

Chapter 53 WATER UTILITY

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53.01 General. The rules and regulations governing the operation of the Village of Lake Delton Water Utility shall be those on file with and approved by the Wisconsin Public Service Commission. A violation of any such rules and regulations shall be a violation of this Chapter.

53.02 Operating rules

- A. All persons now receiving water service from the Utility or who may hereafter make application therefore shall be considered as having agreed to be bound by all rules and regulations as filed with the Public Service Commission.
- B. The applicable provisions of Wis. Adm. Code PSC 185 relating to water service are hereby adopted by reference and made a part of these rules as if set forth in full. A violation of such rules shall constitute a violation of this subchapter.

53.03 Definitions. The terms used in this Chapter are defined as follows:

Cross-connection. Any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Village of Lake Delton 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 or source to the other, the direction of flow depending on the pressure differential between the two systems.

Disconnection. The termination or discontinuance of service by the Water Utility, excluding customer-requested termination of service.

Water Utility. The Lake Delton Water Utility operates the municipal water system.

Supervisor. The person responsible for managing the Water Works Department and the operation maintenance and control of the municipal water system.

Water Works Department. The Lake Delton Water Works Department is responsible for the operation and maintenance of the Village municipal water system.

53.04 Use of municipal water system required. The owners of all residential and commercial buildings and operations situated within the Village and abutting on any streets, alley or right-of-way on which a public water main is located, or in which an extension of the public water main may be deemed feasible by the Village board are hereby required, at their expense, to connect directly with public water main. The penalty for failing to comply with this requirement is a forfeiture of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) per day for each day of violation. In addition to the fine, the Village Water Utility shall impose a charge upon each property failing to comply with the provisions of this section in an amount equal to the charges for the estimated water usage had the property been connected to the municipal water system.

53.05 Plumbing permit and inspection fees

A. Payment of fees. No plumbing, drain laying or well drilling shall be done in the Village of Lake Delton, except in the case of repairing a leak or stoppage, without a permit having been issued therefore by the plumbing inspector and the paying of the proper fee as hereinafter provided.

B. Application. The applicant for a plumbing, drain laying or well drilling permit shall file with the Village clerk, plans and specifications showing in detail the work to be done. Upon the Village board's approval of the application, the Village clerk shall issue to the applicant a statement of the fees to be paid upon the issuance of the permit applied for. This statement shall be filed with, and the fees indicated thereon paid to, the Village clerk who shall issue his/her receipt therefore. Upon exhibition of this receipt to him/her, the plumbing inspector shall issue a permit for the work set forth in the application.

C. Schedule of fees. The fees to be paid for the permits provided for in the last preceding subsection shall be as established by the Village board by resolution.

53.06 Water Works Supervisor. The Supervisor of the Water Works Department shall have the following powers and duties, subject to the direction of the Village board:

A. Be responsible for the administration and supervision of all maintenance, repair and construction of the municipal water system and all vehicles, machinery and equipment used in any activity under his control.

B. Keep all records and documents required by law or ordinance for the municipal water system.

C. Be in charge of the operation and management of the Village water system and conduct inspections of water hook-ups to ensure compliance with state and village codes.

D. Prepare and present fiscal year budget for the Water Works Department to the Village board for review and approval.

E. Administer the department's approved budget. Review and approve all purchases charged to the department accounts.

F. Report on a monthly basis to the Village board about the municipal water system and the Water Works Department.

G. Conduct inspections of connections to the municipal water system.

H. Assist the Village engineer in drafting criteria and specifications for projects

involving the municipal water system and coordinating with the engineer and contractors in performance of the project including final inspections.

- I. Participate in staff reviews.
- J. Review permit applications affecting the municipal water system.
- K. Keep the Village coordinator regularly informed of the Water Works Department's activities.
- L. Enforcement of this Chapter.

53.07 Protection of municipal water system from contamination

Chapters NR 810.15 and SPS 382.41, Wisconsin Administrative Code, require the public water system be protected from contaminants due to backflow of contaminants through the water service connection. The Wisconsin Department of Natural Resources (WDNR) and the Wisconsin Department of Safety and Professional Services (SPS) require the maintenance of a continuing program of cross-connection control that will systematically and effectively prevent the contamination of all potable water systems.

53.08 Cross-connection regulated

No person, firm or corporation shall establish, permit to be established or permit to be maintained any cross-connection unless such water supply and the method of connection and use of such supply shall have been approved by the Village of Lake Delton and by the WDNR in accordance with Section NR 810.15, Wisconsin Administrative Code, and methods and devices to protect the Village of Lake Delton water supply are used in compliance with Chapter SPS 382.41 of the Wisconsin Administrative Code.

53.09 Inspecting cross-connections

A. It shall be the duty of Lake Delton Water Works Department head, or his designee, to cause inspections to be made of all properties served by the public water system where cross-connections with the public water system are believed to exist. The frequency of inspections and re-inspections based on potential health hazards involved shall be as established by the Supervisor in accordance with Wisconsin Administrative Code Section NR 810.15. 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 s.53.10 of this Chapter. The Water Works Department shall maintain a list of personnel authorized to conduct inspections in accordance with PSC 185.41 Wisconsin Administrative Code.

B. Upon presenting credentials, the Supervisor, or his agent, shall have the right to request entry at any reasonable time to examine any property served by a connection to the Village of Lake Delton's public water system for cross-connections. Refusing entry for inspection shall be sufficient cause for the discontinuance of water service to the property, as provided under s. 53.10.

C. In addition, if entry is refused, a special inspection warrant under Section 66.0119 of the Wisconsin Statutes may be obtained.

D. On request, the owner, lessee or occupant of any property shall furnish to the Water Works Department any pertinent information regarding the piping or systems on such property.

53.10 Discontinuing water service; cross-connections

A. The Supervisor is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this Chapter exists and to take such other

precautionary measures deemed necessary to eliminate any danger of contaminating the public water system. Water shall be discontinued only after ten (10) days written notice, which notice shall also advise of an opportunity for hearing under Chapter 3 of the Village Municipal code. Water service to such property shall not be restored until all violations have been eliminated in compliance with the provisions of this Chapter.

B. Notwithstanding any provisions for notice above, if the Supervisor determines a cross-connection or an emergency endangers public health, safety or welfare, and requires immediate action and a written finding to that effect is delivered to the customer's premises and a copy of such finding filed with the Village of Lake Delton clerk-treasurer-coordinator, service may be immediately discontinued.

53.11 Large User Reporting requirements. Within sixty (60) days of written notification from the supervisor, any water customer with more than two-hundred (200) motel units, or more than one-thousand (1000) fixtures, including common areas, is required to file a certification by a certified cross connection inspector, or plumber licensed by the State of Wisconsin. Facility Compliance Certification is only accepted in authorized written format provided by the Village. For purposes of this section when single or related entities have more than one account, the total units and fixtures of the combined accounts will be used to determine the application of this section. On or before February 1, 2013 and each February 1 thereafter, the Supervisor will notify each customer in writing of this requirement. Failure to comply with this section may result in imposition of a penalty in the amount of not less than two hundred dollars (\$200.00) per day with each day of non-compliance constituting a separate violation.

53.12 Adoption of SPS 382.41. The Village of Lake Delton adopts by reference Section SPS 382.41 of the Wisconsin Administrative Code relating to back-siphonage, cross-connections, and potability control.

53.13 Accounts. All utility accounts shall be managed by the Village clerk-treasurer-coordinator in accordance with Wis. Adm. Code PSC 185 and §66.0809 Wis. Stats.

53.14 Penalties. Any person, firm or corporation, whether acting for self or on behalf of any property owner or other person, who shall violate any of the provisions of this Chapter or who shall make any installation or connection contrary to any provision of this code shall be subject to a forfeiture of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each such violation, and each day of any violation shall constitute a separate offense. Any person, firm or corporation, whether acting for self or on behalf of any property owner or other person, who shall violate this section shall be assessed double the fees provided in section 53.04. In addition to any penalties imposed by this section, any person who violates any provision of this code shall be responsible for the costs incurred by the Village due to the violation, including the cost of any prosecution and any other costs and fees allowed by law.

53.15 Repeal of ordinances. The following ordinance is hereby repealed 12-006