

CHAPTER 51: WATER

Section

General Provisions

- 51.01 Adoption of State Plumbing Code
- 51.02 Introduction of fluorides into the city's water system

Well Abandonment and Well Operation Permit

- 51.15 Purpose
- 51.16 Applicability
- 51.17 Definitions
- 51.18 Abandonment required
- 51.19 Well operation permit
- 51.20 Abandonment procedures

Cross-Connections

- 51.30 Definition
 - 51.31 Unprotected cross-connections prohibited
 - 51.32 Inspection
 - 51.33 Right of entry
 - 51.34 Provision of requested information
 - 51.35 Discontinuation of water for violation
 - 51.36 Emergency discontinuance
-
- 51.99 Penalty

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 AND WELL OPERATION PERMIT

§ 51.15 PURPOSE.

To protect public health, safety and welfare and to prevent contamination of groundwater by assuring that unused, unsafe or noncomplying wells or wells which may act as conduits for contamination of groundwater or wells which may be illegally cross-connected to the municipal water system, are properly maintained or abandoned. (Am. Ord. 127B, passed 5-6-99; Am. Ord. 127C, passed 6-6-12)

§ 51.16 APPLICABILITY.

This subchapter applies to all wells located on premises served by the city municipal water system. Utility customers outside the jurisdiction of the municipal system may be required under contract agreement or utility rule to adopt and enforce equivalent ordinances within their jurisdictions for purpose stated in § 51.15.

(Am. Ord. 127B, passed 5-6-99; Am. Ord. 127C, passed 6-6-12) Penalty, see § 51.99

§ 51.17 DEFINITIONS.

For purposes of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

MUNICIPAL WATER SYSTEM. A community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.

NONCOMPLYING. A well or pump installation which does not comply with Wisconsin Administrative Code, NR 812.42, Standards for Existing Installations, and which has not been granted a variance pursuant to Wisconsin Administrative Code, NR 812.43.

PUMP INSTALLATION. The pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, and pressure tanks, pits, sampling faucets and well seals or caps.

UNSAFE WELL OR PUMP INSTALLATION. One which produces water which is bacteriologically contaminated or contaminated with substances which exceed the drinking water standards of Wisconsin

Administrative Code, Chapters NR 140 or 809, or for which a health advisory has been issued by the Department of Natural Resources.

UNUSED WELL OR PUMP INSTALLATION. One which is not used or does not have a functional pumping system.

WELL. A drillhole or other excavation or opening deeper than it is wide that extends more than ten feet below the ground surface constructed for the purpose of obtaining groundwater.

WELL ABANDONMENT. The proper filling and sealing of a well according to the provisions of Wisconsin Administrative Code, NR 812.26 (Am. Ord. 127B, passed 5-6-99; Am. Ord. 127C, passed 6-6-12)

§ 51.18 ABANDONMENT REQUIRED.

All wells on premises served by the municipal water system shall be properly abandoned in accordance with § 51.20 by February 6, 2012 or not later than one year from the date of connection to the municipal water system, unless a valid well operation permit has been issued to the well owner by the city under terms of § 51.19.

(Am. Ord. 127B, passed 5-6-99; Am. Ord. 127C, passed 6-6-12) Penalty, see § 51.99

§ 51.19 WELL OPERATION PERMIT.

(A) Owners of wells on premises served by the municipal water system wishing to retain their wells for any use shall make application for a well operation permit for each well no later than one year after connection to the municipal water system. The city shall grant a permit to a well owner to operate a well for a period not to exceed five years providing all conditions of this section are met. A well operation permit may be renewed by submitting an application

verifying that the conditions of this section are met. The city or its agent may conduct inspections and water quality tests or require inspections and water quality tests to be conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the Clerk. All initial and renewal applications must be accompanied by a fee of \$15.

(B) The following conditions must be met for issuance or renewal of a well operation permit:

(1) The well and pump installation shall meet the Standards for Existing Installations described in Wisconsin Administrative Code, NR 812.42.

(2) The well and pump shall have a history of producing safe water evidenced by at least one coliform bacteria sample. 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.

(3) There shall be no cross-connections between the well's pump installation or distribution piping and the municipal water system.

(4) The water from the private well shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the sewer utility.

(5) The private well shall have a functional pumping system.

(6) The proposed use of the private well shall be justified as reasonable in addition to water provided by the municipal water system. (Am. Ord. 127B, passed 5-6-99; Am. Ord. 127C, passed 6-6-12) Penalty, see § 51.99

§ 51.20 ABANDONMENT PROCEDURES.

(A) All wells abandoned under the jurisdiction of this subchapter shall be done according to the procedures and methods of Wisconsin Administrative Code, NR 812.26. All debris, pumps, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.

(B) The owner of the well, or the owner's agent are required to obtain a well abandonment permit prior to any well abandonment and shall notify the Clerk at least 48 hours in advance of any well abandonment activities. The abandonment of the well may be observed or verified by personnel of the municipal system.

(C) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Clerk and the Department of Natural Resources within 50 days of the completion of the well abandonment. (Ord. 127C, passed 6-6-12) Penalty, see § 51.99

CROSS-CONNECTIONS

§ 51.30 DEFINITION.

For purposes of this subchapter the following definition shall apply unless the context clearly indicates or requires a different meaning.

CROSS-CONNECTION. Any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the city public water system, and the other which contains 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, with the direction of flow depending on the pressure differential between the two systems.

(Ord. 113, passed 8-4-86; Am. Ord. 127B, passed 5-6-99; Am. Ord. 2012-01, passed 6-6-12)

§ 51.31 UNPROTECTED CROSS-CONNECTIONS PROHIBITED.

No person, firm, or corporation may establish or maintain, or permit to be established or maintained, any unprotected cross-connection. Cross-connections shall be protected as required in Wisconsin Administrative Code, SPS 382.

(Ord. 113, passed 8-4-86; Am. Ord. 127B, passed 5-6-99; Am. Ord. 2012-01, passed 6-6-12) Penalty, see § 51.99

§ 51.32 INSPECTION.

The water utility may inspect, or arrange for an inspection of, property served by the public water system for cross-connections. [OPTIONAL: As an alternative, the water utility may require a person, firm, or corporation who owns, leases, or occupies property to have their plumbing inspected, at their own expense by a State of Wisconsin Certified Cross-Connection Inspector/Surveyor.] The frequency of inspections shall be established by the water utility in accordance with Wisconsin Administrative Code. Any unprotected cross-connections identified by the inspection shall be promptly corrected. Failure to promptly correct an unprotected cross-connection shall be sufficient cause for the water utility to discontinue water service to the property, as provided under § 51.35.

(Ord. 113, passed 8-4-86; Am. Ord. 127B, passed 5-6-99; Am. Ord. 2012-01, passed 6-6-12)

§ 51.33 RIGHT OF ENTRY.

Upon presentation of credentials, a representative of the water utility shall have the right to request

entry, at any reasonable time, to a property served by a connection to the public water system for the purpose of inspecting the property for cross-connections. Refusing entry to such utility representative shall be sufficient cause for the water utility to discontinue water service to the property, as provided under § 51.35. If entry is refused, a special inspection warrant under Wis. Stats. § 66.0119 may be obtained.

(Ord. 113, passed 8-4-86; Am. Ord. 127B, passed 5-6-99; Am. Ord. 2012-01, passed 6-6-12)

§ 51.34 PROVISION OF REQUESTED INFORMATION.

The water utility may request an owner, lessee, or occupant of property served by a connection to the public water system to furnish the water utility with pertinent information regarding the piping systems on the property. Refusing to provide requested information shall be sufficient cause for the water utility to discontinue water service to the property, as provided under § 51.35.

(Ord. 113, passed 8-4-86; Am. Ord. 127B, passed 5-6-99; Am. Ord. 2012-01, passed 6-6-12)

§ 51.35 DISCONTINUATION OF WATER FOR VIOLATION.

The water utility may discontinue water service to any property wherein any unprotected connection in violation of this subchapter exists, and take other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service may be discontinued, however, only after reasonable notice and opportunity for hearing under Wis. Stats. Ch. 68, except as provided in § 51.36. Water service to such property shall not be restored until the unprotected cross-connection has been eliminated.

(Ord. 113, passed 8-4-86; Am. Ord. 127B, passed 5-6-99; Am. Ord. 2012-01, passed 6-6-12)

§ 51.36 EMERGENCY DISCONTINUANCE.

If it is determined by the water utility that an unprotected cross-connection or emergency endangers public health, safety, or welfare, and requires immediate action, and if a written finding to that effect is filed with the City Clerk and delivered to the customer's premises, water service may be immediately discontinued. The customer shall have an opportunity for hearing under Wis. Stats. Ch. 68 within ten days of such emergency discontinuance. Water service to such property shall not be restored until the unprotected cross-connection has been eliminated.

(Ord. 2012-01, passed 6-6-12)

§ 51.99 PENALTY.

(A) 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)

(B) Any well owner violating any provision of §§ 51.15 through 51.20 shall upon conviction be punished by forfeiture of not less than \$100 or more than \$250 and the cost of prosecution. Each day of violation is a separate offense. If any person fails to comply with §§ 51.15 through 51.20 for more than 30 days after receiving written notice of the violation, the municipality 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.

(Ord. 127C, passed 6-6-12)

