

Village of Boyceville Municipal Code

TITLE 9 – PUBLIC UTILITIES

CHAPTER 1: WATER UTILITY

Sec. 9-1-1 Definitions.

Whenever in this title the following words, clauses or terms are used they shall be construed to have the meaning herein defined, unless specifically otherwise stated:

- a) "Mains" means all pipes used for carrying water in the streets.
- b) "Services" means the pipe extending from the main to the premises served.
- c) "Consumer" means any person, firm, corporation, or association owning property or premises which is or can be supplied with water, or his or their authorized agent.
- d) "Residential Class" includes customers who have water service provided for residential or domestic purposes and sales through a single meter to buildings with three or more dwelling units.
- e) "Nonresidential Class" includes commercial, industrial, and public authority customers. Commercial customers include business entities and institutions, except governmental entities, that provide goods or services. Churches and parochial schools are classified as commercial. Industrial customers include customers who are engaged in the manufacture or production of goods. Public Authority customers include any department, agency, or entity of local, state, or federal government, including public schools, colleges, and universities.
- f) "Premises" means a single-family dwelling, a two-family dwelling, an apartment house occupied by more than one family, a building occupied for business or other purposes, or any part of a building with the land appurtenant thereto when sold as a separate unit.
- g) "Unit of service" shall consist of any residential or small commercial aggregation of space or area occupied for a distinct purpose such as a residence, apartment, flat, store or office which is equipped with one or more fixtures for rendering water service, separate and distinct from other users.
- h) "Customer service" means that portion of the service lateral that is between the curb box and the premises being served by the water utility.
- i) "Utility service" means that portion of the service lateral from the public water main through the curb box which is the property of the utility, or to the property line if no curb box exists.
- j) "Service lateral" means the combined utility and customer service which extends from the public water main through the meter, or to a point of 2 feet outside the building if no meter exists.
- k) "Cross connection" shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Village water system, and the other, water from a private source, water of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.

Sec. 9-1-2 Rules and regulations - General.

(a) All persons now receiving a water supply from the municipal water utility, or who may hereafter make application therefor, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin.

(b) Application for water service shall be made in writing on a form furnished by the water utility. The application will contain the legal description (parcel number) of the property to be served, the street number, name of owner, the exact use to be made of the service, and the size of the supply pipe. The meter size shall be determined by the water demand. Service will be furnished only if:

- (1) Premises abut a designated street or public strip in which a cast iron or other long-life water main has been laid, or where property owner has agreed to and complied with the provisions of the utility's filed main extension rule;
- (2) Property owner has installed or agrees to install a service pipe from the utility service to the point of use and laid not less than 7½ feet below the surface of an established or proposed grade, or otherwise insulated in a manner approved by the utility;
- (3) Premises have adequate piping beyond metering point.

(c) The owner of a multi-unit dwelling has the option of being served by individual metered water service to each unit. The owner, by selecting this option, is required to provide interior plumbing and meter settings to enable individual metered service to each unit and individual disconnection without affecting service to other units. Each meter and meter connection will be a separate water utility customer for the purpose of the filed rules and regulations.

(d) Every building equipped with plumbing fixtures and used for human occupancy or habitation shall be provided with a potable supply of cold water. The owner of any such building within the jurisdiction of the Village, wherein water service is readily available, is required, at the owner's expense, to connect such plumbing facilities directly to the public water

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distribution system in accordance with the provisions of this chapter within one (1) year after the water service is deemed available by the Director of Public Works or designee.

Such time may be extended upon specific written authorization from the Director of Public Works or designee in the event of unfavorable weather conditions, except when an imminent health hazard exists.

(e) If any person fails to connect to the municipal water distribution system within the time contained in the municipal code or in the manner prescribed by the plumbing code for more than 10 days after notice in writing, the Village may cause connection to be made, and the expense thereof assessed as a special tax against the property in accordance with Wisconsin Statutes s. 281.45. The owner may, within 30 days after completion of the work, file a written option with the Village Clerk stating that he or she cannot pay the amount in one sum and asking that it be levied in not to exceed five (5) equal annual installments, and the amount shall be collected with interest at a rate of 6% per year from the completion of the work. The unpaid balance of the special tax shall be placed as a special tax lien on the property.

(f) No water service shall pass under or through a building to serve another building.

(g) The Public Works Director is hereby empowered to withhold approval of any application wherein full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner.

Sec. 9-1-3 Water waste prohibited.

Excessive or unnecessary use of, or waste of water, whether caused by carelessness or defective or leaking plumbing, is strictly prohibited.

Sec. 9-1-4 Connection and shutoff locations recorded.

It shall be the duty of Public Works to locate by measurement each service connection and each curb shutoff, referring the same to some suitable permanent building or street line. This information shall be entered on the records of the department.

Sec. 9-1-5 Permits - Licensed plumbers only.

To protect the Village and property owners, permits for laying of service laterals will be issued only to plumbers licensed in the State of Wisconsin, unless the work is done by the utility. It shall be the duty of Public Works to supervise the installation of laterals and require said work and materials to be in accordance with plumbing regulations in the Village ordinance. It shall further be the duty of Public Works to locate by measurement each service lateral connection and each curb shutoff with reference to some suitable permanent building or street line. This information shall be entered on the records of the utility.

Sec. 9-1-6 Violations - Penalty.

The Village may at its discretion shut off the water from any premises where the owner or agent of the owner is found guilty of violating any of the provisions of this title, upon giving the owner or agent at least twenty-four hours' written notice of such intended action. In addition to this any person guilty of violating the provisions of this title shall be liable to the penalties set in Sec. 1-6-6. Each day or part thereof during which such violation continues shall constitute a separate offense.

Sec. 9-1-7 Damages - No claims.

(a) No person using water shall enter a claim against the Village as a water utility or any officer thereof, for damages to any fixtures or appurtenance by reason of interrupted water supply or variation of pressure, or for damage of any nature caused by turning off or on, either partially or entirely, of the water supply for any premises, either for the repairs or alterations of any water main, or for the discontinuance of the service to their premises for violation of any rule or regulation of the Village. No claims will be allowed against the utility or the Village on account of interruption of supply caused by breaking of pipes or by stoppage for repairs or fire or other emergency.

(b) In case of a probable stoppage of water supply when time of interruption can be forecast, every reasonable attempt will be made by Public Works to acquaint the users with the action proposed.

(c) The utility shall not be liable for failure to locate the curb box and to shut off the water in case of a leak on the customer's premises.

Sec. 9-1-8 Sprinkling ban authorized.

(a) Whenever, in the judgment of the Village Board, Public Works Director or the Emergency Management Director, an emergency exists due to a shortage of available water supplies for fire-fighting and other municipal purposes, or which may be detrimental to the water system or may cause damages thereto, or which may result in certain areas of the Village

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being deprived of water, the authorized employee may declare a temporary ban upon the watering or sprinkling of lawns, trees, shrubs or other similar vegetation until adequate water supplies are restored. Such ban may include the regulation or prohibition of all such watering or sprinkling throughout the entire Village or within designated parts of the Village, the regulation or prohibition of such watering or sprinkling during specified hours or on alternate sides of streets on specified days or may include other prohibitions or regulations reasonably related to the conservation of water during the emergency.

(b) Such ban shall become effective upon giving actual notice thereof to any person, or upon the giving of notice thereof to the official newspaper and other local news media and the printing, broadcast, or transmission thereof by any or all said news media to the public.

(c) Exceptions to such sprinkling ban may be granted, upon application, by the authorized employee, for properties having newly seeded or sodded lawns or newly planted vegetation, upon a finding that failure to grant such an exception would jeopardize such lawn or vegetation. Appropriate conditions or limitations may be included in the granting of such exception, in keeping with the purpose of this section, and the grantee shall comply with all such conditions and limitations.

(d) Any person violating any provision of this section shall, upon conviction thereof, be subject to the penalties of Sec. 1-6-6. Each day during which a violation continues shall be a separate offense.

Sec. 9-1-9 Private wells.

(a) *Purpose.* The purpose of this section is to prevent contamination of groundwater and to protect public health, safety, and welfare by ensuring that unused, unsafe, or noncomplying wells or wells which may be illegally cross connected to the municipal water system, are properly abandoned.

(b) *Applicability.* This section applies to all wells located on any premises served by the Village municipal water system.

(c) *Definitions.* As used in this section, the following terms have the meanings indicated:

- (1) *Municipal Water System.* The community water system owned by Village and serving the Village.
- (2) *Noncomplying.* A well or pump installation which does not comply with the provisions of Wis. Admin. Code NR 812.42 and that has not been granted a variance pursuant to Wis. Admin. Code. NR 812.43.
- (3) *Pump Installation.* The pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.
- (4) *Unsafe.* A well or pump installation which produces water which is bacteriologically contaminated or contaminated with substances more than the drinking water standards of Wis. Admin. Code NR 140 or 809 for which a Health Advisory is issued by the Department of Natural Resources.
- (5) *Unused.* A well or pump installation which is not in use or does not have a functional pumping system.
- (6) *Well.* A drill hole or other excavation or opening deeper than it is wide that extends more than 10 feet below the ground surface constructed for the purpose of obtaining groundwater.
- (7) *Well Abandonment.* The proper filling and sealing of a well according to the provisions of Wis. Admin. Code NR 812.26.

(d) *Abandonment required.* All wells located on premises served by the municipal water system will be abandoned in accordance with the terms of this subsection (f) no later than one year from the date of connection to the municipal water system, unless a well operation permit has been obtained by the well owner from the Village.

(e) *Well operation permit.* Owners of wells on premises served by the municipal water system who wish to retain their well for any use must apply for a well operation permit for each well no later than one (1) year after connection to the municipal water system. The Village shall grant a permit to a well owner to operate a well for a period of five (5) years from the date of issuance providing all conditions of this section are met along with documentation of required testing/inspection is submitted with the application. A well operation permit may be renewed by submitting a completed application verifying that the conditions of this section are met along with documentation of required testing/inspection. The Village may require additional testing and/or inspections of the well at the applicant's expense if the submitted documentation is incomplete or conducted outside of require time periods. Applications for a permit or renewal shall be submitted on the form provided by the Village. The fees for well operation permits shall be set in the Village's fee schedule.

(f) *Conditions for Permit.* The following conditions must be met for issuance or renewal of a well operation permit:

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- (1) The well and pump installation meet or have been upgraded to meet the requirements of Wis. Admin. Code NR 812.42.
- (2) The well construction and pump installation have a history of producing safe water as evidenced by two (2) coliform bacteria samples taken at least two (2) weeks apart and within sixty (60) days prior to filing for application or renewal. In areas where the Department of Natural Resources has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to document the safety of the water. The results shall be submitted with any application/renewal.
- (3) There are no cross-connections between the well's pump installation or distribution piping and the municipal water system.
- (4) The private well shall have a functional pumping system and shall be evaluated by a licensed well driller or pump installer to certify that it complies with Wis. Admin. Code NR 812.42 within sixty (60) days prior to filing for application or renewal. The results of the evaluation shall be submitted with any application/renewal.
- (5) The proposed use of the well and pump installation shall be justified as being reasonable in addition to water provided by the municipal water system. Denial of an application under this condition may be appealed pursuant to Title 4 of this code.
- (6) Payment of permit fees according to the Utility Fees Schedule

(g) *Abandonment procedures.*

- (1) Wells shall be abandoned according to the procedures and methods of Wis. Admin. Code NR 812.26. All debris, pump, piping, unsealed liners, and any other obstructions which interfere with sealing operations must be removed prior to abandonment.
- (2) The well owner must notify the Village at least 48 hours prior to commencing any well abandonment activities. The abandonment may be observed or verified by an authorized employee or agent of the Village.
- (3) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Village Public Works and the Department of Natural Resources within thirty (30) days of the completion of the well abandonment.

(h) *Penalties.* Any person, firm, or well owner violating any provision of this section will, upon conviction, be punished by forfeiture as prescribed in section 1-1-6, and the cost of prosecution. Each 24-hour period during which a violation exists constitutes a separate offense. If any person fails to comply with this section for more than ten days after receiving written notice of the violation, the Village may impose a penalty and cause the well abandonment to be performed and the expense to be assessed as a special tax against the property.

Sec. 9-1-10 Lead Service Line Replacement.

(a) *Purpose.* The Village Board finds it in the public interest and for the protection of public health, safety, and welfare to establish a comprehensive program for removing and replacing all lead service lines within and connected to the Village's water service.

Lead service lines have the potential to leach lead into drinking water; in particular, the disturbance or reconnection to an existing lead service line may increase lead levels in drinking water. The Village's water service is an interconnected system and lead in any service line is a potential contaminant throughout the system. There is no safe level of exposure to lead and lead in drinking water has been determined to cause health problems in young children, pregnant women, and their unborn children, and is also potentially harmful to adults.

(b) *Definitions.* The following definitions shall apply to this section:

- (1) Customer-side service line. The property owner's water service line, from the outlet of the curb stop to the inlet of the customer's water meter.
- (2) Eligible lead service line. A customer-side water service line that contains lead, for which the service lateral or main has already been replaced or is in the process of being replaced.
- (3) Lead service line. A water service line constructed of lead. This term includes the customer-side service line, mains, and service laterals.
- (4) Property. Real property as defined in Wis. Stats. s. 70.03.
- (5) Property owner. A person or legal entity having a possessory interest, legal or equitable, in property which shall include an estate, trust or lien.
- (6) Plumbing contractor. A person, firm, corporation, or other entity licensed by the state of Wisconsin to perform plumbing work in the Village.

(c) *Connection prohibited.* No person shall connect a customer-side lead service line to a nonlead service lateral.

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(d) *Lead service line replacement requirement.* All eligible lead service lines connected to Village water service shall be replaced with water service laterals made of material approved by the Village, at the property owner's expense or through available financial assistance for customer-side lead service line replacements, in accordance with the requirements of this section.

(e) *Identification of lead service lines.* For Village projects involving water mains or replacement of service laterals, property owners affected by the project shall be notified in writing at least 30 days prior to commencement of construction. The Public Works Director shall inspect all connections to the mains for the presence of lead prior to, if possible, or at the time that the mains are to be reconstructed and if unable to gain access for inspection, may pursue an inspection warrant or any other steps necessary to conduct the inspection, and shall collect the cost therefor from the property owner, including by imposition of a special charge.

(f) *Customer-side lead service line replacements.*

(1) If a customer-side service line is found to contain lead, the Public Works Director shall immediately notify the property owner, in writing, of that fact, whether it is an eligible lead service line, and available funding options. The Public Works Director shall further provide information to the affected property owner regarding an effective flush of all water lines within the affected property. The affected property owner shall provide proof of arrangements for replacement of the eligible lead service line to the Public Works Director within 30 days of the date of the notification letter.

(2) Replacement of eligible lead service lines shall be completed either in conjunction with the replacement of the Village's side of the water service during a utility replacement project, or if the Village's side has already been replaced, shall be replaced within 90 days of notice to the property owner of the presence of lead.

(g) *Financial assistance for customer-side lead service line replacements.* Customers may apply for financial assistance for lead service line replacement through any available grant source, including those funds provided through the State of Wisconsin's Safe Drinking Water Loan Program.

(h) *Penalty.* Failure to commence work on the replacement of the customer-side lead service line when required pursuant to this ordinance, or for such work to be completed within a reasonable time after commencement of the work, may result in penalties as set in Sec. 1-6-6.

Sec. 9-1-11 Pipes and mains - Property of utility.

The large pipes or mains which, in general, are laid in streets and alleys and distribute water throughout the Village are the property of the utility and are maintained by the utility. No person except an authorized employee of Public Works shall be permitted to operate any valves or hydrants in connection with the system, or to tap said main for connection purposes, except by permission of the Public Works Director. Members of the fire department in discharge of their duties may use the hydrants.

Sec. 9-1-12 State statutes adopted.

Section 66.0701, et seq., Wisconsin Statutes, and acts amendatory thereto, relating to special assessments for laying of water mains is adopted and made a part of these regulations.

Sec. 9-1-13 Installation - Application.

(a) All applications for the installation of services for water must be approved by the Village prior to performance of work by the owner or a licensed plumber, who will be considered as the authorized agent of the owner.

(b) The application shall state the ownership of the premises to be served, the legal description of the property, the street number, size or service and other pertinent data.

Sec. 9-1-14 Installation - General.

(a) Services may be laid upon application of owner of premises by a licensed plumber, and the council may cause a service to be laid into every lot or parcel of land before the street is permanently improved. In the latter case, this improvement will be made, and cost assessed against the property in accordance with Section 66.0701, et seq., Wisconsin Statutes, and acts amendatory thereto.

(b) Water mains will be extended for new customers on the following basis:

(1) Where the cost of the extension is to immediately be collected through assessment by the municipality against the abutting property, the procedure set forth under Section 66.0701, et seq. of the Wisconsin Statutes will apply, and no additional customer contribution to the utility will be required.

(2) Where the municipality is unwilling or unable to make a special assessment, then extension will be made on a customer-financed basis as follows:

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- a. The applicant or applicants will advance as a contribution in aid of construction the total amount equivalent to that which would have been assessed for all property under subdivision (1) of this subsection.
 - b. Part of the contribution required in paragraph (a) of this subdivision will be refundable. When additional customers are connected to the extended main within ten years of the date of completion, contributions in aid of construction will be collected equal to the amount which would have been assessed under subdivision (1) for the abutting property being served. This amount will be refunded to the original contributor or contributors. In no case will the contributions received from additional customers exceed the proportionate amount which would have been required under subdivision (1) nor will it exceed the total assessable cost of the original extension.
- (3) When a customer connects to a transmission main or connecting loop installed at utility expense within 10 years of the date of completion, there will be a contribution required of an amount equivalent to that which would have been assessed under section B1.

Sec. 9-1-15 Installation - Cost assessment.

The expense of laying service pipes and connecting such service pipes to the main shall be a special charge to and made as a lien upon the real estate or premises served by such service pipes pursuant to sec. 3-2-10. In case it may be proved necessary to replace the service pipe with a larger service, this cost shall also be an expense against the property served.

Sec. 9-1-16 Single premises service connections.

Any permit given for water service shall require that not more than one premises be served by one connection. Whenever a service must be replaced, or where permanent street improvements are authorized and conditions contrary to above rule exist, they shall be corrected.

Sec. 9-1-17 Water service pipes - Depth.

Water service pipes shall be installed at a depth of not less than seven and one-half feet, unless otherwise approved by the Village engineer or Public Works Director.

Sec. 9-1-18 Service alteration.

No addition or alteration to service already laid shall be changed or added to, or meter moved without notification to Public Works.

Sec. 9-1-19 Discontinuance - Permanent or temporary.

Whenever a building receiving water service is proposed to be razed or removed and the Public Works Director finds that the property will not require water service after such razing and removal and within a reasonable period of time thereafter he shall require the permittee under the razing or removal permit to shut off water service to the property at the shutoff at the main under Sec. 9-1-23, after first obtaining approval to do so under Sec. 9-1-23. Such requirement when made by the Public Works Director shall be a condition of the razing or removal permit.

Sec. 9-1-20 Vacation of premises.

When premises are to be vacated, the utility shall be notified at once, so that it may remove the meter and shut off the supply at the curb stop. At the decision of the utility, the meter may or may not be removed from the premises. The owner of the premises shall be liable to prosecution for any damage to the property of the water utility by reason of failure to notify the utility of vacancy. When a tenant-customer vacates a premise, they shall notify the utility at least 10 working days prior to vacating. The tenant-customer must also notify the owner who is ultimately responsible for payment of all bills.

Sec. 9-1-21 Repairs - Leaks and deteriorated connections.

(a) If a customer fails to repair a leaking or broken service pipe from the curb stop and/or property line to point of metering or use within 5 days after receiving notification from the water utility that his service requires repair, the water will be shut off and will not be turned on again until the repairs have been completed. The water utility may disconnect without notice where a dangerous condition exists for as long as the condition exists.

(b) In cases where the owner is ordered by the utility to replace or repair a damaged, deteriorated, or malfunctioning service lateral and the owner fails to comply within 10 days of receiving notice, the utility may discontinue water service to his property, and the cost of such discontinuance shall be charged and assessed against said property

Sec. 9-1-22 Repairs to mains.

(a) The utility reserves the right to shut off the water in the mains temporarily, to make repairs, alterations or additions to the plant or system. When circumstances permit, the utility will give notification, by newspaper publication or otherwise, of the discontinuance of the supply.

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(b) No rebate will be allowed to customers for such temporary suspension of supply. Nor will any claims be allowed against the utility or the Village for damages caused by the interruption of water supply, variation of pressure, or turning off or on (either partially or entirely) the water supply to any premises due to the use of water for fire-fighting or other emergency, the breaking of pipes or the repairs or alterations to the water plant or system.

Sec. 9-1-23 Shutoff valves required.

Each service lateral shall be controlled by a shutoff at the main and, if the service is smaller than 3 inches, a curb shutoff at or near the curb is also required. These valves are under the sole and absolute control of the utility and must not be operated by others without permission of the utility, except that a plumber may turn on the water for testing purposes, but only with consent in each case.

Sec. 9-1-24 Protective devices.

(a) *In general.* The owner or occupant of every premise receiving water supply shall apply and maintain suitable means of protection of the premise supply, and all appliances thereof, against damage arising in any manner from the use of the water supply, variation of water pressure, or any interruption of water supply. Particularly, such owner or occupant must protect water cooled compressors for refrigeration systems by means of high-pressure safety cutout devices. There shall likewise be provided means for the prevention of the transmission of water ram or noise of operation of any valve or appliance through the piping of their own or adjacent premises.

(b) *Relief valves.* On all "closed systems" (i.e., systems having a check valve, pressure regulator, or reducing valve, water filter or softener), an effective pressure relief valve shall be installed either in the toptapping or the upper side tapping of the hot water tank, or on the hot water distributing pipe connection at the tank. No stop valve shall be placed between the hot water tank and the relief valve or on the drainpipe.

(c) *Air chambers.* All water supply systems, water distribution systems and components connected thereto, subject to water hammer, shall be provided with approved shock absorbing devices located and sized to suppress water hammer. All appliances, devices, equipment, fixtures, and appurtenances with quick closing valves or which may create water hammer, shall be provided with shock absorbing devices. When copper air chambers are used, the minimum size shall be ½" x 1" x 14". The size and location of the mechanical suppressors shall be in accord with the hydraulic design of the piping system served and to the manufacturer's recommendations. All mechanical water hammer suppressors shall be accessible.

Sec. 9-1-25 Stop and waste.

All services shall have a shutoff valve on both sides of meter. All water meters two inches or more in diameter shall be provided with a suitable valved and sealed bypass, having a diameter or no less than one inch smaller than the service entrance, which can be utilized in the event of removal, repair or changing of such meter.

Sec. 9-1-26 Cross connections.

(a) No person shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the Village may enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply has been approved by the Village and by the Wisconsin Department of Natural Resources in accordance with s. NR 810.15, Wisconsin Administrative Code.

(b) The Public Works Director shall cause inspections to be made of all properties served by the public water system where cross connections with the public water system are deemed possible. The frequency of inspections and reinspections, based on potential health hazards involved, shall be as established by the Village and as approved by the Wisconsin Department of Natural Resources

(c) Upon presentation of credentials, Public Works employees shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system for cross connections. If entry is refused, such representative shall seek to obtain a special inspection warrant under s. 66.0119, Wisconsin Statutes. On request, the owner, lessee, or occupant of any property so served shall furnish to the Village any pertinent information regarding the piping system or systems on such property.

(d) The Village water utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in subsection E.

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Water service to such property shall not be restored until the cross connection or connections have been eliminated in compliance with the provisions of this section.

(e) If it is determined by the Village that a cross connection or an emergency endangers public health, safety, or welfare and requires immediate action, and a written finding to that effect is filed with the Village Clerk and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes, within 10 days of such emergency discontinuances.

(f) That the Village adopts by reference the State Plumbing Code of Wisconsin being Chapters, SPS 382, 383, and 384, Wisconsin Administrative Code.

(g) This section does not supersede but is supplementary to the State Plumbing Code.

Sec. 9-1-27 Street repairs.

(a) When services are laid on an improved street or highway, in addition to the regular charge the premises served shall pay the cost of repairing said opening in the street at rates established by the Village Board.

(b) Trenches in streets shall be refilled with earth and mechanically tamped in 12-inch lifts until the street grade is reached, and to the satisfaction of the utility.

Sec. 9-1-28 Private fire protection.

Private fire protection service laterals to supply water to sprinkler systems or private fire hydrants will be permitted only upon application of the owner after detailed plans showing sizes and location of all pipes, valves, hydrants and sprinkler heads have been filed with and approved by the Director of Public Works. Owners and insurance inspectors may test private fire hydrants and apparatus in the presence of the Director of Public Works or an inspector assigned for such purposes. No charge shall be made for water used for private charges for these services.

Sec. 9-1-29 Water main installation in platted subdivisions.

(a) Application for installation of water mains in regularly platted real estate development subdivisions shall be filed with the Village Clerk and shall set forth the following information:

- (1) Name of subdivision;
- (2) Legal description;
- (3) Map showing street, lots and sizes of proposed mains and hydrants, and street laterals;
- (4) Date of approval of subdivision plan by the state;
- (5) Date of approval of proposed mains by Department of Natural Resources;
- (6) Number of houses presently under construction.

(b) Upon receipt of the application, the Public Works Director shall develop plans for the extension of mains together with the installation of service laterals and hydrants required to adequately serve the area and provide public fire protection. The water utility will prepare detailed estimates of the cost of extending water mains and hydrants of the size deemed necessary in the subdivision and submit the same to the Village Board for approval of the extension as it pertains to public fire-protection service requirements.

(c) The applicant for water service to be supplied to a subdivision shall be required to advance to the utility, prior to the beginning of the construction, the total estimated assessable cost of the extension. In the event several property owners are involved, they shall confer so that the advance payment is properly distributed among them. If the final costs exceed estimated costs, an additional billing will be made for the balance of the cost due. This balance is to be paid within thirty days. If final costs are less than estimated, a refund of overpayment will be made by the water utility.

(d) In a regularly platted subdivision, the subdivider or developer will already have graded the streets in the subdivision or have posted a bond stating that the streets will be graded within a two-year period.

Chapter 2: WELLHEAD PROTECTION

Sec. 9-2-1 Purpose.

The residents of the Village depend exclusively on groundwater for a safe drinking water supply. Certain land use practices and activities can seriously threaten or degrade groundwater quality. The purpose of this chapter is to institute land use regulations and restrictions protecting the municipal water supply of the Village and promote the public health, safety, and general welfare of the residents.

Sec. 9-2-2 Authority.

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This chapter is created to protect the health, safety and welfare of the citizens of the Village and members of the public relying upon the provision of safe municipal drinking water and further upon express statutory authority established by the Wisconsin Legislature in 1983, Wisconsin Act 410, which specifically added groundwater protection, in §62.23(7)(c), Wis. Stats., to the statutory authorization for municipal planning and zoning to encourage the protection of groundwater resources, and the public health, safety and welfare.

Sec. 9-2-3 Application.

The provisions specified in this Wellhead Protection Ordinance shall apply to the incorporated areas of the Village, and also those areas outside the incorporated boundary of the Village where extended by cooperative agreement, that lie within the recharge areas for municipal water supply wells as that area is defined in Sec. 9-2-4, and are in addition to the requirements in the underlying zoning district, if any. If there is a conflict between this ordinance and the Zoning Code, Title 13, of this Code, the more restrictive provision shall apply.

Sec. 9-2-4 Definitions.

For purposes of this chapter, the following terms have the meaning indicated:

- (1) "Aquifer" means a saturated, permeable geologic formation that contains and will yield significant quantities of water.
- (2) "Cone of depression" means the area around a well, in which the water level has been lowered at least one of a foot by pumping of the well.
- (3) "Groundwater Protection Overlay District" means that portion of the recharge area equivalent to a 5-year time of travel to the well field plus the area within the buried valley containing sand and gravel deposits that transmit water to the Village wells with boundaries normalized to road centerlines, railways, surface water features, and the public land survey section lines, 1/2, 1/4, 1/8, or 1/16 section lines, as more specifically described in Section 14.10.050 below.
- (4) "Municipal water supply" means the municipal water supply of the Village.
- (5) "Recharge area" means the area which encompasses all areas or features that, by surface infiltration of water that reaches the zone of saturation of an aquifer, supplies groundwater to a well.
- (6) "Well field" means a piece of land used primarily for the purpose of locating wells to supply a municipal water system.
- (7) "Zone of saturation" means the saturated zone is the area of unconsolidated, fractured, or porous material that is saturated with water and constitutes groundwater.

Sec. 9-2-5 Groundwater Protection Overlay District Boundaries.

(a) The boundaries of the Groundwater Protection Overlay District shall be shown on the zoning map. The locations and boundaries of the zoning districts established by this section are set forth on the Municipal Wellhead Protection Areas Map which is incorporated herein and made a part of this section. A detailed map shall be on file with the Village and kept accessible to the public.

(b) Groundwater Protection Overlay District boundaries are described as follows:

- (1) North WHP Area. This area is delineated on the map as 1200 feet around the municipal well located at 806 Nordveien Drive.
- (2) West WHP Area. This area is delineated on the map as 1200 feet around the municipal well located at 391 Railroad Avenue.

Sec.9-2-6 Permitted Uses.

The following uses, if also allowed in the underlying zoning district according to the Zoning Code, Title 13 are permitted in the Groundwater Protection Overlay District, subject to the separation distance and other applicable requirements:

- (1) Public and private parks, green space, wood lots, trails, playgrounds, and beaches, provided there are no on-site wastewater disposal systems or holding tanks.
- (2) Residential, connected and serviced by Village sewer.
- (3) Single-family residences on a minimum lot of 20,000 square feet with a private on-site sewage treatment system receiving less than 8,000 gallons per day, which meets the County and State health standards for the effluent, and is in conformance with SPS 383, Wis. Adm. Code.
- (4) Commercial establishments connected and serviced by Village sewer.
- (5) Industrial establishments connected and serviced by Village sewer.

Sec. 9-2-7 Separation Distance Requirements.

The separation distances as specified in NR 811.12(5)(d), Wis. Adm. Code, shall be maintained.

Sec. 9-2-8 Prohibited Uses.

(a) The following uses are prohibited in the Groundwater Protection Overlay District (for Existing Facilities, see s. 9-2-10):

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1. Buried hydrocarbon, petroleum, or hazardous chemical storage tanks. (Hazardous chemicals are identified by OSHA criteria under 40CFR Part 370.)
2. Cemeteries.
3. Chemical manufacturers (Standard Industrial Classification Major Group 28).
4. Coal storage.
5. Dry cleaners.
6. High-capacity wells and industrial lagoons and pits.
7. Jewelry plating and metal plating.
8. Landfills and any other solid waste facility, except post-consumer recycling.
9. LP, petroleum, or other similar tank farms or individual above ground accessory tanks over 1,000 gallons.
10. Manure and animal waste storage except animal waste storage facilities regulated by the County.
11. Metallic and Nonmetallic earthen materials extraction, transfer, or storage.
12. Pesticide and fertilizer dealer, transfer, or storage.
13. Railroad yards and maintenance stations.
14. Rendering plants and slaughterhouses.
15. Salt or deicing material storage.
16. Salvage or junk yards.
17. Septage or sludge spreading, storage or treatment.
18. Septage, wastewater, or sewage lagoons.
19. Private on-site wastewater treatment systems or holding tanks receiving 8,000 gallons per day or more.
20. Stockyards and feedlots.
21. Stormwater infiltration basins that receive any "contaminant of concern" under Wisconsin Administrative Code Chapter NR 720 without adequate and acceptable pretreatment approved by the Village and permitted as necessary by WDNR.
22. Wood preserving operations.

Sec. 9-2-9 Conditional uses.

- (a) Any person may request a conditional use permit for certain uses, activities and structures within the Groundwater Protection Overlay District not prohibited in sec. 9-2-8, if also allowed in the underlying zoning district according to Title 13.
- (b) The uses, activities, and structures that may be conditionally allowed within Groundwater Protection Overlay District are:
 - (1) Machine or metal working shops.
 - (2) Research labs, universities, and hospitals.
 - (3) Motor vehicular services, including filling and service stations, repair, renovation, and body working.
- (c) All requests for a conditional use permit shall comply with Title 13 and further shall include:
 - (1) A site plan map with all building and structure footprints, driveways, sidewalks, parking lots, stormwater management structures, groundwater monitoring wells, and 2-foot ground elevation contours.
 - (2) A business plan and/or other documentation which describes in detail the use, activities, and structures proposed.
 - (3) An environmental assessment report prepared by a licensed environmental engineer which details the risk to, and potential impact of, the proposed use, activities, and structures on groundwater quality.
 - (4) An operational safety plan, which details the operational procedures for material processes and containment, best management practices, stormwater runoff management, and groundwater monitoring.
 - (5) A contingency plan which addresses in detail the actions that will be taken should a contamination event caused by the proposed use, activities, or structures occur.
- (d) The person making the request shall, in addition to the fees as stated in the Fines and Fees Schedule (sec. 1-1-6), reimburse the Village for consultant fees associated with this review at the invoiced amount, plus administrative costs.
- (e) All conditional use permits granted shall be subject to conditions that will include environmental and safety monitoring determined necessary to afford adequate protection of the public water supply. These conditions shall include, but not be limited to:
 - (1) Provide current copies of all federal, state, and local facility operation approval or certificates and on-going environmental monitoring results to the Village.
 - (2) Establish environmental or safety structures/monitoring to include an operational safety plan, material processes and containment, operations monitoring, best management practices, stormwater runoff management, and groundwater monitoring.
 - (3) Replace equipment or expand in a manner that improves the environmental and safety technologies being utilized.
 - (4) Prepare, file, and maintain a current contingency plan which details the response to any emergency which occurs at the facility, including notifying municipal, county, and state officials. Provide a current copy to the Village.
 - (5) The Village Board shall, in addition to the provisions of Title 13, decide upon a request for a conditional use permit only after full consideration of the recommendations made by the Public Works Director or his or her designee,

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regarding groundwater impact and wellhead protection measures and may include any or all the recommendations as conditions to grading the use permit.

Sec. 9-2-10 Requirements for Existing Facilities.

Existing facilities within the Groundwater Protection Overlay District at the time of enactment of such district which may cause or threaten to cause environmental pollution include, but are not limited to, the Wisconsin Department of National Resources draft or current list of "Inventory of Sites or Facilities Which May Cause or Threaten to Cause Environmental Pollution", Wisconsin Department of Industry, Labor and Human Relations' list of underground storage tanks, list of facilities with hazardous, solid waste permits, and all other facilities which are considered a prohibited use in prohibited uses, sec. 9-2-8, or a conditional use in conditional uses, sec. 9-2-9, all of which are incorporated herein as if fully set forth.

- (1) Such facilities as above which exist within the district at the time of enactment of a district shall provide copies of all current, revised, or new federal, state, and local facility operation approvals, permits or certificates; operational safety plans; and on-going environmental monitoring results to the Village.
- (2) Such facilities as above which exist within the district at the time of enactment of a district shall have the responsibility of devising, filing, and maintaining, with the Village, a current contingency plan which details how they intend to respond to any emergency which may cause or threaten to cause environmental pollution that occurs at their facility, including notifying municipal, county and state officials.
- (3) Such facilities as above cannot engage in or employ a use, activity, or structure listed in prohibited uses, sec. 9-2-8, or in conditional uses, sec. 9-2-9, which they did not engage in or employ at the time of enactment of a district, and can only expand, replace or rebuild those present uses, activities, equipment, or structures on the site or property of record associated with the facility at the time of enactment of a district, and in a manner that improves the environmental and safety technologies already being utilized. No existing use, activity, or structure listed as a prohibited use or conditional use shall be expanded, replaced, or rebuilt unless a conditional use permit is granted for such expansion, replacement, or rebuilding. This section does not apply to normal maintenance or minor repairs.

Sec. 9-2-11 Enforcement and Penalty.

(a) *Penalty.* Any person who violates, neglects, or refuses to comply with any of the provisions of this ordinance shall, upon conviction, be punished by forfeiture as set in sec. 1-1-6, plus the cost of prosecution. Each day of violation is a separate offense.

(b) *Injunction.* The Village may, in addition to any other remedy, seek injunction or restraining order against the party alleged to have violated the provisions herein, the cost of which shall be charged to the defendant in such action.

(c) *Cleanup Costs.* As a substitute for, and in addition to any other action, the Village may commence legal action against both the person who releases the contaminants and the owner of the facility whereupon the contaminants were released to recover the costs, together with the costs of prosecution. Any person who causes the release of any contaminants which may endanger or contaminate the municipal water supply system associated with a Ground Water Protection Overlay District shall immediately cease such discharge and immediately initiate clean up satisfactory to the Village and the other state and federal regulatory agencies. The person who releases such contaminants and the person who owns the facility whereon the contaminants have been released shall be jointly and severally responsible for the cost of cleanup, consultant, or other contractor fees, including all administrative costs for oversight, review, and documentation, including the Village employees, equipment, and mileage.

Chapter 3: METERS

Sec. 9-3-1 Meters - Installation.

Meters of proper size and type will be furnished by, remain the property of, and be placed by the utility and are not to be disconnected or tampered with by the consumer. All meters shall be so located that they are easily accessible, with a minimum of 5 feet of head room provided for reading, inspecting, and servicing, and safe from freezing or breaking. The property owner shall be responsible for insuring safe access by Village employees/contractors to meters. They will not be installed in pits, coal cellars, or other undesirable locations. All meters smaller than 3 inches shall be located with at least an area of 12 inches around, above and below the meter being free and unobstructed. All meters 3 inches and larger shall be located:

- (1) with an area of 18 inches around all sides and below the meter being free from obstructions;
- (2) with an area of 36 inches above the meter being free from obstructions;
- (3) with an unobstructed, functioning floor drain within 6 feet of a point directly below the meter; and
- (4) near some access to the outside of the building in which they are located, such as an outside door or window, for the periodic repair and testing of the meter.

All piping within the building must be supplied by the customer. Inlet and outlet valves to and from each meter shall be maintained by the property owner and in satisfactory normal operating condition.

Sec. 9-3-2 Meters - Service piping.

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(a) In cases where a new customer whose service is to be metered installs the original service piping or where an existing metered customer changes his service piping for his own convenience, or where an existing flat rate customer requests to be metered, the customer shall, at his or her expense, provide a suitable location and the proper connections for the meter. The Public Works Director should be consulted as to the type and size of meter setting.

(b) Where it is possible to set meters in the basement, or other suitable place within a building, the service connection shall be provided with an approved shutoff valve on either side of the meter. Proper length, with a minimum horizontal run of 18 inches, shall be provided for the inserting of the meter into the supply line.

(c) All water meters 1½ inches and larger shall be provided with a suitable valved and sealed bypass, having a diameter of not less than 1 nominal size smaller than the service entrance, which can be utilized in the event of removal, repair or changing of such meter.

(d) No permit will be given to change from metered to flat rate service.

(e) The water cannot be turned on for a consumer except by a duly authorized employee of the water utility. When a plumber has completed a job, the plumber must leave the water turned off. This does not prevent the plumber from testing the work.

Sec. 9-3-3 Meters - Repairs to.

Meters will be repaired by the water utility and the cost of such repairs caused by ordinary wear and tear will be borne by the utility. Repair of any damage to a meter resulting from the carelessness of the owner of the premises, his agent or tenant, or from the negligence of any one of them to properly secure and protect same, including any damage that may result from allowing a water meter to become frozen or to be injured from the presence of hot water or steam in the meter, shall be paid for by the customer.

Sec. 9-3-4 Removal. No meter shall be removed or otherwise disturbed except by Village employees or by parties authorized by the Public Works Director.

Sec. 9-3-5 Inspection of premises.

During reasonable hours, any officer or authorized employee of the utility shall have the right of access to the premises supplied with service, for the purpose of inspection or for the enforcement of the utility's rules and regulations. At least once every 12 months the utility will make a systematic inspection of all unmetered water taps for the purpose of checking waste and unnecessary use of water.

Sec. 9-3-6 Meters - Failure to read.

(a) Authorized utility employees shall have access to premises at all reasonable hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, to read meters at least quarterly each year, which readings shall constitute the basis of charges for water used.

(b) In case access cannot readily be made to premises, a card upon which the owner or agent shall mark the numerical meter reading shall be left at the premise or mailed to the owner or agent. This card shall be forwarded to the water utility office, and for the period involved, the usage shall be based on the marked card.

(c) Where the utility is unable to read a meter, and the card was not marked and returned, charges will be estimated and a billing, indicating it is an estimated bill, will be mailed to the customer. Any differences shall be adjusted when the meter is again read. Only in unusual cases shall more than two consecutive estimated bills be rendered.

Sec. 9-3-7 Failure to register.

If the meter is damaged or fails to operate, the bill will be based on use during the same period of the previous year, unless there is some reason why the use was not normal. If the use cannot be properly employed, the bill will be based on three months use either before or after the failure of meter to register, whichever is deemed more equitable.

Sec. 9-3-8 Leakage - Abnormal consumption registered.

When a meter registers an abnormal consumption due to leaks, without the consumer's knowledge, which leak has been promptly repaired after notification, Public Works may determine what the amount of the loss is by comparison with former bills, and the excess so accounted for may be billed at the lowest rate published. If, however, the consumer fails to have the leak repaired promptly, upon notification, the total consumption will be billed on regular rates.

Sec. 9-3-9 Meters - Complaint tests.

If a customer requests, the utility shall promptly make an accuracy test in addition to the periodic or installation test if 24 months or more have elapsed since the last complaint test of the same meter in the same location. All meter and remote register testing shall be done in accordance with the standards as set forth in the Wisconsin Administrative Code, P.S.C. Sections 185.61 through 185.79. If the meter and/or remote register has been tested within the last 24 months, an amount equal to one-half of the estimated cost of the meter test shall be advanced to the utility by the customer. If the meter is

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found fast more than 2%, no charge will be made for the test and there will be an adjustment made for the over-charge on the past billing.

Sec. 9-3-10 Surreptitious use of water.

When the utility has reasonable evidence that a consumer is obtaining his supply of water, in whole or in part, by means of devices or methods used to stop or interfere with the proper metering of the utility service being delivered to his equipment, the utility reserves the right to estimate and present immediately a bill for service unmetered as a result of such interference and such bill shall be payable subject to a 24-hour disconnection of service. When the utility shall have disconnected the customer for any such reason, the utility will reconnect the customer upon the following conditions:

- (1) the customer has no outstanding bills for water service owing to the utility,
- (2) the customer has paid the utility for all damages to its equipment on the customer's premises due to such stoppage or interference with its metering, and
- (3) the customer must agree to comply with reasonable requirements to protect the utility against further losses.

Sections 98.26 and 943.20, Wisconsin Statutes, as relating to water service, are hereby adopted, and made part of these rules.

Chapter 4: SPECIAL SERVICES

Sec. 9-4-1 Thawing frozen services.

(a) Frozen service laterals located between the water main and curb box shall be thawed by and at the entire expense of the water utility except where the customer has been notified in advance of a corrective measure to follow or the freezing was caused by contributory fault or negligence on the part of the customer, such as reduction of the cover or undue exposure of the piping in the building or on the customer's property, or failure to comply with Public Works specifications and requirements as to depth of service, sufficient backfill, or for other similar reason (see Sec. 9-4-2 for adjustment of bill where the water utility requests the customer to permit a stream of water to flow to prevent freezing). Notice published in the official newspaper and given to other local news media of corrective measures to follow to prevent freezing shall be deemed to constitute adequate advance notice to customers within the meaning of this section.

(b) The thawing of frozen services or other underground pipes electrically may introduce hazards if proper precautions are not taken. Damage to buildings and to electrical facilities may result from high current flow in grounding conductors and neutrals. The electric current may reach the grounding conductor and the neutral which can be in parallel with the pipe or reach the conductor because of physical contact between the interior water piping and the metallic tubing or conduit of the interior wiring.

(c) It is recommended that when service pipes are being thawed electrically, the water meters may be removed and that experienced personnel familiar with the above hazard be asked to disconnect the conductors used for thawing the pipe.

Sec. 9-4-2 Frozen service - Prevention measures.

If, in the opinion of the Director of Public Works, it becomes necessary to allow water to run continuously for a certain period to prevent freezing of laterals, the owner or occupant may leave a valve open until corrective measures can be undertaken economically. For the period in which the water is so allowed to flow, he will be billed according to the average bill for this location over similar periods, or according to the average consumption for others of the same class, if they are a new customer, provided they notified the Village at the time the valve was opened for such precautionary purpose. Corrections must be made as soon as conditions warrant, as they will not be given consideration more than once for the same condition.

Sec. 9-4-3 Hydrants - Opening for use.

(a) Only persons authorized by the Director of Public Works or the Fire Chief are permitted to open fire hydrants for any purpose.

(b) In case of temporary use of a hydrant, the hydrant valve will be set at proper opening by employees of Public Works, and the flow of water shall be regulated by means of a valve set with a swing joint to facilitate quick disconnection from the hydrant.

Sec. 9-4-4 Maintenance and replacement of service laterals.

The cost of maintaining and replacing that portion of the service lateral, and appurtenances, which is located between the water main up to and including the curb box shall be borne by the water utility, subject to the provisions of this section. Such maintenance or replacement shall be required only in the event of a leak, or in the event there is damage to, or deterioration or malfunction of such portion of the lateral so that the water service to the premises served is adversely affected thereby, as reasonably determined by the Public Works Director, and which is not the result of the negligence or other fault of the owner, of the premises, or from the decision on the part of the owner, without more, to change from one

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size of service to another size of service. The water utility shall only be obligated for the cost of replacement of a service lateral of similar size as that portion of the service lateral which is replaced. The replacement lateral shall be of a type of material that conforms to current standards.

Chapter 5: RATES AND BILLING

Sec. 9-5-1 Bills to customers.

(a) All water bills and notices of any nature relative to water supply shall be addressed to the customer. "Customer" shall be construed to mean the owner of the property. In the case of rental property, the owner may direct the utility to recognize a tenant as a customer subject to the following conditions:

- (1) Each rental unit shall be individually metered.
- (2) Any tenant-customer signing for service agrees to be responsible for the prompt payment for services and for notifying the owner and utility of any change in occupancy.

Service may not be denied to any customer provided the above conditions are met and the customer is legally occupying the property.

(b) Reasonable care will be exercised for delivery of water bills. The failure to receive such bills shall not relieve the owner of any premises from payment of bills within the prescribed period, nor exempt him from the responsibility imposed for delinquency of accounts.

Sec. 9-5-2 Service contract.

(a) The request by a property owner to have a water meter set and the water supply turned on by the utility is interpreted as a service contract for continuous water service with the water utility.

(b) For change in ownership of property requiring special billing by the utility, a special billing charge shall apply. If the utility is asked to read the meter, the special reading meter charge will apply. These charges may not be assessed to the new customer.

(c) Where the property owner requests the utility to bill a tenant-customer, and the tenant-customer accepts this responsibility, a special billing charge shall apply. If the utility is asked to read the meter, the special reading meter charge will apply. These charges may not be assessed to the new customer. Service will not be denied to any tenant-customer provided he or she is legally occupying the property and has accepted responsibility for water service.

Sec. 9-5-3 Billing - Late payment charge.

Bills for water service are rendered quarterly and become due and payable within 20 days of issuance. Regardless of any provision to the contrary in this chapter, wherever quarterly billing for water service is provided, the water utility may, at its option, render bills for water service monthly. For customers billed monthly and whose meters are read quarterly, the utility may compute estimated monthly bills for the first two months of a regular quarterly meter reading period and compute the bill for the third month at the regular quarterly rates for service deducting the estimated bills for the first two months. A late payment charge of 3 percent will be added to bills not paid within 20 days of issuance. This one-time 3 percent late payment charge will be applied only to any unpaid balance for the current billing period's usage. This late payment charge is applicable to all customers. The utility customers may be given a written notice that the bill is overdue no sooner than 20 days after the bill is issued; and unless payment or satisfactory arrangement for payment is made within the next 10 days, service may be disconnected pursuant to Chapter PSC 185, Wisconsin Administrative Code.

Sec. 9-5-4 Combined metering.

Volumetric meter readings will be combined for billing if the utility, for its own convenience, places more than one meter on a single water service lateral. Multiple meters placed for the purpose of identifying water not discharged into the sanitary sewer are not considered for utility convenience and shall not be combined for billing. Meter readings from individually metered separate service laterals shall not be combined for billing purposes. This does not preclude buildings used in the same business and located on the same parcel from having the water supply piping installed to a central point by the customer so that the buildings can be served by a single water service lateral and metered in one place.

Sec. 9-5-5 Unpaid charges.

(a) Except as provided in subsection B., all water bills and service charges shall be a lien on the parcel of land to which water service is supplied. All sums that have accrued during the preceding year and are not paid by the first of November in any year shall be certified to the Village Clerk and shall be placed on the tax roll for collection as provided in Section 66.0809, Wisconsin Statutes.

(b) If an arrearage is for utility service furnished and metered directly to a mobile home unit in a licensed mobile home park, notice of arrearage shall be given to the owner of the mobile home unit. Delinquent amounts shall become a lien on

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the mobile home unit rather than a lien on the parcel of real estate on which the mobile home unit is located. A lien on a mobile home unit may be enforced using the procedures under section 779.48(2), Wisconsin Statutes.

(c) Any utility customer with unpaid charges may be denied the issuance of any permit or license issued by the Village, except for dog licenses, until the customer makes payment or establishes a payment schedule approved by the Village.

Sec. 9-5-6 Rates - Public fire protection service.

Public Fire Protection Service. Under Wisconsin Statute s. 196.03(3)(b), the Village has chosen to have the utility bill the retail general service customers for public fire-protection service. This service shall include the use of hydrants for fire protection service only and such quantities of water as may be demanded for the purposes of extinguishing fires within the service area. This service shall also include water used for testing equipment and training personnel. For all other purposes, the metered or other rates set forth, or as may be filed with the Public Service Commission, shall apply. The rates by meter size will be set in the utility fees and rate schedule.

Sec. 9-5-7 Utility service transfer fee.

The following special billing charges shall apply for changes to a customer's account:

- (1) Meter reading charge
- (2) Administrative and billing charge

The meter reading charge shall apply to the customer when the water utility reads the meter to disconnect service and/or provide special billing. This charge may not be assessed to a new customer. The administrative and billing charge shall apply to the customer to cover the administrative expenses associated with disconnecting service and/or providing special billing. This charge may not be assessed to a new customer. The rates will be set in the utility fees and rate schedule.

The above-stated fees shall apply under the following circumstances:

- (1) Ownership of property transfers;
- (2) Owner of property assigns responsibility for service to a tenant-customer (and the tenant-customer accepts the responsibility);
- (3) Tenant-customer moves and billing address transfers back to owner;
- (4) Tenant changes and new tenant accepts responsibility for bill; or
- (5) Property management company or condominium association transfers and responsibility is accepted by new management.

A charge as set in the utility fees and rate schedule will be billed by the utility if the customer schedules an appointment for a special meter reading with a utility serviceman and the customer fails to be present at such time to allow access to the meter.

Sec. 9-5-8 Rates - Metered.

(a) Service Charge. Charges shall be set by meter size and the rates will be set in the utility fees and rate schedule.

(b) Volume charges. Charges will be set by residential customers and non-residential customers and the rates will be set in the utility fees and rate schedule.

(c) Unit of Service. A unit of service shall consist of any residential or small commercial aggregation of space or area occupied for a distinct purpose, such as a residence, apartment, flat, store or office which is equipped with one or more fixtures for rendering water service, separate and distinct from other users. Suites in houses or apartments where complete housekeeping functions (such as cooking) are not exercised shall be classed as rooming houses. Thus, houses and apartments having suites of one, two or more rooms with toilet facilities, but without kitchen for cooking, are classed as rooming houses. When a consumer's premises have several buildings, each supplied with service and metered separately, the full-service charge will be billed for each meter separately, and the readings will not be cumulated. If these buildings are all used in the same business and are connected by the consumer, they can be metered in one place. If the utility, for its own convenience, installs more than one meter, the readings will be cumulated for billing.

Sec. 9-5-9 Reconnection charge.

(a) Where a customer, at customer request, has been disconnected (shut off at curb stop or meter removed) and where customer requests reconnection of service at the same location, a reconnection charge shall be billed.

(b) A reconnection charge shall be made to customers whose services are disconnected (shut off at curb stop or meter removed) because of non-payment of bills when due, (not including disconnection for failure to comply with deposit or guarantee rules).

(c) Reconnection charges shall be set at rates for during normal business hours and for outside of normal business hours. The rates shall be set in the utility fees and rate schedule. Note: No charge for disconnection.

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Sec. 9-5-10 Unmetered service

(a) Service may be supplied temporarily on an unmetered basis where the utility cannot immediately install a water meter, including water used for construction. Unmetered service shall be per the utility fees and rate schedule.

(b) This schedule applies only to customers with a 1-inch or smaller service connection. For customers with a larger service connection, the utility shall install a temporary meter and charges shall be based on the rates set forth in the utility fees and rate schedule.

Sec. 9-5-11 Seasonal service.

Seasonal customers are general service customers who voluntarily request disconnection of water service and who resume service at the same location within 12 months of the disconnection unless service has been provided to another customer at that location in the intervening period. The utility shall bill seasonal customers the applicable service charges under the utility fees and rate schedule year-round, including the period of temporary disconnection.

(b) Seasonal service shall include customers taking metered or unmetered service.

(c) Upon reconnection, the utility shall apply a charge under s. 9-5-9 and require payment of any unpaid charges under this schedule.

Sec. 9-5-12 Rates - Private fire protection service.

This service shall consist of unmetered connections to the main for automatic sprinkler systems, standpipes (where same are connected permanently or continuously to the main(s)), and private hydrants. Demand charges for private fire protection service shall be set in the utility fees and rate schedule.

Sec. 9-5-13 Service to other municipalities.

(a) Water service may be furnished to other municipalities upon written application and upon approval thereof by the Village Board.

(b) Upon filing of such application, the Board shall first ascertain from the Director of Public Works that such service will not adversely affect the water requirements of the Village.

(c) Granting the application shall be upon the condition that the service will be available from the nearest point to the location from which applicant may desire service and that the capacity to serve will be based on the size of the utility's then existing watermain with pressure limited accordingly. Any installation for increased service or pressure will be at the expense of applicant.

(d) Payment for water used shall be made by applicant based upon the reading of the master meter, bills to be rendered quarterly and all ordinances, rules and regulations applicable to retail service governing the municipal water utility of the Village shall apply.

(e) The utility shall furnish facilities up to the Village limits, and any investment in mains not subject to special assessment by the Village shall be contributed by the customer. If a master meter is employed, the cost of the meter will be borne by the customer. Such master meter shall be installed in an approved meter pit at a site within the Village limits, designated by the Village.

Sec. 9-5-14 Public service.

(a) Water service supplied to municipal buildings, schools and similar properties shall be metered and the regular service rates applied.

(b) Water used on an intermittent basis for flushing sewers, street sprinkling, flooding skating rinks, drinking fountains, and similar activities shall be metered where meters can be set to measure the service. Where it is impossible to measure the service, the Public Works Director shall estimate the volume of water used based on the pressure, size of opening, and period water is drawn. The estimated quantity used shall be billed at the volumetric rates set forth in the utility fees and rate schedule.

Sec. 9-5-15 Bulk water.

(a) All bulk water supplied from the water system through hydrants or other connections shall be metered, or at the direction of the utility, estimated. Utility personnel or a utility-approved party shall supervise the delivery of water. Bulk water sales are:

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- (1) Water supplied by tank truck or from a hydrant for the purpose of extinguishing fires outside the utility's immediate service area;
- (2) Water supplied by tank truck or from a hydrant for purposes other than extinguishing fires, such as irrigation or the filling of swimming pools; or
- (3) Water supplied from hydrants or other temporary connections for general service type applications.

(b) A charge for the volume of water used will be billed to the party using the utility fees and rate schedule. A service charge, in addition to the volumetric charge. A deposit for the meter and/or valve will be required. The deposit collected will be refunded upon return of the utility's equipment. Damaged or lost equipment will be repaired or replaced at the customer's expense.

Sec. 9-5-16 Water lateral installation charge.

Subdivision developers shall be responsible, where the main extension has been approved by the utility, for the water service lateral installation costs from the main through the curb stop and box. When the cost of a utility main extension is to be collected through assessment by the Village, the actual average water lateral installation costs from the main through the curb stop and box shall be included in the assessment of the appropriate properties. The initial water lateral not installed as part of a subdivision development or an assessable utility extension shall be installed from the main through the curb stop and box by the utility, for which the actual cost shall be charged.

CHAPTER 6: SEWER UTILITY REGULATIONS AND RATES

Sec. 9-6-1 Purpose.

This Chapter establishes rules and regulations for the use of the publicly owned sewerage facilities located within the area served by the Village without damage to the physical facilities, without impairment of their normal function of collecting, transporting, treating and disposing of wastewater from the area served by the Village, and without the discharge by the publicly owner treatment works of pollutants which would be in violation of its permitted discharge under the applicable rules and regulations of state and federal regulatory agencies. This Chapter also includes provisions for sampling wastewater, pretreatment requirements, procedures for obtaining sewer discharge permits and provides for the proper development and use of the User Charge System for the Village.

Sec. 9-6-2. - Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this Chapter are as follows:

- (1) *Approving Authority.* The Village Board, or its duly authorized agent or representative.
- (2) *Biochemical Oxygen Demand (BOD).* The quantity of oxygen utilized in the biochemical oxidation of organic matter in five days at 20 degrees centigrade, expressed in milligrams per liter.
- (3) *Combined Sewer.* A sewer intended to receive both wastewater and storm water or surface water.
- (4) *Commercial and Institutional User.* Any user whose premises are used primarily for the conduct of a profit-oriented enterprise in the fields of construction, wholesale or retail trade, finance, insurance, real estate, or services, and who discharges primarily normal domestic sewage.
- (5) *Compatible Pollutants.* Biochemical oxygen demand, suspended solids, phosphorus, nitrogen, or pH, plus additional pollutants identified in the WPDES permit for the wastewater treatment works receiving the pollutant, if the works were designed to treat additional pollutants to a substantial degree.
- (6) *Debt Service Charge.* A charge to the users, which in whole or in part, defray the costs of retiring the debts incurred in the construction of any wastewater facility by the Village.
- (7) *Domestic Wastewater.* Water borne wastes normally discharged from the sanitary conveniences of dwellings, apartment houses, hotels, office buildings, factories, and institutions, free of industrial wastes and in which the average concentration of suspended solids is established at or below two hundred fifty (250) mg/l and the BOD is established at or below two hundred fifty (250) mg/l.
- (8) *Flat Charge.* The charge made to unmetered users for use of the treatment works.
- (9) *Incompatible pollutants or wastewater.* Wastewater or septage with pollutants that will adversely affect or disrupt the wastewater treatment processes, effluent quality or sludge quality if discharged to the wastewater facilities.
- (10) *Industrial user.* Any user whose premises are used primarily for the conduct of a profit-oriented enterprise in the fields of manufacturing, dairy products processing, meat processing, other food and drink products, painting or finishing operations, transportation, communications or utilities, mining, agriculture, forestry, or fishing.
- (11) *Industrial waste.* The wastewater from an industrial process, trade, or business, as distinct from sanitary sewage, including cooling water and the discharge from pretreatment facilities.
- (12) *Minimum Charge.* The amount charged to each user regardless of use. This charge does not provide the user a minimum amount of use.

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- (13) *Operation and Maintenance Costs.* All costs incurred in the operation and maintenance of the Village's wastewater treatment works. These costs will include labor, energy, chemicals, and replacement costs but do not include debt retirement costs.
- (14) *Person.* Any individual, firm, company, municipal or private corporations, association, society, institution, enterprise, government agency or other entity that can be sued.
- (15) *pH.* The logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of 10^{-7} .
- (16) *Pretreatment.* The treatment of wastewater by the user before introduction into the Village sewerage system.
- (17) *Property Shredded Garbage.* The waste, from the preparation, cooking and dispensing of food, that has been shredded to a degree that all particles are carried freely under the flow conditions normally prevailing in sanitary sewers. Particles may not be greater than one-half (1/2) inch in any dimension.
- (18) *Replacement Cost.* Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary to maintain the capacity and performance during the service life of the treatment works for which works were designed and constructed. The term "operation and maintenance" includes replacement. The yearly replacement cost is calculated as follows:
$$a = \frac{\text{Present Installed Cost}}{\text{Projected Service Life}}$$
- (19) *Residential user.* A dwelling discharging normal domestic sewage including single-family homes, mobile homes, duplex units, and apartment units. Each single-family unit is separately metered and invoiced as a separate user.
- (20) *Sanitary sewage.* A combination of liquid and liquid-carried wastes from residences, commercial buildings, institutions, and industrial plants (other than industrial wastes from plants), together with small quantities of ground, storm and surface waters that are not intentionally combined with sanitary sewage.
- (21) *Sewer service charge.* A service charge levied on users of the wastewater collection and treatment facilities for payment of debt service and capital expenses as well as the operation, maintenance costs, and replacement of the facilities.
- (22) *Slug load.* Any substance released at a discharge rate and/or concentration that causes interference to wastewater treatment processes, plugging, or surcharging the sewer system.
- (23) *Standard methods.* The examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage, and Industrial Wastes," published jointly by the American Public Health Association, the American Water Works Association, and the Water Environment Federation.
- (24) *Storm drain or sewer.* A drain or sewer for conveying surface water, groundwater, subsurface water, or unpolluted water from any source.
- (25) *Surcharge.* An additional charge related to industrial wastes being discharged by any user having unusual characteristics such as excessive BOD, excessive suspended solids, or other pollutants.
- (26) *Suspended solids.* Solids that either float on the surface of, or are in suspension in, water, wastewater, septage, or other liquids, and that is removable by laboratory filtering as prescribed in Standard Methods and is referred to as "nonfilterable residue."
- (27) *Unpolluted Water.* Water of quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving-water quality standards.
- (28) *User.* Persons connected to the sewer system of the Village.
- (29) *User charge.* The charge to users of the treatment works which adequately provides for proportionate recovery of the operation and maintenance costs.
- (30) *User class.* A group of users having similar wastewater flows and characteristics, levels of BOD, suspended solids, etc.
- (31) *Wastewater.* A combination of the water-carried waste discharged into the collection system from residences, commercial buildings, institutions, and industrial establishments, together with ground surface and storm water as may be present.
- (32) *Wastewater treatment works.* An arrangement of devices and structures for treating wastewater, septage, industrial waste, and sludge. Sometimes used as synonymous with sewage treatment facility.
- (33) *WPDES.* A state pollutant discharge elimination system permit issued to the Village.

Sec. 9-6-3 General Requirements.

(a) *Discharge to Natural Outlet Prohibited.* No one may discharge any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.

(b) *Privies, Septic Tank and Cesspools.* Except as provided in this Section, no one may construct or maintain any privy, privy vault, septic tank, holding tank, cesspool, or other facility intended or used for the disposal of wastewater.

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(c) *Connection with Public Sewer Required.* The owner of any house, building or structure used for human occupancy, employment, recreation or other purposes, is required, at the owner's expense, to install suitable toilet facilities in accordance with "Wisconsin Administrative Code" and this Chapter, and to connect the facilities directly to the proper public sanitary sewer within one year after date of "Official Notice" to do so; provided that the public sewer is within one hundred feet of the property line. Where a public sanitary sewer is not available under the provisions of this section, the owner must obtain an exemption from the Village Board. The building sewer must then be connected to a private wastewater disposal system complying with the provisions of this Chapter and all applicable State Codes and applicable County Regulations.

(d) *Compliance with County Regulations Required.* Before commencement of construction of a private wastewater disposal system the owner must first obtain a written permit signed by the County Zoning Administrator and comply with the then-applicable County sanitary laws. The Village expressly consents to the enforcement of laws by the County Zoning Administrator, and other County Officials within the Village. Violations of this section may also be prosecuted by the Village. Inspections of private wastewater disposal systems are conducted by Dunn County.

(e) *Private Wastewater Disposal Systems.* The type, capacities, location, and layout of a private wastewater disposal system must comply with all requirements of the Standards for Water Public Utility Service. Private systems are not permitted to discharge to any natural outlet.

(f) *Connection Notice.* When a lot is served by a sanitary sewer main, the Village will issue a notice to the property owner. The notice will indicate when the property is connected to the sanitary sewer. Within thirty (30) days of connection to the sanitary sewer, any private wastewater disposal system must be cleaned of sludge and completely abandoned. All abandoned tanks, pits, etc. must be filled with sand.

(g) *Sanitary Operation Required.* The owners must always operate and maintain their private wastewater disposal facility in a sanitary manner, at no expense to the Village.

(h) *Health Requirements.* Statement contained in this subsection are not to be construed to interfere with any additional requirements that may be imposed by the Health Officer.

(i) *Waster Discharge Permit.* A permit required of any person desiring to discharge wastewater to the wastewater treatment facility and must be one of two classes.

- (1) A domestic wastewater discharge permit or request for sanitary sewer service is required to discharge domestic waste into the municipal system and is considered part of the "building permit" required and issued by the Village for new construction.
- (2) An industrial wastewater discharge permit is required of any person desiring to discharge any industrial waste and must be separate from any other permits issued by the Village.

(j) *Connection to Sanitary Sewer.* All costs and expenses incidental to the installation and connection of the building sewer to the Village sanitary sewer are the owner's responsibility. The size, slope, alignment, and materials of construction of a building sewer, and the methods used in excavating, placing of the pipe, jointing, testing and backfilling the trench, must conform to the requirements of the building and plumbing code, or other applicable Village rules.

(k) *Inspection.* The Village is permitted to have an Authorized Representative inspect any new or old installation for compliance with the regulations of this Code.

(l) *New Connections.* New connections are not permitted unless all downstream components have a reserve capacity capable of accepting the proposed additional wastewater.

(m) *Manhole.* The Village reserves the right to require any user of the system to install and maintain at the user's expense, a control or monitoring manhole on the user's discharge pipeline. The user must provide the Village free and unobstructed access to the installed manhole.

(n) *New Sewers.* All new sewers must be designed by a professional engineer. Sanitary sewer designs must be approved by the Wisconsin DNR. All sewers must be constructed in accordance with the approved plans and specifications.

(o) *Monitoring Station.* Any industrial or commercial user, directed by the Village or its Authorized Representative for reasonable cause, will install and maintain at the user's expense a monitoring station. The station must include 24-hour composite samplers, continuous flow meters, flow recorders and other necessary equipment to accurately measure and sample the wastewater being discharged. Where conditions do not permit monitoring of all discharges from a user at a

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single station, multiple monitoring stations must be installed. The station must be situated on the user's premises. The user must allow the Village access to the station at all reasonable hours.

(p) *Inspection and Sampling.* The Village may inspect the control manhole or monitoring station of any user to determine compliance with the requirements of this Chapter. The user must allow the Village or its representatives to enter upon the premises of the user at all reasonable hours, for the purposes of inspection, sampling, or records examination. The Village has the right to set up on the property devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations.

(q) *Septic Tank and Holding Tank Waste*

- (1) Persons in the business of gathering and disposing of septic tank or holding tank wastes must not transfer material into any disposal area or sewer manhole located within the Village boundaries unless the Village issues a permit for disposal.
- (2) A written application for a permit must be made to the Village and include the name and address of the applicant; the number of disposal units and the size, make, model and license number of each unit. The application must also state the type, frequency, quantity, and location of the generated septage to be disposed at the wastewater treatment works. Applications will be reviewed by the Village, which will determine the amount and conditions of septage disposal at the treatment facility. The Village may approve or reject all applications. If the treatment facility cannot accept all the proposed seepage disposal, then consideration may be given first to those generators of septage that are within the service area.
- (3) When an application is approved, a non-transferrable (except in the case of replacement of a disposal unit) permit may be issued. The permit fee shall be set in the utility fees and rate schedule. The Village may impose conditions deemed necessary for any permit. All permits must have the conditions that at any time the wastewater treatment works has operational problems, maintenance problems, or threat of WPDES permit violation that are indirectly or related to septage disposal, the Village may immediately restrict septage disposal until corrective or mitigative measures are taken.
- (4) Any person or party disposing of septic tank or holding tank sludge agrees to carry public liability insurance in an amount as set in the utility fine and rate schedule to protect all persons or property from injury and/or damage caused in any way or manner by any act, or failure to act, by any of the employees. The person(s) must furnish a certificate certifying the insurance is in full force and effect.
- (5) Any materials dumped into treatment system may be of domestic origin only and must comply with the provisions of all applicable ordinances of the Village, and will not deposit or drain any gasoline, oil, acid, alkali, grease, rags, waste, volatile or inflammable liquids, or other deleterious substances into any manhole nor allow any earth, sand, or other solid material to pass into any part of the sewerage system.
- (6) The person(s) or party disposing waste agrees to indemnify and hold harmless the Village from all liability and claims for damages arising out of or resulting from work and labor performed.
- (7) Charges for disposal are set in the utility fees and rate schedule and include service fees to cover the cost of the operator, testing and bookkeeping. Bills are mailed monthly and if payments are not received in thirty (30) days thereof, disposal privileges may be suspended.

Sec. 9-6-4 Prohibited Discharge.

Except as provided in this Chapter, no person may discharge or have discharged any of the following described waters or wastes to any sanitary sewer:

(a) *Unpolluted Waters.*

- (1) No person or persons may discharge or cause to be discharged, any unpolluted water, such as storm water, groundwater, roof runoff, subsurface drainage, or cooling water to any sanitary sewer; except that storm water runoff from limited areas, which may be polluted at times, may be discharged to the sanitary sewer by permission of the Village.
- (2) Storm water and all other unpolluted drainage must be discharged to sewers specifically designated as storm sewers, or to a natural outlet approved by the Village. Unpolluted industrial cooling water or process waters may be discharged to a storm sewer or natural outlet with the approval of the Village and DNR.

(b) *Explosive Mixtures.* Liquids, solids, or gases which by reason of their nature or quantity are, or may be, enough to cause fire or explosion or be injurious in any other way to the sewerage system or to the operation of the system. At no time may two (2) successive readings on an explosion hazard meter, at the point of discharge into the sewer system, be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (L.E.L.) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides.

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(c) *Toxic Substances.* Water or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by intersection with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, or create a public nuisance in the receiving waters of the wastewater treatment plant. The toxics prohibited are those consistent with Section 307(g) of the Clean Water Act of 1977.

(d) *Corrosive Wastes.* Water or wastes having a pH lower than 6.0 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to piping, structures, equipment, and personnel of the Village sewerage system. Prohibited materials include, but are not limited to, acids, sulfides, concentrated chloride and fluoride compounds and caustic solutions.

(e) *Solid or Viscous Wastes.* Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the Village sewerage system like ashes, sand, mud, straw, shavings, metal, glass, rags, feathers, entrails, whole blood, paunch manure, hair, fleshings, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(f) *Noxious Material.* Noxious or malodorous solids, liquids, or gases which either singly or by interaction with other wastes, can create a public nuisance or hazard to life or will prevent the entry into the sanitary sewer collection system for maintenance purposes.

(g) *Radioactive Wastes.* Radioactive waste or isotopes of half-life or concentration not in compliance with regulations which may cause damage or hazards to the waste treatment facilities or personnel operating the system.

Sec. 9-6-5 Limited and Restricted Discharges.

(a) The following described substances, materials, water, or wastes must be limited to discharges to municipal systems, to concentrations or quantities which will not harm the Village sewers, wastewater treatment process equipment, will not have an adverse effect on the receiving waters, or will not otherwise endanger life, limb or public property, or constitute a nuisance.

The Village may set stricter limitations than those established in the regulations below if limitations are necessary to meet the above objectives. The Village will consider to factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sewers, the wastewater treatment process employed, capacity of the Wastewater Treatment Facility, and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewer, which must not be violated without approval of the Village, are as follows:

- (1) Any fluid having a temperature higher than 150°F. (65.5 C.) at the discharge point to the public wastewater collection system; 2
- (2) Any liquid containing fats, wax, grease, or oils of animal or vegetable origin, whether emulsified or not, more than one hundred mg/l or containing substances which may solidify or become viscous at temperatures between 32°F (0°C) and 150°F (65.5°C), b.
- (3) Any liquid containing fats, wax, grease, or oils, of petroleum or mineral origin, whether emulsified or not, in excess of one hundred mg/l, measured on an average daily basis, or containing substances which may solidify or become viscous at temperatures between 32°F (0°C) and 150°F (65.5°C);
- (4) Any garbage that has not been properly shredded, or solid material having any dimension greater than one-half inch. The installation and operation of any residential garbage grinder equipped with a motor of three-fourths horsepower or greater shall be subject to the review and approval of the building inspector;
- (5) Any fluid or solid containing chromium, copper, zinc, cyanide and similar objectionable or toxic substances which exceed the pretreatment limitations established for such materials by EPA;
- (6) Any fluid or solid containing phenols or other taste- producing or odor-producing substances, in such concentrations exceeding limits which may be established by the superintendent as necessary, or exceeding limits established by the state, federal, or other public agencies having jurisdiction for such discharge to the receiving waters. Unless other limits are established by a state or federal regulatory agency having jurisdiction, the concentration of phenol shall not exceed 0.5 mg/l on a grab sample basis;
- (7) Any radioactive wastes or isotope's of such half-life or concentration as may exceed limits established by state or federal regulations;
- (8) Any liquid having a pH lower than 6.0 or in excess of 9.0 at the point of entry to the system;
- (9) Materials which exert or cause:
 - a. Concentrations of inert suspended solids such as, but not limited to, Fullers earth, clays, lime slurries, and lime residues, or of dissolved solids, which are detrimental to the treatment processes,
 - b. Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions,

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- c. BODS, chemical oxygen demand or chlorine requirements in quantities more than that found in domestic sewage,
 - d. Unusual volume of flow or concentration of wastes constituting slugs or surges;
- (10) Fluids or solids containing substances which are not treatable by the wastewater treatment processes employed.

Sec. 9-6-6 Pretreatment Requirements.

(a) *Statutes Adopted.* Wis. Admin. Codes NR 211 (General Pretreatment Requirements) and SPS 382.34 (wastewater treatment and holding devices) are hereby adopted and incorporated herein.

(b) *Interceptors.* Grease, oil, and sand interceptors must be provided when, in the Village's opinion, are necessary for the proper handling of wastes. All interceptors must be of a type and capacity approved by the Village approving authority and be located to be readily and easily accessible for cleaning and inspection. In maintaining these interceptors, the owner is responsible for the proper removal and disposal by appropriate means of the captured material and will maintain records of the dates and means of disposal which are subject to review by the Village. Any removed and handling of the collected materials performed by the owner's personnel must be performed by currently licensed waste disposal firms. Property owners shall provide access to Public Works for inspections upon service of notice of intent to inspect.

Sec. 9-6-7 Accidental Discharges.

Users must provide protection from accidental discharge of prohibited or regulated materials or substances established by this chapter. Users must notify the Village immediately upon occurrence of a "slug" or accidental discharge of substances prohibited by this chapter and must submit within forty-eight (48) hours a written report of the incident. The report must include the location of discharge, date and time thereof, type of waste, concentration and volume, and corrective actions. Any user who discharges a slug of prohibited materials will be liable for any expense, loss or damage cause by the discharge, in addition to any fines imposed by the Village. Signs must be permanently posted in conspicuous places advising employees whom to call in the event of a slug or accidental discharge. User's must instruct all employees who cause or discovery a discharge, with respect to wastewater emergency notification procedure.

Sec. 9-6-8 Special Agreements

Statements contained in the Chapter must not be construed as prohibiting any special agreement between the Village and any person, whereby an industrial waste of unusual strength or character may be admitted to the Village sewerage system, either before or after pretreatment, provided that there is no impairment of the functioning of the wastewater treatment facilities by reason of the admission of wastes, and no extra costs are incurred by the Village without recompense by the person.

Sec. 9-6-9 Industrial Wastes.

Industrial user and industrial wastes are defined in Section 9-6-2. Industrial permits are required by Section 9-6-3(j)(2).

(a) *Application Time.* Industrial users must apply for a Village issued industrial discharge permit one hundred eighty (180) days prior to the beginning of any wastewater discharge.

(b) *Application.* Users seeking an industrial wastewater discharge permit must complete and file with the Village an application, on the form prescribed by the Village and accompanied by the applicable fee. In support of this application, the user must submit the following information:

- (1) Name, address, and standard industrial classification number of applicants.
- (2) Average volume of wastewater to be discharged.
- (3) Wastewater constituents and characteristics as determined by examination according to "Standard Methods."
- (4) Time and duration of discharge.
- (5) Average and peak wastewater flow rates, including daily, monthly, and seasonal variations, if any.
- (6) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers and appurtenances by size, location and elevation.
- (7) Description of activities, facilities and plant processes on the premises including all materials and types of materials which are, or could be, discharged.
- (8) Each product produced by type, amount, and rate of production.
- (9) Number and type of employees and hours of work.
- (10) Any other information as may be deemed by the Village to be necessary to evaluate the permit application.

(c) *Review of Application.* The Village may use a consulting engineer and/or an attorney to help evaluate the data furnished by the user. Additional data may be requested to enable the Village to complete the review. After evaluation and acceptance of the data furnished, the Village may issue a wastewater discharge permit.

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(d) *Permit Conditions.* Industrial wastewater discharge permits are subject to all provisions of this Chapter. Additional permit conditions may include:

- (1) The average and maximum wastewater flow and constituent limits the user can discharge to the Village sewerage system.
- (2) Limits on the rate of discharge and time of discharges necessary to reduce slug flows.
- (3) Requirement to construct and maintain a flow regulation or equalization facility.
- (4) Requirement to construct, operate and maintain a monitoring station.
- (5) The monitoring requirements for the industrial discharge will include type of sample, sampling frequency and the laboratory analyses required. All analyses must be performed in accordance with "Standard Methods" and be at the user's expense.
- (6) Require the user to install pretreatment facilities.
- (7) Require the user to maintain stipulated wastewater records and to allow the Village access to these records.
- (8) Other conditions deemed necessary by the Village to ensure compliance with the Chapter.

(e) *Duration of Permit.*

- (1) Industrial discharge permits will be issued for a specified period, generally not exceeding three (3) years. A permit may be issued for a period of less than one (1) year or may be stated to expire on a specific date. If the user is not notified by the Village fifteen (15) days prior to the expiration of the permit, the permit will automatically be extended for twelve (12) months. The terms and conditions of the permit may be subject to modification and change by the Village during the life of the permit.
- (2) The users must be informed of any proposed changes in their permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit must include a reasonable time schedule for compliance.

(f) *Transfer of Permit.* Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit may not be reassigned, transferred, or sold to a new owner, new user, different premises, or a new or changed operation.

(g) *Wastewater Monitoring.* The user discharging industrial waste is responsible for the required flow monitoring, sample collection and laboratory analyses stated in their permit. If the user is not qualified to perform these duties, the user must engage a qualified private firm. As an alternative, the user may engage the Village to perform these duties provided the associated costs are born by the user.

Sec. 9-6-10 Sewer Service Charge.

(a) *Authority.* The Village Board has the authority to establish and collect a sewer service charge for the use of the public wastewater treatment works maintained by Village personnel.

(b) *Classes of Users.*

- (1) The following user classes are established:
 - a. Residential.
 - b. Commercial.
 - c. Public authority (institutional).
 - d. Industrial.
- (2) Users will pay at the rates as established by the utility fee and rate schedule.

(c) *Method of Computing.* The service charge is based on rates from the sewer service charge development and on water or wastewater meter readings, when available. When meter readings are unavailable, the service charges are a flat charge based on the estimate of usage for the unmetered users. This estimate is eleven thousand (11,000) gallons per quarter. Where the flat charge must be used, it must be paid for the full quarter, not prorated. If service is interrupted for any full quarter, only the customer and demand charges are charged. The flat charge is adopted by resolution.

(d) *Sewer Service Charge Development.* The Village provides sewer service to those within its service area. The rates are developed to equitably distribute the debt service charge, the user charge, and the replacement cost to the users of the sewerage system. To equitably divide these charges, the various expenses of constructing and operating the sewerage system are apportioned to the following categories:

- (1) *Volume.* The volume category is for those items or portions of items that can be related to the amount of water or waste that is used or produced.
- (2) *BOD.* The BOD or bio-chemical oxygen demand category is for those items or portions of items that can be related to treating the BOD.

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- (3) *SS*. The SS or suspended solids category is for those items that can be related to treating and handling the solids in the waste.
- (4) *Customer Charge*. The customer charge category is for those items or portions of items that can be related to the number of customers without regard to the quantity or nature of the waste.
- (5) *BOD Surcharge*. The additional charge made for treating BOD that is more than that defined for domestic strength waste.
- (6) *SS Surcharge*. The additional charge made for treating SS that is more than that defined for domestic strength waste.

(e) *Surcharges*.

- (1) The commercial and public authority class will be charged at the residential user rate and additional surcharges as may equitable.
- (2) The industrial user class will be charged at the residential user rate plus a surcharge developed at the time an application is received for a permit to discharge industrial waste.

(f) *Total Sewer Service Charge*. The sum of the volume and customer charge plus any applicable surcharges. For those unmetered services, the total sewer charge consists of the flat charge.

(g) *Billing*. Bills for sewer service are rendered quarterly and become due and payable on the first of the month following the period for which service is rendered. A late payment charge of three percent (3%) but not less than thirty cents (30 cents) will be added to bills not paid within twenty (20) days of issuance. This late payment charge is applicable to all customers. The customer may give written notice that the bill is overdue no sooner than twenty (20) days after the bill is issued and unless payment or satisfactory arrangements for payment is made within the next eight (8) days, service may be disconnected pursuant to Wis. Adm. Code Ch. 185.

(h) *Non-Payment*. Charges levied under this Section will be a debt owed to the Village and will be a lien on the property. If this debt is not paid it will become delinquent. This debt may then be recovered by civil action in the name of the Village against the property owner, the person or both. If delinquent payments are not received by November 1 of the calendar year, a ten percent (10%) charge will be added to delinquent bills. Thereafter, if payment is not received prior to November 15th, the delinquent bill will be forwarded to the County for placement on the succeeding tax roll.

(i) *Failure to Pay; Removal or Closure of Connection; Restoration of Service When:*

- (1) If the sewer service charges are not paid after becoming delinquent, the Village has the right to remove or close sewer connections and enter upon the property for accomplishing the purposes.
- (2) The expense of removing or closing, as well as the expense of restoring service, will likewise be a debt to the Village and a lien on the property, and may be recovered by civil action in the name of the Village against the property owner, the person, or both.
- (3) Sewer service will not be restored until all charges, including the expense of removal, closing and restoration, are paid.
- (4) Change of ownership or occupancy of premises found delinquent is not cause for reducing or eliminating these penalties.

(j) *Replacement Fund*. A distinct replacement fund is established by the Village. The replacement fund is for replacing equipment and accessories necessary to maintain the capacity and performance during the service life of the treatment facility.

(k) *Audit of General Account*. The Village will conduct an annual audit, the purpose of which is to maintain the proportionality and adequacy of the sewer service charge relative to changing system operation, maintenance, and debt service costs.

- (1) *Excess Revenue*. The Village will credit any excess revenues collected to the user class from which it was collected.

Sec. 9-6-11 Violations and penalties.

(a) *Written Notice Required*. Any person found to be violating any provision of this Section, except Section 9-6-10(g) may be served by the Village with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The violator must, within the period stated in the notice, permanently cease all violations.

(b) *Civil Penalties*.

- (1) Whoever fails to comply with any provisions of this Chapter or with an Order of the Village issued in pursuance of this Chapter, may be subject to the penalties in sec. 1-6-6. Each day's continuance of failure constitutes a separate offense.

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(2) The penalties so imposed, plus reasonable attorney's fees, court costs and other expenses of litigation, are recoverable by the Village upon its suit as debts are recoverable by law.

(c) *Recovery of Costs Incurred by the Village.* Any user violating the provisions of this Chapter, or who discharges or causes a discharge producing a deposit or obstruction; or causes damage to the Village sewerage system is liable to the Village for the expenses thereof. The Village will bill the cleaning, repair, or replacement work resulting from violation or discharge. Refusal to pay the assessed costs constitutes a violation of this Chapter and is enforceable under the provisions of this Chapter.

(d) *Falsifying Information.* Any person who knowingly makes any false statement, representation or certification in any application, record, or report, plan or other document filed or required to be maintained pursuant to this Chapter, or a Wastewater Discharge Permit; or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method under this Chapter, will, upon conviction be punished by the imposition of the civil penalty stated above or by imprisonment for not more than thirty (30) days or by both.

Sec. 9-6-12 Sewer Service Charge System.

The Sewer Service rates for metered and unmetered users are subject to the Utility Fees and Rate Schedule.

Sec. 9-6-13 Duties and powers of officials.

The Village Board and officers of the Village, including the officials in charge of the management of the sewerage system, shall be governed in the discharge of their powers and duties by the provisions of Wisconsin Statutes, sections 66.069(1) and 66.076, which provisions are adopted and made a part of this chapter by reference.

Chapter 7: SEWER REGULATIONS

Sec. 9-7-1 Plumbing code.

(a) *Adoption by reference.* The provisions and regulations contained in chapter 145, Wisconsin Statutes, "plumbing and fire protection systems", and in the Wisconsin State Plumbing Code, Wisconsin Administrative Code chapters COMM 82, 83 and 84, adopted by the state department of commerce are adopted by reference and shall extend to and govern all plumbing in the Village.

(b) *Plumbing supervisor.* The Village Board may appoint a plumbing supervisor pursuant to Wisconsin Statute 145.05. Such plumbing supervisor shall be a citizen of the United States and shall be a practical plumber, skilled sanitarian, or competent person familiar with plumbing who shall have the necessary ability to supervise the installation, alteration, maintenance, or replacement of all plumbing in the Village. The plumbing supervisor shall serve during good behavior and satisfactory service. The plumbing supervisor shall not engage in the business of plumbing or be interested directly or indirectly with any person or in any firm or corporation engaged in such business. The plumbing supervisor may also serve as the building inspector, Public Works Director or other Village employee and shall have control of the supervision and inspection of plumbing within the Village and shall faithfully enforce all laws, ordinances, and rules in relation thereto. The plumbing supervisor shall determine that the construction, reconstruction, and alteration of all plumbing hereafter installed in all of the buildings in the Village shall conform with the state laws and Village ordinances and the rules and regulations of the state department of commerce, and make all inspections required.

(c) *Applications.* The Village shall prepare suitable forms for applications and permits required, maintain a proper record of all the office transactions and file a monthly and annual report covering the same with the Village Board. Applications for permits shall state the property owner's name and address. The application also shall state fully all the purposes for which the service is to be used, and such other which are essential to the enforcement of this chapter and are required by the plumbing supervisor.

(d) *Permit--Fees.*

- (1) No plumbing shall be done in the Village, except in case of repairing leaks or stoppages, without a prior permit having been issued by the Village and the payment of the proper fees as hereinafter provided. Before the issuance of such permit, the supervisor shall approve the application so filed and issue to the applicant a statement showing the fees to be paid for such permit. This statement shall be filed with the Village, and the fees shall be paid to the Village, who shall issue a receipt therefor. Upon presentation to the plumbing supervisor of said receipt showing the payment of all permit fees, the permit shall be issued for the work set forth in the application. The applicant shall be responsible for paying the applicable street opening fee established under sec. 6-2-3 and for complying with all other applicable requirements of Title 6.
- (2) The schedule of fees to be paid shall be as stated in the Fines and Fees Schedule.
- (3) Except for water heaters, no fee or charge shall be imposed for the installation or replacement of existing fixtures with no alteration to existing waste or water piping. The applicable fee shall be doubled for work which is commenced without obtaining a permit therefor in advance. A plumbing permit shall have lapsed and be void

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unless work authorized by such permit is commenced within six months from the date of issuance thereof. Permits may be renewed at a fee as stated in the Fine and Fees and Licenses Schedule within six months from the date of lapse. A permit shall expire if work on a project is ceased for a period of twelve months or if thirty-six months has elapsed since permit issuance. Expired permits may be reissued at the regular permit fee. All code and ordinance requirements in effect at the time of renewal or reissuance shall apply to the project.

- (4) No person shall interfere in any way with the work of the plumbing supervisor, or permit any plumbing to be used until it has been inspected and approved by said supervisor, unless special permission therefor is given by the Village Board.
- (5) Plan examination and approval service shall be provided by the state inspector for the following types of buildings or additions and alterations to these buildings located within the corporate limits of the Village, in accordance with the provisions of section 145.02(3)(g) of the Wisconsin Statutes, and section COMM 82.20(2) of the Wisconsin Administrative Code. Plan submittal is required when such plumbing installation involves 11 or more plumbing fixtures.
 - a. Theaters and assembly halls;
 - b. Schools and other places of instruction, except state-owned schools;
 - c. Apartment buildings, hotels, resorts and places of detention;
 - d. Factories, offices, and mercantile buildings.
- (6) Before performing the plumbing plan examination and approval service for the above classified buildings, the owner or his agent shall pay to the Village the same fees as set forth in section COMM 2.64 of the Wisconsin Administrative Code.
- (7) After written approval is granted, no plan or specifications of any plumbing system shall be changed without the written consent of the building inspector and the architect, engineer, designer, or master plumber responsible for the design.

(e) *Plumbing Inspection.* The plumber in charge or the owner shall make such arrangements as will permit ready access to all parts of the building and the easy inspection of the plumbing work. The plumber shall notify the building inspector when work is ready for final inspection. The building inspector shall apply a sticker or tag to approved installations when the plumber or permittee is not present. Whenever it is determined that the plumbing in any building is contrary to the ordinances of the Village or is of faulty construction and liable to breed disease or sickness, or is a menace to health, the plumbing supervisor shall direct such changes as are necessary to put the same in proper sanitary condition and shall fix a reasonable time for doing the same. Any person refusing to comply therewith shall be guilty of a violation of this chapter. Each day or part thereof that such violation continues shall constitute a separate offense. The building inspector shall, by permission of the owner or occupant, or by due process of law consistent with the provisions of Wisconsin Statutes s. 66.0119, enter during reasonable hours any building or premises to inspect and to require the production of a permit where there is reasonable cause to believe that work is being done or has been performed in violation of this chapter. No person shall refuse to permit such entry in the case of an emergency, or in any other case after a valid special inspection warrant has been duly issued therefor under Wisconsin Statutes s. 66.0119, nor shall any person interfere with said inspector in the performance of his or her duties.

Sec. 9-7-2 Inspections Procedure.

In any new building, addition, or alteration, immediately upon completion of those portions of the installation that are thereafter to be concealed or covered, the plumbing contractor or homeowner shall notify the building inspector, giving the location of the work and the portions of the installation ready for inspection, and it shall be unlawful for any person, firm, or corporation to apply wall or ceiling coverings or cover up any plumbing work before such work has been inspected and due notice has been given that the work has been approved. The building inspector shall have the right and authority to order the removal of all such coverings that may have been placed over such work before same has been inspected. The building inspector shall attempt to make such inspection within 2 working days after notice, excepting Sundays and holidays. Final inspection on new installations shall be made upon completion of such work. Inspection of replacement or conversion work shall be made upon completion of such work. Upon inspection or reinspection of a building inspector, any defects or code violations that require repair to assure safe operation shall be rectified before the system is placed in use.

Sec. 9-7-3 Power to deem unsafe.

A system or any part thereof that is found to be unsafe to life or property shall be deemed unsafe and shall not be restored to use until such system has been made safe and approved.

Sec. 9-7-4 Connection to sanitary sewer.

(a) The owner of any house, building or property used for human occupancy, employment, recreation, or other similar purpose, situated within the jurisdiction of the Village, wherein sanitary sewer service is readily available, is required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the public wastewater collection system in accordance with the provisions of this chapter, within one (1) year after the date sanitary sewer is deemed available by the Public Works Director or designee. Such time may be extended upon specific written

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authorization from the Public Works Director or designee in the event of unfavorable weather conditions, except when an imminent health hazard exists.

(b) If any person fails to connect to the sanitary sewer collection system within the time contained in the Village code or in the manner prescribed by the plumbing code for more than 10 days after notice in writing, the Village may cause connection to be made, and the expense thereof assessed as a special tax against the property in accordance with Wisconsin Statutes s. 281.45. The owner may, within 30 days after completion of the work, file a written option with the Village clerk stating that he or she cannot pay the amount in one sum and asking that it be levied in not to exceed five (5) equal annual installments, and the amount shall be collected with interest at a rate of 6% per year from the completion of the work. The unpaid balance of the special tax shall be placed as a special tax lien on the property.

(c) No sewer service shall pass under or through a building to serve another building.

(d) It is unlawful for any person to place, deposit or permit to be deposited any wastewater on the ground surface of any public or private property within the jurisdiction of the Village except as authorized by the DNR or other governmental agency having jurisdiction thereof or the health department.

(e) It is unlawful to discharge any wastewater to any natural outlet except as authorized by the DNR.

(f) Except as provided in sec. 9-7-5, it is unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of wastewater.

Sec. 9-7-5 Private sewage disposal.

(a) Where a sanitary sewer is not available, the building sewer shall be connected to a private sewage system complying with the provisions of this Title and chapter ILHR 83, Wisconsin Administrative Code.

(b) A permit for a private sewage system shall not become effective until the installation is completed and approved by the Village.

(c) At such time as a sanitary sewer becomes available to a property served by a private sewage system, as provided in sec. 9-7-4, a direct connection shall be made to the sanitary sewer in compliance with this chapter and any septic tanks, cesspools and similar private sewage facilities shall be abandoned in accordance with section ILHR 83.03, Wisconsin Administrative Code, within sixty days of said connections unless special permission is granted by the board of health for a time extension due to the inclement weather conditions.

(d) The owner shall operate and maintain the private sewage system in accordance with chapter ILHR 83, Wisconsin Administrative Code, at no expense to the Village.

Sec. 9-7-6 Damage to system or plant.

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the public wastewater collection system or wastewater treatment plant.

Sec. 9-7-7 Powers and authority of Village employees.

(a) The plumbing supervisor and Public Works Director and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this title. The plumbing supervisor and Public Works Director shall have no authority to inquire into any industrial or commercial processes, including metallurgical, chemical, oil, refining, ceramic, paper, or other similar processes, beyond that information having a direct bearing as determined by the plumbing supervisor and Public Works Director, on the kind and source of discharge to the sanitary sewers or wastewater treatment facilities. All such information so obtained shall be maintained as confidential information, to the extent permitted by law, except as otherwise authorized by the industry involved, to the extent permitted by law.

(b) While performing the necessary work on private properties referred to in subsection A of this section, the plumbing supervisor and Public Works Director or duly authorized employees of the Village shall observe all safety rules applicable to the premises established by the company. The company shall provide any required special safety equipment for the temporary use and protection of Village inspectors during inspections. The company shall be held harmless for injury or death to the Village employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or other fault of the company or the failure of the company to maintain a safe place as required by law.

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(c) For purposes of enforcing this title, the plumbing supervisor and Public Works Director and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties for the purposes such as, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater collection system. All entry and subsequent work, if any, shall be done in full accord with the terms of this title.