Jansky