

## CHAPTER 51: WATER

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#### *GENERAL PROVISIONS*

##### **§ 51.01 ADOPTION OF STATE PLUMBING CODE.**

(A) The city adopts by reference the State Plumbing Code of Wisconsin being Wisconsin Administrative Code, Ch. Comm 82.

(B) This chapter does not supersede the State Plumbing Code and any previous city plumbing ordinance, but is supplementary to them. (Ord. 113, passed 8-4-86; Am. Ord. 127B, passed 5-6-99)

##### **§ 51.02 INTRODUCTION OF FLUORIDES INTO THE CITY'S WATER SYSTEM.**

Upon receiving the consent and approval of the State Board of Health, and until further direction of the Common Council, the Water Utility (or the Department of Public Health) is hereby authorized and directed to provide the means and to proceed with the introduction of fluoride to the water supply system as permitted by state law. (Ord. 42, passed - -)

#### *WELL ABANDONMENT*

##### **§ 51.15 PURPOSE.**

To prevent contamination of groundwater and to protect public health, safety, and welfare by assuring that unused, unsafe, or noncomplying wells or wells which may serve as conduits for groundwater contamination or wells which may be illegally cross-connected to the municipal system are properly abandoned.

(Am. Ord. 127B, passed 5-6-99)

**§ 51.16 APPLICABILITY.**

(A) All wells within the corporate limits of the city which are in unusable condition, unsafe, or do not comply with Wisconsin Administrative Code, Ch. NR 812, or which may serve as conduits for groundwater contamination shall be abandoned in accordance with this subchapter within one year after connection to the municipal system becomes available, unless a well operation permit has been granted pursuant to § 51.17.

(B) Premises where municipal water service is not available are exempt from this subchapter.

(C) Where feasible, noncomplying wells and pump installations may be upgraded to comply with Wisconsin Administrative Code, Ch. NR 812. A private well may be temporarily abandoned under provisions of Ch. NR 812. A well constructed for potable use may not be considered a nonpotable well to avoid the applicability of this subchapter.

(D) If water from a private well is known to produce water which exceeds a Department of Natural Resources (DNR) health advisory, a primary standard in Wisconsin Administrative Code, Ch. NR 809, or an enforcement standard in Ch. NR 140, a well operation permit shall not be issued without approval of the Department of Natural Resources.

(E) An illegal cross-connection exists where a private well is connected to a plumbing system which is also connected to the municipal system. Wisconsin Administration Code, Chs. Comm 82 and NR 811 prohibit such connections.

(Am. Ord. 127B, passed 5-6-99) Penalty, see § 51.99

**§ 51.17 WELL OPERATION PERMITS.**

(A) A permit may be granted to a well owner to operate a private well for a period not to exceed five years. At the end of a permit period, the well owner may apply for a renewal of a permit upon submittal of updated information necessary for a permit application. The city may conduct inspections or have water quality tests conducted at the applicant's

expense to obtain or verify information necessary for consideration of a permit. Permit applications shall be made on forms provided by the Clerk. The following requirements must be met before a well operation permit is issued:

(1) The well has a functional pumping system and its use can be justified in addition to water provided by the public water system.

(2) The well has a history of producing bacteriologically safe water and presently produces bacteriologically safe water as demonstrated by providing the copies of the results of water samples analyzed at a state certified laboratory. The permit application shall be accompanied with the test results of bacteriological sampling, consisting of obtaining a minimum of two consecutive safe samples taken a minimum of two weeks apart prior to issuing or reissuing the permit to establish that the water is safe for human consumption. One additional safe bacteriological water test shall be required annually in order to maintain the permit.

(3) The well and pump installation meets the requirements of Wisconsin Administrative Code, Ch. NR 812, as certified by a Department of Natural Resources licensed well driller or pump installer or by Department of Natural Resources staff evaluation.

(D) No physical connection exists between the piping of the public water system and the private well.

(E) A fee of \$15 is paid to the city for processing a permit.

(Am. Ord. 127B, passed 5-6-99)

**§ 51.18 ABANDONMENT METHODS.**

Wells shall be abandoned according to the procedures outlined in Wisconsin Administrative Code, Ch. NR 812. The pump and piping must be removed and the well checked for obstructions prior to abandonment. Any obstruction or liner must be removed, if possible. Filling with unapproved

materials or use of unacceptable procedures is prohibited.

(Am. Ord. 127B, passed 5-6-99) Penalty, see § 51.99

#### § 51.19 REPORT AND INSPECTION.

An Abandonment Report Form, Department of Natural Resources No. 3300-5, is available at the Clerk's office and must be submitted to the Clerk within ten days of abandonment completion. Forty-eight hour advance notice of well abandonment work must be provided to the Clerk so the filling may be observed by a representative of the municipality. The Clerk shall send a copy of Form 3300-5 to the appropriate Department of Natural Resources district office within ten days of receipt of the completed form.

(Am. Ord. 127B, passed 5-6-99)

### *CROSS-CONNECTIONS*

#### § 51.30 DEFINITION.

A "cross-connection" shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the city water system, and the other, water from a private source, water of unknown or questionable safety or steam, gases or chemicals, whereby upon loss of pressure or any pressure condition there may be a flow from one system or source to the other.

(Ord. 113, passed 8-4-86; Am. Ord. 127B, passed 5-6-99)

#### § 51.31 CROSS-CONNECTIONS PROHIBITED.

No person, firm, or corporation 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 city may enter the supply or distribution system of the municipality, unless the private, auxiliary, or emergency water supply and the method of connection and use of such supply shall have been approved by the city and by the Wisconsin Department of Natural Resources in accordance with Wisconsin Administrative Code, NR 811.25(3).

(Ord. 113, passed 8-4-86; Am. Ord. 127B, passed 5-6-99) Penalty, see § 51.99

#### § 51.32 INSPECTIONS.

It shall be the duty of the city to cause inspections to be made of all properties served by the public water system where cross-connections with the public water system is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the city and as approved by the Wisconsin Department of Natural Resources.

(Ord. 113, passed 8-4-86; Am. Ord. 127B, passed 5-6-99)

#### § 51.33 RIGHT OF ENTRY.

Upon presentation of credentials, the representative of the city shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the city for cross-connections. If entry is refused, the representative shall obtain a special inspection warrant under Wis. Stats. § 66.0119. On request, the owner, lessee, or occupant of any property so serviced shall furnish to the inspection agency any pertinent information regarding the piping system or systems on the property.

(Ord. 113, passed 8-4-86; Am. Ord. 127B, passed 5-6-99)

#### § 51.34 DISCONTINUANCE OF SERVICE.

The City Superintendent of Maintenance is hereby authorized and directed to discontinue water

service to any property wherein any connection in violation of this subchapter exists and to take such other precautionary measures deemed necessary to eliminate any danger of contamination only after reasonable notice and opportunity for hearing under Wis. Stats. Ch. 68, except as provided in § 51.35. Water service to the property shall not be restored until the cross-connection has been eliminated in compliance with the provision of this subchapter.

(Ord. 113, passed 8-4-86; Am. Ord. 127B, passed 5-6-99)

#### § 51.35 NOTICE; HEARING.

If it is determined by the city that a cross-connection or an emergency endangers public health, safety, or welfare and requires immediate action and written finding to that effect is filed with the Clerk of the city and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Wis. Stats. Ch. 68 within ten days of the emergency discontinuance.

(Ord. 113, passed 8-4-86; Am. Ord. 127B, passed 5-6-99)

#### § 51.99 PENALTY.

Whoever violates any provision of this chapter for which no specific penalty is set forth shall be punished as set forth in § 10.99.

(Am. Ord. 127B, passed 5-6-99)