

CHAPTER 10
WATER UTILITY

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10.01 WATER UTILITY COMMISSION – See Sec. 4.08

10.02 COMPLIANCE WITH RULES. All persons now receiving a water supply from the South Milwaukee Water Department or who may hereafter make application therefore shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin and the provisions of this ordinance.

10.03 PROCURING WATER METERS. All services connected with the City Waterworks System must be metered. All meters shall be of the type approved by the commission and shall be installed by and at the expense of the Water Department. Only one meter shall be installed for each service.

10.04 APPLICATION FOR WATER SERVICE. All applications for the introduction of water into any premises shall be made by the owner or by the tenant with the written consent of the owner upon printed blanks for the purpose to be had from the Superintendent of the Waterworks. The application must state fully and truly all the purposes for which water is required. The applicants must subscribe and agree to be bound by such rules governing the use of water as may now be in force or such as may be made from time to time by the Water Utility Commission. If no objection exists, the Water Commission, through the Superintendent of Waterworks, will then cause to be issued to a licensed plumber or other qualified person a permit authorizing him to do the work. All applications must be accompanied with the fee for tapping as provided by the South Milwaukee Code.

10.05 TAMPERING WITH WATER METER.

- (1) No person not properly authorized by the city shall connect, disconnect, remove or otherwise disturb any water meter.
- (2) When the Utility has reasonable evidence that a consumer is obtaining 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 services 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 consumer for any such reason, the Utility will reconnect the consumer upon the following conditions: Am. 01/07/92, 1502
 - (a) The consumer will be required to deposit with the utility an amount sufficient to guarantee the payment of the consumer's bills for utility service to the utility.
 - (b) The consumer will be required to pay the utility for any and all damages to its equipment on the consumer's premises due to such stoppage or interference with its metering.
 - (c) The consumer must further agree to comply with reasonable requirements to protect the utility against further losses.

Section 98.26 and 94.320, Wisconsin Statutes, as relating to water service, are hereby adopted and made a part of these rules. Am. 01/07/92, 1502

10.06 LOCATION OF PIPES AND STOPS.

- (1) The water service shall be equipped with a corporation stop, a curb stop and a stop box flush with the sidewalk or ground grade, and a meter stop, these stops to be purchased from the Water Utility. Curb stop box shall be furnished by contractor but shall be of a type meeting the approval of the Water Utility. Rep. & Recr. 01/07/92, 1502
- (2) The service pipe shall be installed by the owner to a point in line with the fire hydrant or inner side of curb and gutter line. The curb stop shall be set there by the owner and it shall be accessible at all times to the employees of the Water Utility or persons authorized, in writing, by the Water Utility. Rep. & Recr. 01/07/92, 1502
- (3) The consumer shall protect the stop box in his terrace and shall keep the same free from dirt and other obstructions. The utility shall not be liable for failure to locate a stop box and shut off water in case of a leak on the consumer's premises.

10.07 LOCATION OF METERS. Meters must be placed in the basement of a building where the service pipe enters the same. Where there is no basement, the meter must be placed in a suitable meter box provided by the owner. The meter shall be accessible at all times and shall not be covered with stored material or debris. Service piping for the meter settings, changes and connections shall be provided by the consumer or property owner.

10.08 PROTECTION AND REPAIRS OF METERS.

- (1) Meters must be protected against frost. The water shall be turned off from any meter that the City shall discover has not been so kept and shall not be turned on again until the proper repairs have been made and the cost of turning the water off and on paid.
- (2) Meters will be repaired by the Water Department 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 anyone 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 consumer or the owner of the premises.

10.09 WATER FIXTURES OPEN TO INSPECTION. All water meters, fixtures, appliances and appurtenances on private premises connected to the City Water System shall be open to inspection by Utility employees at the times and in the manner specified in the Public Service Commission Rules. Rep. & Recr. 01/07/92, 1502

10.10 WATER RATES.

- (1)
 - (a) The schedule of water rates to be charged by the South Milwaukee Water Utility for water furnished through its supply system to consumers will be as set by the Public Service Commission. Rep. & Recr. 01/07/92, 1502
 - (b) When the Utility employees are unable to read a meter, the Public Service Commission Rules will govern the Utility procedure. Rep. & Recr. 01/07/92, 1502
 - (c) When the meter registers losses due to a pipe leak, the Utility will proceed pursuant to Public Service Commission Rules. Rep. & Recr. 01/07/92, 1502
 - (d) Meter testing will be done pursuant to Public Service Commission Rules. Rep. & Recr. 01/07/92, 1502
- (2) Bills for water service shall be rendered triennially and become due and payable pursuant to the Public Service Commission Rules. Rep. & Recr. 01/07/92, 1502
- (3) **LIEN FOR UNPAID WATER RATES.** All water rates for water furnished to any building or premises shall be a lien as provided by Section 66.069 of the Statutes on the lot, part of lot, or parcel of land on which such building or premises shall be situated. If any water rates or fractional parts thereof remain unpaid on the first day of October in any year, the same shall be certified by the Treasurer to the City Clerk on or before the first day of November next following and shall be by him placed upon the tax roll and collected in the same manner as other taxes on real estate are collected in this city. Renumbered 01/07/92, 1502

10.11 REPAIRS TO SERVICE.

- (1) The service pipe from the main to the curb will be maintained and kept in repair at the expense of the utility. The consumer shall maintain the service pipe from the curb to the point of use and can be billed for any water which has not passed through the meter and has been wasted by leakage of defective pipes and fixtures.
- (2) If a customer fails to repair a leaky or broken service pipe from curb to point of metering or use within such time as may appear reasonable to the Superintendent of the Utility after notification has been served on the consumer by the Superintendent, the water will be shut off and will not be turned on again until the repairs have been completed.

10.12 FLANGED CONNECTION ON METERS. All meters two inches and over in size must be compound type meters with flanged connection both ends. When a meter is larger in size than two inches, a two inch T must be placed near the outlet side for testing purposes. A piece of pipe, flanged both ends, of the same length as the flange to flange dimension of the meter installed, must be kept in the room or compartment with the meter for the use of the Water Department in making repairs to the meter.

10.13 PERMITS FOR USES OF WATER. These rules shall be considered a part of the contract with every person who takes water supplied by the waterworks, and every such person taking the water shall be considered as having expressed his consent to be bound thereby, and whenever any rule is violated, the Water Superintendent may shut off the water without notice, and the person so cut off shall forfeit any payment made, and the water shall not again be turned on until the offender abides by the rules of the department. A charge pursuant to Public Service Commission schedules and rules will be assessed for turning the water on again. Am. 01/07/92, 1502

- (1) No person shall in any way use or take any water furnished by the waterworks for private use, for flushing any sewer, or for settling any ditch, or for any other purpose unless such person shall pay for the same, or unless such person shall first obtain the usual permit therefore from the Superintendent of Waterworks.
- (2) No contractor, builder, or others shall use water for building purposes, whether drawn from a service pipe controlled by a meter or otherwise, unless such person shall have made application in writing to the Superintendent of Waterworks for such water accompanied by a true estimate of the amount of brick, stone, plastering, cement, or concrete work for which the water is desired and received a permit therefore from the Superintendent of Waterworks showing payment of the established water rate; or in case the water so used is drawn from a service pipe controlled by a meter, then such permit shall describe the premises whereon the meter is located giving house number, street and name of owner, and also a full description of the premises where the water is to be used.
- (3) No person or consumer shall supply water to any contractor, builder, or others to be used for building purposes, cement or concrete work, unless a proper permit therefore from the Superintendent of Waterworks shall first be exhibited.
- (4) Applications for water must state fully and truly all purposes for which it is required, and when paying the charge for it, parties must frankly and without concealment answer all questions put to them relating to its consumption. In case of fraudulent representations by the applicants or the use of water for purposes not embraced in the application, the supply of water will be shut off.

10.14 LEAKS AND REPAIRS. Rep. & Recr. 01/07/92, 1502.

If the drip of waste from any private hydrant becomes a nuisance to the adjacent property, or overruns the sidewalk, and freezing becomes dangerous in winter, the supply will be shut off and kept off until the evil is satisfactorily remedied.

When there is a leak in a private pipe line between the curb and the meter, the Water Department shall at once shut off the stop at the curb stop and leave a notice in writing at the premises to remedy the defect, and if necessary repairs are not made within the time stated in said notice, the ferrule attached to such pipe shall be drawn from the main pipe and the sum specified by the Water Commission shall be paid therefore by the owner, as well as all expenses incurred by the Water Department in shutting off the water or making repairs.

10.15 DISCONTINUANCE OF THE USE OF WATER. Rep. & Recr. 01/07/92, 1502

Any consumer desiring to discontinue for any reason the use of water on his premises must notify the Superintendent of Waterworks in writing to that effect and the Superintendent of Waterworks shall thereupon shut off the water, from such premises, and no charges of water rates will be stopped or any deductions of water rates against any premises be made, unless the water has been properly shut off from such premises.

Any authorized party, whenever he has turned the water either off or on to any premises, shall at once make report to the Water Utility of such fact, describing the premises and stating the time when, and whether the water was turned off or on.

10.16 OPENING FIRE HYDRANTS. Rep. & Recr. 01/07/92, 1502

No person shall open a fire hydrant without permission of the Superintendent of the Water Utility Commission, firemen and persons authorized, in writing, by the Superintendent or his designee.

No person shall sell or give water for any object or purpose unless permission be obtained from the Water Utility Commission.

No person shall obstruct access to any fire hydrant or curb stop connected with the water pipes in the street, by placing on it any building material, rubbish or other materials, or willfully place or deposit dirt or other material in any curb stop boxes, or turn any public or private curb stop.

10.17 HYDRANT WRENCHES. Rep. & Recr. 01/07/92, 1502

Application for a hydrant wrench must be made to the Superintendent of Waterworks and when receiving such wrench the applicant must deposit the sum determined by the Public Service Commission for security, which cannot be withdrawn until such wrench is returned.

No one except employees of the Water Utility shall under any circumstances be allowed to touch or interfere with the curb stop, unless authorized, in writing, by the Utility Superintendent or his designee. A permit to use water for building purposes does not give the right to touch the curb stops.

Permits for water for building purposes must be limited to a specified time, and must be left subject to examination at the premises where the water is used. At the end of the time specified in the permit the water will be shut off by the Department and not turned on again until a new permit therefore is granted. A violation of this rule will result in shutting off the supply of water for such purposes.

10.18 FILLING CISTERNS. No permit to fill a cistern will be granted where such cistern is located on premises fronting on a street in which water mains have been laid. For the purposes of this section, a rain barrel will not be considered a cistern and will be allowed pursuant to provisions of Sec. 21.509, if the outlined conditions are met. Amended 11/5/2013, 2075

10.19 TWO OR MORE PERSONS ON SAME METER. Rep. & Recr. 01/07/92, 1502 Where one service pipe is intended to supply two or more distinct premises or tenements, and when only one service is used, the application must be made by the person or persons controlling the same and such person or persons must pay the water charges of all the parties who are thus supplied. Separate water bills will not be rendered unless meters are installed to serve the different users separately.

10.20 PROTECTIVE DEVICES IN GENERAL.

- (a) The owner or occupant of every premises receiving water supply shall apply and maintain suitable means of protection of the premises 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, must such owner or occupant 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 top tapping or the upper side tapping of the hot water tank or on the hot water distributing pipe connection at the tank. A 1/2-inch drain pipe shall be connected to the relief valve for discharge on the floor or into a sink or open drain. No stop valve shall be placed between the hot water tank and the relief valve or on the drain pipe.
- (c) Air Chambers. An air chamber or approved shock absorber shall be installed at the terminus of each riser, fixture branch or hydraulic elevator main for the prevention of undue water hammer. The air chamber shall have a diameter not less than that of the pipe it serves and a length not less than 15 diameters of said supply pipe. Where possible, the air chamber should be provided with a valve and drain cock at its base for water drainage and replenishment of air.

10.21 CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION. Rep & Recr. 10/17/95, 1622, Am. 9/20/11, 2030

1. General Policy

1.1 **Purpose** The purpose of this ordinance is:

- 1.1.1 To protect the health and welfare of users of the public potable water supply of the City of South Milwaukee from the possibility of contamination or pollution of the potable water system(s) under the direct authority of the South Milwaukee Water Utility.
- 1.1.2 To promote for the control and/or elimination of existing cross connections (actual or potential) between the customer's potable water system(s) and other environment(s) containing substance(s) which may contaminate or pollute the water supply.

- 1.1.3 To provide for the maintenance of a continuing Comprehensive Program of Cross Connection Control which will systematically and effectively prevent the contamination or pollution of all potable water system(s) under the direct authority of the South Milwaukee Water Utility.

1.2 Definitions

- a. Backflow; The undesirable flow of water or mixtures of water and other liquids, solids gases or other substances under positive or reduced pressure into the South Milwaukee Water Utility potable supply of water from any source.
- b. Backflow Prevention; A means designed to prevent backflow caused by backpressure or backsiphonage; most commonly categorized as air gap, reduced pressure principle backflow assembly, double check valve assembly, pressure vacuum breaker assembly, backsiphonage backflow vacuum breaker (spill resistant pressure vacuum breaker) assembly, pipe applied atmospheric vacuum breaker, flush tank ballcock, laboratory faucet backflow preventer, backflow preventer for carbonated beverage machine, vacuum breaker wall hydrants, (freeze resistant automatic draining type), chemical dispensing machine, hose connection vacuum breaker, hose connection backflow preventer, backflow preventer with intermediate atmospheric vent and barometric loop.
- c. Backpressure; An elevation of pressure in the downstream piping system (i.e. Pump, elevation of piping, or steam and/or air pressure) above the utility supply pressure, which would cause or tend a reversal of the normal direction of flow.
- d. Backsiphonage; The flow of water or other liquids, mixtures or substances into the utility's potable water system form any source caused by the sudden reduction of pressure in the utility's potable water supply system.
- e. Cross Connection; Any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the utility, and the other containing 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.
- f. Cross Connection Control program; Policies and procedures for cross connection control and backflow prevention for the City of South Milwaukee

2. Cross Connection Prohibited:

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 public water supply of the utility, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply have been approved by the utility and the Wisconsin Department of Natural Resources.

3. Responsibility:

The South Milwaukee Water Utility and/or the City of South Milwaukee Plumbing Inspector shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to backflow of contaminants or pollutants.

4. Owner Responsibility:

The property owner shall be responsible for the protection of the customer's potable water system. The responsibilities include the elimination of or protection from all cross connections on their premises. The owner shall, at their own expense, install, maintain and test any and all backflow preventers on their premises in compliance with the Department of Commerce Comm 82.21 requirements and the utility's "*Cross Connection Control Program*". The property owner shall have corrected any malfunction revealed by periodic testing of any backflow preventer on their premises. The property owner shall inform the utility of any proposed or modified cross connections and also any existing cross connections that are not protected by an approved backflow prevention means. The property owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type in the by-pass. Property owners who cannot shut down operation for testing of the backflow prevention assembly must supply additional assemblies necessary to allow testing and maintenance to take place. In the event the property owner installs potable water using fixtures, equipment or appurtenances upstream of a backflow preventer, such must have its own approved backflow prevention means. The property owner is required to follow the protection practices described in the American Water Works Association publication AWWAM-14 titled "*Recommended Backflow Prevention and Cross Connection Control*", United States Environmental Protection Agency publication titled "*Cross Connection Control Manual*", Wisconsin Department of Commerce Plumbing Code, Comm 82-84 and the utility's *Cross Connection Control Program*, unless the utility requires or authorizes other means of protecting the potable water supply system. These requirements or authorizations will be at the discretion of the utility.

5. Inspections:

It shall be the duty of the utility to cause surveys to be made of all properties serviced by the utility where cross connections with the public water system is deemed possible. Residential properties serviced by the utility shall be surveyed once every ten years or on a schedule matching meter replacement. The utility may, but is not required to, perform the cross connection survey of the customer's property. If, in the opinion of the utility, the utility is not able to perform the survey, the property owner must, at their own expense, have the water system piping surveyed for cross connections by a person who has been properly trained in accordance with the American Society of Sanitary Engineers (ASSE) Standard number 5120 as a Cross Connection Control Surveyor. All non-residential properties serviced by the utility shall be surveyed on an interval not exceeding 2 years. The utility may, but is not required to, perform the cross connection control survey of the customer's property. If, in the opinion of the utility, the utility is not able to perform the survey, the property owner must, at their own expense, have the water piping system surveyed for cross connections by a person who has been properly trained in accordance with the American Society of Sanitary Engineers (ASSE) Standard number 5120 as a Cross Connection Control Surveyor. The frequency of required surveys and resurveys, based upon the potential health hazards, may be shortened by the utility.

6. Right of Entry:

Upon presentation of credentials, representatives of the utility shall have the right to request entry at any reasonable time to examine property served by a connection to the public potable water system of the utility for cross connections. If entry is refused, such representatives shall obtain a special inspection warrant under s. 66.122, Wisconsin Statutes. Upon request, the owner, lessee or occupant of any property served shall furnish to the inspection agency any pertinent information regarding the piping system on such property.

7. Authority to Discontinue Service:

The 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 damage of contamination of the potable water system. Water service shall be discontinued if the means of backflow prevention required by the utility is not installed, tested, maintained and/or repaired in compliance with this ordinance, the Department of Commerce Plumbing Code Comm 82-84 and the utility's "*Cross Connection Control Program*", or if it is found that the means of backflow prevention required by this ordinance has been removed or bypassed. Except where an emergency (as hereinafter defined) exists, Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in subsection (9) of this section.

8. Reconnection of Service:

Water service to any property disconnected under provisions of this ordinance shall not be restored until the cross connection(s) has been eliminated or a backflow prevention means approved by the utility has been installed in compliance with the provisions of this section.

9. Emergency Discontinuance of Service:

If it is determined by the utility that a cross connection or an emergency endangers public health safety or welfare and requires immediate action, service may be immediately discontinued. The owner, lessee or occupant shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes within 10 days of such emergency discontinuance. Such hearing shall be before the City of south Milwaukee Water Utility Commission.

10. Additional Protection:

In the case of premises having (a) cross connections that cannot be permanently corrected or controlled, or (b) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for surveying purposes, making it impractical or impossible to ascertain whether or not dangerous cross connections exist, the public water supply system shall be protected in the service line. In the case of any premises where there is any material dangerous to health that is handled in such a manner that, in the opinion of the utility, could create an actual or potential hazard to the public water supply system, an approved air gap separation or an approved reduced pressure principle backflow assembly shall protect the public water supply system. Examples of premises where these conditions will exist include premises with auxiliary water supplies either interconnected or not interconnected with the public water supply system, premises where inspection is restricted, hospitals, mortuaries, clinics, laboratories, piers, docks, and other water front facilities, sewage treatment plants, sewage lift stations, food and beverage, processing plants, chemical plants using a water process, metal processing plants or nuclear reactors, car washing facilities and premises with reclaimed water systems. In the case of any presence of toxic substances, the utility may require an approved air gap or reduced pressure principle backflow assembly at the service connection to protect the public water supply system. This requirement will be at the discretion of the utility.

11. Public Water Supplies:

This section is not intended to supercede the State of Wisconsin Department of Natural Resources Administrative Code NR810. In the event of a conflict between the NR810 and this ordinance, the provisions in NR810 shall prevail but whenever possible this ordinance shall be read to conform to and supplement the provisions of the NR810.

12. Plumbing Code:

The Wisconsin uniform Plumbing Code, Chapter Comm 82-84, Wisconsin Administrative Code is hereby adopted by reference and made part of this ordinance as though fully set forth herein. In the event of a conflict between the Wisconsin Uniform Plumbing Code and this ordinance, the provisions of the Wisconsin Uniform Plumbing Code shall prevail but whenever possible this ordinance shall be read to conform to and supplement the provisions of the Wisconsin Uniform Plumbing Code.

10.22 NO CLAIM FOR DAMAGES. No person shall enter a claim for damage against the City of South Milwaukee as a Water Utility or any officer thereof for damage to any pipe, fixture, or appurtenance by reason of interrupted water supply or variation of pressure or for damage of any nature whatsoever caused by the turning off or turning on, either wholly or partially, of the water supply for the extension, alteration, or repair of any water main or premises supply or for the discontinuance of the premise water supply for the violation of any rules or regulations of the South Milwaukee Water Department. No claims will be allowed against the city on account of the interruption of the water supply caused by the breaking of pipes or machinery or by stoppage for repairs on account of fire or other emergency, and no claims shall be allowed for any damage caused by the breakage of any pipe or machinery.

10.23 REPAIR TO MAINS. 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 the circumstances will permit of sufficient delay, the utility will give notification by newspaper publication or otherwise of the discontinuance of the supply. No rebate or damages will be allowed to consumers for such temporary suspension of supply.

10.24 WATER USED FOR SPRINKLING RESTRICTED. The Water Utility Commission may issue orders limiting the use of water for sprinkling of lawns, gardens and similar uses during such periods, times or days as the water storage supply and pumping facilities may require limitation of use for other consumer uses.

10.25 CHANGES. The Common Council reserves the right to modify any rules contained in this chapter or to make such additional regulations as may be found necessary for the better protection of the public interest in the management of the waterworks, provided such changes shall be approved by the Public Service Commission of Wisconsin. Re-titled 01/07/92, 1502

10.26 PENALTIES. Rep. & Recr. 01/07/92, 1502 Any person who shall violate any of the provisions of this chapter of the Municipal Code shall, upon conviction, pay a forfeiture of not less than \$50.00, nor more than \$1,000.00, plus court costs. Each day a violation continues constitutes a separate violation and is subject to a separate forfeiture.

10.27 WELL ABANDONMENT. Cr. 03/20/90, 1458

- (1) 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 contamination or wells which may be illegally cross-connected to the Municipal Water System, are properly abandoned.
- (2) APPLICABILITY. This ordinance applies to all wells located on premises served by the South Milwaukee Municipal Water System.

(3) DEFINITIONS.

- (a) "Municipal Water System" means a system for the provision of to the public of piped water for human consumption when such system has at least 15 service connections or regularly serves at least 25 year-round residents owned or operated by a city, village, county, town, town sanitary district, utility district or public institution as defined in Section 49.10(12)(f)1, Wisconsin Statutes, or a privately owned water utility serving any of the above.
- (b) "Noncomplying" means a well or pump installation which does not comply with the provisions of Ch. NR812, Wisconsin Ad. Code, in effect at the time the well was constructed, a contamination source was installed, the pump was installed or work was done on either the well or pump installation. Rep. & Recr. 01/19/99, 1725
- (c) "Pump Installation" means 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.
- (d) "Unsafe" means a well or pump installation which produces water which is bacteriologically contaminated or contaminated with substances in excess of the standards of Ch. NR809 or 140, Wisconsin Ad. Code, or for which a Health Advisory has been issued by the Department of Natural Resources of the State of Wisconsin. Rep. & Recr. 01/19/99, 1725
- (e) "Unused" means a well or pump installation which is not in use or does not have a functional pumping system.
- (f) "Well" means an excavation or opening into the ground made by digging, boring, drilling, driving or other methods for the purpose of obtaining groundwater for consumption or other use.
- (g) "Well abandonment" means the filling and sealing of a well according to the provisions of Ch. NR812, Wisconsin Ad. Code. Rep. & Recr. 01/19/99, 1725

(4) ABANDONMENT REQUIRED. All wells on premises served by the Municipal Water System shall be abandoned in accordance with the terms of this ordinance and Ch. NR812, Wisconsin Ad. Code, 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 South Milwaukee Water Utility Superintendent. Rep. & Recr. 01/19/99, 1725

(5) WELL OPERATION PERMIT. The South Milwaukee Water Utility Superintendent may grant a permit to a private well owner to operate a well for a period not to exceed five years providing the conditions of this section are met. The Superintendent or his/her agent 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 application or renewal. Permit applications and renewals shall be made on forms provided by the Utility. The charge for permits and renewals shall be established by resolution of the Water Utility Commission. The following conditions must be met for issuance or renewal of a Well Operation Permit: Rep. & Recr. 01/19/99, 1725; Re-titled 04/05/00, 1764

- (a) The well and pump installation meet or are upgraded to meet the requirements of Ch. NR812, Wisconsin Ad. Code. Rep. & Recr. 01/19/99, 1725

- (b) The well construction and pump installation have a history of producing bacteriologically safe water as evidenced by at least two samplings taken a minimum of two weeks apart. No exception to this condition may be made for unsafe wells unless the Department of Natural Resources approves in writing the continued use of the well.
- (c) There are no cross-connections between the well and pump installation and the Municipal Water System.
- (d) The proposed use of the well and pump installation can be justified as being necessary in addition to water provided by the Municipal Water System.

(6) ABANDONMENT PROCEDURES.

- (a) All wells abandoned under this ordinance shall be abandoned according to the procedures and methods of Ch. NR812, Wisconsin Ad. Code. All debris, pump, piping, unsealed liners and any other obstructions which may interfere with sealing operation shall be removed prior to abandonment. Rep. & Recr. 01/19/99, 1725
- (b) The owner of the well or the owner's agent shall notify the Utility at least 48 hours prior to commencement of any well abandonment activities. The abandonment of the well shall be observed by such employees of the South Milwaukee Water Utility or its agents as the Utility may designate. Rep. & Recr. 01/19/99, 1725
- (c) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Utility and to the Department of Natural Resources within 10 days of the completion of the well abandonment. Rep. & Recr. 01/19/99, 1725

(7) PENALTIES. If any person fails to comply with the provisions of Section 10.22 for more than ten (10) days after notice of non-compliance the Utility may cause the abandonment to be performed and the expense thereof shall be assessed against the property as a special tax. Rep. & Recr. 01/07/92, 1502

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