

CHAPTER 27

WATER UTILITY

INITIAL RULES AND REGULATION RELATED TO CONSTRUCTION OF AND CONNECTION TO THE VILLAGE OF STOCKBRIDGE WATER SYSTEM

27.01 MANAGEMENT OF WATER UTILITY

The Village of Stockbridge Water Utility Commission shall manage, operate, and control the municipal water system and shall have all power described by state statutes.

27.02 PUBLIC SERVICE COMMISSION RULES ADOPTED

The provisions of Ch. PSC 185, Wis. Adm. Code, and all related state statutes, are adopted by reference and made a part of these rules as if set forth in full. A violation of any such rules shall constitute a violation of this article and shall be punishable as prescribed in Addendum A – Fees and Penalties Schedule.

27.03 WATER UTILITY REGULATIONS AND RATE STRUCTURE

The Village of Stockbridge Water Utility regulations and rate structures are set by the Wisconsin Public Service Commission pursuant to Ch. PSC 185, Wis. Adm. Code. The complete Public Service Commission of Wisconsin - Stockbridge Water Utility Rate File is found in Addendum B – Forms and Documents.

27.04 MANDATORY CONNECTION

- A. The owner of each parcel of land adjacent to a water main on which there exists a building useable for human habitation in which plumbing exists shall connect to such system within six months of notice in writing from the Village of Stockbridge that the water system is operational and has service available to the subject property. Upon failure to do so, the Village of Stockbridge may cause such connection to be made and bill the property owner for such costs. Such costs shall include the access/connection fee described herein. If such costs are not paid within 30 days, such notice shall be assessed as a special tax lien against the property, all pursuant to Section 66.0809, Wisconsin Statutes.
- B. There shall be a uniform access/connection fee as prescribed in Addendum A – Fees and Penalties for connecting to the existing Village of Stockbridge watermains. This charge will apply to customers served within the Village service area. The water access/connection fee shall be payable upon the submission of an application for building permit for new residence or before the connection to an existing structure is made.
- C. In lieu of the above connection by the Village, the Village of Stockbridge at its option, may impose a penalty for the period the violation continues, after 30 days written notice

to any owner failing to make a connection to the water system as prescribed in Addendum A – Fees & Penalties. If the failure to connect continues, and upon failure to make payment of penalties, the charge shall be assessed as a special tax lien against the property, all pursuant to Sec. 66.0809, Wis. Stats.

- D. This ordinance ordains that the failure to connect to the water system is contrary to the minimum health standards of said Village of Stockbridge and fails to assure preservation of public health, comfort, and safety of said Village and is an exercise of the Village police power.
- E. Without regard to the actual connection date for any property, the property owner shall be liable for the payment of the periodic user fee which shall begin immediately upon notice to the property owners that the municipal water system is operational. That fee shall be as set as the minimum billing in the rate ruling as ordered by the Wisconsin Public Service Commission. That fee is also referred to as the standby charge in sec. 66.0809, Wis. Stat.

27.05 LATERALS TO STRUCTURES ON PRIVATE PROPERTY

- A. All water lines on private property, whether underground or within a structure, must be constructed in accordance with the State of Wisconsin Administrative Code Chs. SPS 381-387.
- B. The laterals to the structure shall be connected at the property owner's expense to the water main lateral valve provided by the Village at the property line.
- C. There shall be a uniform access/connection fee as prescribed in Addendum A – Fees and Penalties for connecting to the existing Village of Stockbridge watermains. This charge will apply to customers requesting service from the Village water utility. The water access/connection fee shall be payable upon the submission of an application for building permit for new residence or before the connection to an existing structure is made.

27.06 TAPPING OF THE MAINS

- A. No person, or persons in its service and approved by it, will be permitted, under any circumstances, to tap the Village of Stockbridge watermains without first obtaining a permit to do so. All applicable permits are found in Addendum B – Forms and Documents.
- B. Plumber Requirements
 - 1. No person will be permitted to do any plumbing or pipe fitting work in connection to the Village of Stockbridge water system without first meeting the requirements of Ch. 145 Wis Stats.

2. No Plumber will be permitted to do any plumbing or pipe fitting work in connection with the water utility without first receiving a license for the State of Wisconsin, except in cases where the state law permits building owners to do their own work without being licensed.
- C. New Connections. A new connection to the municipal water system will be allowed to occur after an access/connection fee is paid in full. All connections are permitted with the completion of an application of a building permit or Application for Water Utility Inspections, application approval by the Village Building Inspector, and all permit fees paid in full. Permits are found in Addendum B – Forms and Documents.
- D. The person making a connection to the Village water system shall notify the approving authority when the building's water is ready for inspection and the connection to the water system. The connection shall be inspected and approved by the approving authority prior to backfilling over the water lateral pipe.
- E. Watermains must always be tapped at a forty-five-degree vertical of the upper quadrant and not within six inches of a fitting or another tap.
- F. Chs. SPS 381-387, Wis. Admin. Code, are adopted and incorporated herein by reference and all persons affected shall comply therewith.

27.07 WATER METERS

- A. Meters shall be provided by the Village of Stockbridge for each plumbed structure at no additional cost to the property owner. It shall be the duty of the owner of any premises to provide an interior location for the water meter, and to maintain such location and passageway thereto, clean and sanitary and free from any obstruction or any conditions of a hazardous nature. No connection for a water meter shall be installed in any location not easily accessible, or which is or may be unclean, unsanitary or in any way unsafe to Village representatives in discharge of their duties.
- B. A licensed plumber must install water meters according to Chs. SPS 381-387.
- C. All Stockbridge Water Utility regulations and rate structures set by the Wisconsin Public Service Commission pursuant to Wis. Admin. Code 185 must be adhered to. The complete Public Service Commission of Wisconsin - Stockbridge Water Utility Rate File is found in Addendum B – Forms and Documents
- D. The installation of the water meter is at the property owner's expense.

27.08 CROSS CONNECTIONS

- A. Definition: Any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Village of Stockbridge's public

water system and the other of 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.

- B. Unprotected cross connections are prohibited. No person, firm, or corporation may establish or maintain, or permit to establish or maintain any unprotected cross-connection. Cross connections shall be protected as required in Ch. SPS 382.

27.09 INSPECTIONS AND RIGHT OF ENTRY

- A. The Village will conduct an inspection of all building water connections. One inspection will be conducted following the provision to the Village by the owner of the plumber's certification forms indicating that all connections have been connected in compliance with state and local codes. Additional inspections will be conducted if needed to ensure compliance. A one-time inspection fee for the Village is found in Addendum B – Forms and Documents, Water Utility Permit Application.
- B. A shutoff valve (curb stop) will be provided by the Village at each property line. This valve will be opened by the Village connecting a property to the Village water system ONLY after proper certifications have been provided to the Village. At no time may any private individual interfere with the Village's setting of that valve.
- C. The Village presents the following sequence of events as a likely schedule to complete connection and inspection requirements:
 1. A licensed plumber installs lateral connection and curb connection and certifies correctness.
 2. A licensed plumber installs the water meter with two shutoff valves, one on the Village side and the other on the building side of the meter.
 3. A licensed plumber air tests the lateral line and curb stop connection in accordance with state code and certifies correctness.
 4. The owner provides all plumber certifications to the Village
 5. The Village notifies owner that the municipal system is operational.
 6. The Village turns on the water to serve the property at the curb stop providing proper certifications have been filed.
 7. A licensed plumber disconnects the owner's previous private well connections (if present) and opens the shutoff valves on both sides of the meter.

8. The owner notifies the Village that the new connection to the municipal system is complete.
9. The Village conducts an inspection of all internal plumbing connections.
10. Should any deficiencies exist, they must be corrected with some of the above steps being repeated as determined by the Village.
11. Additional inspections may be required at the Village's discretion to ensure full compliance.
12. When the property is in full compliance, the owner shall proceed toward abandonment of the existing private well or with an application for a 5 Year Private Well Permit Operating Permit Renewal Application to retain the well for outdoor uses only. A Private Well Operating Permit Renewal Application can be found in Addendum B – Forms and Documents.

D. Every property owner shall permit the Village's representative, at all reasonable hours, to enter their premises and/or building to examine the plumbing, fixtures, water meters or inspect for cross-connections attached to the municipal water system. If entry is refused, the Village may obtain a special inspection warrant under Sec. 66.0119, Stats., and the property owner shall be responsible for all costs of obtaining a special inspection warrant.

E. The Village will conduct one inspection of the connections at no cost to the property owner. Any additional inspections necessitated by non-compliance will be conducted at the owner's expense. A one-time inspection fee for the Village is found in Addendum B – Forms and Documents, Water Utility Permit Application. Additional inspections will be billed to the property owner. If not paid said charge shall be assessed as a special tax lien against the property, all pursuant to Sec. 66.0809, Stats.

F. All inspections performed pursuant to this ordinance are for the convenience of the Village of Stockbridge and intended to protect the public health, safety and welfare. Inspections are not for the benefit of the property owner and are not to be relied upon by the property owner for any purpose. The results of any inspection constitute no guarantee of the matter inspected for any purpose and the Village of Stockbridge disclaims any representation or warranty based on any inspections.

27.10 PRIVATE WELL ABANDONMENT

A. PURPOSE

1. The purpose of this article is 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. This requirement applies to all wells located on premises served by the Village of Stockbridge Water System and any well designated by the Village of Stockbridge as a potential danger to the water supply in the Village of Stockbridge.

B. DEFINITIONS

1. “Municipal water system” means a system of the provision 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 the city, village, county, town, town sanitary district, utility district or public institution, or a privately owned water utility serving any of the above.
2. “Noncomplying” means a well or pump installation which does not comply with the provisions of Chapter NR 812, Wis. Adm. 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.
3. “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.
4. “Unsafe” means a well or pump installation which produces water which is bacteriologically contaminated or contaminated with substances in excess of the standards of Chapters NR 140 or NR 809, Wis. Adm. Code, or for which a Health Advisory has been issued by the Department of Natural Resources.
5. “Unused” means a well or pump installation which is not in use or does not have a functional pumping system.
6. “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.
7. “Well abandonment” means the filling and sealing of a well according to the provisions of Chapter NR 812, Wis. Adm. Code.

C. ABANDONMENT TIMETABLE

All wells located on premises served by the municipal water system shall be abandoned in accordance with the terms of this ordinance and Chapters NR 811 and NR 812, Wis. Adm. Code, no later than six months from the date of connection to the municipal water system, unless a 5 Year Private Well Operating Permit has been obtained by the well owner from the Village of Stockbridge.

D. WELL OPERATION PERMIT

1. The Village of Stockbridge 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. An owner may request renewal of a well operation permit by submitting information verifying that the conditions of this section are met. The Village of Stockbridge may conduct inspections and have water quality tests conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. The 5 Year Private Well Operating Permit Renewal Application is found in Addendum B – Forms and Documents and fees for application are as prescribed in Addendum A – Fees and Penalties.
2. The following conditions must be met for issuance or renewal of a well operation permit:
 - a. The well and pump installation meet or are upgraded to meet the requirements of Chapters NR 812 or NR 845, Wis. Adm. Code and a well constructor's report is on file with the Department of Natural Resources, or certification of the acceptability of the well has been granted by the Private Water Supply Section of the Department of Natural Resources
 - b. In order for continuance of the initial permit, a water sample from the well shall be submitted by the property owner, at the property owner's expense, to a certified laboratory which shall test and has confirmed test results the water sample is not contaminated with bacteriological agents. The sample for testing shall be taken annually on or after August 1, with the safe test results completed and submitted to the Village of Stockbridge by September 1 of the same year.
 - c. There shall be no cross-connections between private well and pump installation and the municipal water system. There shall be no internal service connection to the private well with the exception of a smooth bore sampling faucet which may be placed between the well and the pressure tank for the express purpose of drawing a water sample for testing purposes.
 - d. Private well water may be used for outdoor purposes only, such as lawn and garden watering, car washing, or for commercial, agricultural, or industrial uses approved by the State of Wisconsin.
 - e. No new wells may be constructed in the Village of Stockbridge.

3. ABANDONMENT REQUIREMENTS AND PROCEDURES.

- a. The Village of Stockbridge requires the abandonment of a well if any of the following are met:

1. The well water is contaminated with biological agents, bacteriological, viral or parasitic, and three (3) test samples taken over a continuous period of not more than thirty (30) days and submitted to a certified laboratory have failed to test safe.
2. The well or drillhole poses a hazard to health or safety.
3. The well or drillhole construction does not comply with the minimum standards of Chapter NR 812 Wis. Admin. Code.

- b. All wells abandoned under the jurisdiction of this ordinance or rule shall be abandoned according to the procedures and methods of Chapters NR 811 and NR 812, Wis. Adm. Code. All debris, pump, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.
- c. The current Wisconsin Department of Natural Resources – Well / Drillhole / Borehole Filling & Sealing Report shall be completed and submitted to the Wisconsin Department of Natural Resources and the Village of Stockbridge within ten (10) days of the completion of the well abandonment.

4. PENALTIES AND REMEDIES.
 - a. Any well owner or person violating this ordinance shall upon conviction thereof be subject to a forfeiture as prescribed in Addendum A – Fees and Penalties Schedule. Each day a violation exists is deemed a separate offense under this ordinance
 - b. The Village of Stockbridge may seek injunctive relief for any violation of this ordinance.
 - c. Any person who receives written notice of a violation of this ordinance, and who fails to correct the violation and comply with this ordinance within ten (10) days after receiving written notice of the violation, shall be subject to penalties herein. If the written notice of violation requires the abandonment of the well, and the owner fails to comply within ten (10) days after receiving written notice, the Village of Stockbridge or its agents may perform the well abandonment and assess the expenses thereof against the property on which the well is located, to be collected as a special tax or charge against the property, pursuant to Secs. 66.0809, 66.0627 and 66.0626, Wis. Stats., as applicable.
 - d. The Village of Stockbridge shall have such other remedies as provided by Wisconsin law for violations of this ordinance and all remedies available are cumulative and the Village may exercise them in any order.

27.11 UNAUTHORIZED INTERFERENCE WITH WATER SYSTEM

- A. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure or equipment or appurtenance which is part of the municipal water system in the Village of Stockbridge. No person shall connect to the Village of Stockbridge municipal water system without the permission of the Village of Stockbridge and subject to the rules contained herein.
- B. Any person violating these provisions shall be subject to citation and prosecution by the Village of Stockbridge for any ordinance violation, including Village Code Section 6.10, Disorderly Conduct, and immediate arrest by the Calumet County Sheriff Department, or other law enforcement agency with jurisdiction, under a charge of disorderly conduct or other applicable Calumet County Ordinance or State of Wisconsin statute. The penalty provisions in Addendum A – Fees and Penalties shall apply to the extent applicable.

27.12 DISCONTINUATION OF WATER SERVICE

The Water Utility may discontinue water service to any property wherein any unprotected connection in violation of this article exists and take other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system consistent with sec. PSC 185.37. Wis. Adm. Code. Except as provided in Sec. 27.13, water service may be discontinued, however, only after reasonable notice to the property owner, and the right of the property owner or other aggrieved party to initiate the review process and request a hearing be held under Ch. 68, Wis. Stats. Water service to such property shall not be restored until the unprotected cross-connection has been eliminated.

27.13 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 Utility Clerk-Treasurer and delivered to the customer's premises, water service may be immediately discontinued. The customer shall have an opportunity to initiate the review process as an aggrieved party under Ch. 68, Wis. Stats., within 10 days of such emergency discontinuance. Water service to such property shall not be restored until the unprotected cross-connection has been eliminated.

27.14 PRIVATE WATER UTILITY / IRRIGATION SYSTEMS

No person shall install, operate or maintain any private water utility or irrigation system connected, affixed, or attached to any residential or commercially zoned property, which is also connected to the public water supply without first obtaining approval from the Village of Stockbridge Water Utility Commission and obtaining a permit from the Village of Stockbridge. Permits are found in Addendum B – Forms and Documents.

27.15 PENALTIES AND FEES

- A. Any person violating this ordinance or any part thereof, shall be required to remedy the violation and comply with the ordinance and shall pay all expenses involved in correcting the same. Such person shall be liable for the fees and penalties as prescribed in Addendum A – Fees and Penalties.
- B. Continued violations – Each violation and each day a violation continues constitutes a separate offense. Each offense is subject to the fees and penalties together with the cost of prosecution as set forth in Addendum A – Fees and Penalties. In the event of nonpayment thereof, such shall be assessed as a special tax lien against the subject property pursuant to Sec. 66.0627 and 66.0809, Wis. Stats.
- C. Each day a violation shall continue to exist shall constitute a separate offense.

27.16 EFFECTIVE DATE

This ordinance shall be in force from and after its passage, approval and publication of adoption thereof.