

ORDINANCE NO. 2020- 02

AN ORDINANCE TO CREATE CHAPTER 7.01 OF THE VILLAGE OF LA VALLE CODE OF ORDINANCES RELATING TO THE WATER UTILITY


WHEREAS, the Village Board desires to establish the regulations from the water utility rate file as Village ordinances and require mandatory connections to the water utility.

NOW THEREFORE, the Village Board of the Village of La Valle, Sauk County, Wisconsin, does ordain that the attached Chapter 7.01 entitled "Water Utility" shall be created and added to the Code of General Ordinances of the Village of La Valle.

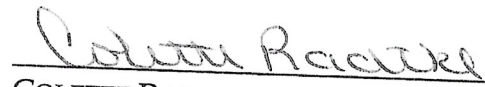
The Village shall properly post or publish this ordinance as required. This ordinance is effective on publication and posting as provided by law.

Dated this 14th day of December, 2020.

APPROVED:


ROCKIE SOBECK
Village President

ATTEST:


COLETTE RADTKE
Village Clerk

Adopted: 12-14- 2020.
Posted: 12-15- 2020.

Chapter 7.01 Water Utility

Section 7.01.01	Statutes and Administrative Code adopted
Section 7.01.02	Compliance with Rules
Section 7.01.03	Mandatory Connection
Section 7.01.04	Establishment of Service
Section 7.01.05	Reconnection of service
Section 7.01.06	Temporary metered supply; meter and deposits
Section 7.01.07	Water for construction
Section 7.01.08	Use of hydrants
Section 7.01.09	Operation of valves and hydrants, and unauthorized use of water - penalty
Section 7.01.10	Refunds of monetary deposits
Section 7.01.11	Service Laterals
Section 7.01.12	Replacement and repair of service pipe
Section 7.01.13	Abandonment of service
Section 7.01.14	Curb Stop boxes
Section 7.01.15	Installation of meters
Section 7.01.16	Repairs to meters
Section 7.01.17	Service piping for meter settings
Section 7.01.18	Turning on water
Section 7.01.19	Sprinkling restrictions and emergency water conditions
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Section 7.01.23	Collection of Overdue Bills
Section 7.01.24	Surreptitious use of water
Section 7.01.25	Repairs to mains
Section 7.01.26	Duty of water utility with respect to safety of the public
Section 7.01.27	Handling water mains and service laterals in excavation trenches
Section 7.01.28	Protective devices
Section 7.01.29	Cross-connections
Section 7.01.30	Water main extensions
Section 7.01.31	Water Main Installations in Platted Subdivisions

Section 7.01.01 Statutes and Administrative Code adopted

The provisions of the Wisconsin Statutes and Wisconsin Administrative Code, and all acts amendatory thereof and supplementary thereto, relating to water system service and related construction standards are hereby adopted by reference as a portion of this code so far as applicable, except as otherwise lawfully provided by village ordinances.

Section 7.01.02 **Compliance with Rules**

All persons now receiving water service from the LaValle Water Utility, or who may request service in the future, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin, including the applicable schedules as referenced herein.

Section 7.01.03 **Mandatory Connection**

All buildings used for human habitation that are located adjacent to a water main, or a block through which a water main system extends, shall be connected to the water main in the manner prescribed in this Chapter. If any person fails to comply for more than 10 days after notice in writing the Village may impose a penalty or may cause connection to be made, and the expense thereof shall be assessed as a special tax against the property. The owner may, within 30 days after the completion of the work, file a written option with the Village clerk stating that the owner cannot pay the amount in one sum and asking that it be levied in no more than five equal annual installments, with interest at a rate of 5 percent per year from the completion of the work. Any remaining unpaid balance shall be a special tax lien.

Section 7.01.04 **Establishment of Service**

- (A) Application for water service shall be made in writing on a form furnished by the water utility. The application will contain the legal description of the property to be served, name of the owner, the exact use to be made of the service and the size of the service lateral and meter desired. (Note particularly any special refrigeration, fire protection, or water-consuming air-conditioning equipment.)
- (B) Service will be furnished only if: (1) premises have a frontage on a properly platted street or public strip in which a cast iron or other long-life water main has been laid, or where property owner has agreed to and complied with the provisions of the utility's filed main extension rule, (2) property owner has installed or agrees to install a service lateral from the curb stop to the point of use, that is not less than 6 feet below the surface of an established or proposed grade, and meets the water utility's specifications, and (3) premises have adequate piping beyond metering point.
- (C) The owner of a multi-unit dwelling has the option of being served by individual metered water service to each unit. The owner, by selecting this option, is required to provide interior plumbing and meter settings to enable individual metered service to each unit and individual disconnection without affecting service to other units. Each meter and meter connection will be treated as a separate water utility account for the purpose of the filed rules and regulations.
- (D) No division of the water service lateral to any lot or parcel of land shall be made for the extension and independent metering of the supply to an adjoining lot or

parcel of land. Except for duplexes, no division of a water service lateral shall be made at the curb for separate supplies for two or more separate premises having frontage on any street or public service strip, whether owned by the same or different parties. Duplexes may be served by one lateral provided (1) individual metered service and disconnection is provided and (2) it is permitted by local ordinance.

- (E) Buildings used in the same business, located on the same parcel, and served by a single lateral may have the customer's water supply piping installed to a central point so that volume can be metered in one place.
- (F) The water utility may withhold approval of any application where full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner.

Section 7.01.05 **Reconnection of service**

- (A) Where the water utility has disconnected service at the customer's request a reconnection charge shall be made when the customer requests reconnection of the service. See Schedule R-1 for applicable rate.
- (B) A reconnection charge shall also be required from consumers whose services are disconnected (shut off at curb stop box) because of nonpayment of bills when due. See Schedule R-1 for applicable rate.
- (C) If reconnection is requested for the same location by any member of the same household, or, if a place of business, by any partner of the same business, it shall be considered as the same customer.

Section 7.01.06 **Temporary metered supply; meter and deposits**

An applicant for temporary water supply on a metered basis shall make and maintain a monetary deposit for each meter installed as security for payment for use of water and for such other charges which may arise from the use of the supply. A charge shall be made for setting the valve and furnishing and setting the meter. See Schedule BW-1 for applicable rate.

Section 7.01.07 **Water for construction**

- (A) When water is requested for construction purposes, or for filling tanks or such uses, an application therefor shall be made to the utility, in writing, giving a statement of the amount of construction work to be done, or the size of the tank to be filled, etc. Payment for the water for construction may be required in advance at the scheduled rates. The service lateral must be installed into the building before water can be used. No connection with the service lateral at the curb shall be made without special permission from the water utility. In no case

will any employee of the water utility turn on water for construction work unless the contractor has obtained permission from the water utility.

- (B) Consumers shall not allow contractors, masons or other persons to take unmetered water from their premises without permission from the water utility. Any consumer failing to comply with this provision may have water service discontinued and will be responsible for the cost of the estimated volume of water used.

Section 7.01.08 **Use of hydrants**

- (A) In cases where no other supply is available, permission may be granted by the utility to use a hydrant. No hydrant shall be used until the proper meter and valve are installed. In no case shall any valve be installed or moved except by an employee of the water utility.
- (B) Before a valve is set, payment must be made for its setting and for the water to be used at the scheduled rates. Where applicable, see Schedule BW-1 for deposits and charges. Upon completing use of the hydrant, the customer must notify the water utility to that effect.

Section 7.01.09 **Operation of valves and hydrants, and unauthorized use of water - penalty**

Any person who shall, without authority of the water utility, allow contractors, masons, or other unauthorized persons to take water from their premises, operate any valve connected with the street or supply mains, or open any fire hydrant connected with the distribution system, except for the purpose of extinguishing fire, or who shall wantonly damage or impair the same shall be subject to a fine as provided by municipal ordinance. Utility permission for the use of hydrants applies only to such hydrants as are designated for the specific use.

Section 7.01.10 **Refunds of monetary deposits**

All monies deposited as security for payment of charges arising from the use of temporary water service on a metered basis, or for the return of a hydrant valve and fixtures, if the water is used on an unmetered basis, will be refunded to the depositor on the termination of the use of water, the payment of all charges levied against the depositor, and the return of the water utility's equipment.

Section 7.01.11 **Service Laterals**

- (A) No water service lateral shall be laid through any trench having cinders, rubbish, rock or gravel fill, or any other material which may cause injury to or disintegration of the service lateral, unless adequate means of protection are

provided by sand filling or such other insulation as may be approved by the water utility. Service laterals passing through curb or retaining walls shall be adequately safeguarded by provision of a channel space of pipe casing, not less than twice the diameter of the service connection. The space between the service lateral and the channel or pipe casing shall be filled and lightly caulked with an oakum, mastic cement or other resilient material, and made impervious to moisture.

- (B) In backfilling the pipe trench, the service lateral must be protected against injury by carefully hand tamping the ground filling around the pipe. There should be at least 6 inches of ground filling over the pipe, and it should be free from hard lumps, rocks, stones or other injurious material.
- (C) All water service laterals shall be of undiminished size from the street main into the point of meter placement. Beyond the meter outlet valve, the piping shall be sized and proportioned to provide, on all floors, at all times, an equitable distribution of water supply for the greatest probable number of fixtures or appliances operating simultaneously.

Section 7.01.12 **Replacement and repair of service pipe**

- (A) The service lateral from the main to and through the curb stop will be maintained and kept in repair and, when worn out, replaced at the expense of the water utility. The property owner shall maintain the service lateral from the curb stop to the point of use.
- (B) If an owner fails to repair a leaking or broken service lateral from curb to point of metering or use within such time as may appear reasonable to the water utility after notification has been served on the owner by the water utility, the water will be shut off and will not be turned on again until the repairs have been completed.

Section 7.01.13 **Abandonment of service**

If a property owner changes the use of a property currently receiving water service such that water service will no longer be needed in the future, the water utility may require the abandonment of the water service at the water main. In such case, the property owner may be responsible for all removal and/or repair costs, including the water main and the utility portion of the water service lateral.

Section 7.01.14 **Curb Stop boxes**

The curb stop box is the property of the water utility. The water utility is responsible for its repair and maintenance. This includes maintaining, through adjustment, the curb stop box at an appropriate grade level where no direct action by the property owner or occupant has contributed to an elevation problem. The property owner is responsible

for protecting the curb stop box from situations that could obstruct access to it or unduly expose it to harm. The water utility shall not be liable for failure to locate the curb stop box and shut off the water in case of a leak on the owner's premises.

Section 7.01.15 **Installation of meters**

Meters will be owned, furnished, and installed by the water utility or a utility-approved contractor and are not to be disconnected or tampered with by the customer. All meters shall be so located that they shall be protected from obstructions and permit ready access thereto for reading, inspection and servicing, such location to be designated or approved by the water utility. All piping within the building must be supplied by the owner. Where additional meters are desired by the owner, the owner shall pay for all piping. Where applicable, see Schedule Am-1 for rate.

Section 7.01.16 **Repairs to meters**

- (A) Meters will be repaired by the water utility and the cost of such repairs caused by ordinary wear and tear will be borne by the water utility.
- (B) Repair of any damage to a meter resulting from the carelessness of the owner of the premises, owner's agent, or tenant, or from the negligence of any one 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 damaged from the presence of hot water or steam in the meter, shall be paid for by the customer or the owner of the premises.

Section 7.01.17 **Service piping for meter settings**

Where the original service piping is installed for a new metered customer, where existing service piping is changed for the customer's convenience, or where a new meter is installed for an existing unmetered customer, the owner of the premises at his/her expense shall provide a suitable location and the proper connections for the meter. The meter setting and associated plumbing shall comply with the water utility's standards. The water utility should be consulted as to the type and size of meter setting.

Section 7.01.18 **Turning on water**

The water may only be turned on for a customer by an authorized employee of the water utility. Plumbers may turn the water on to test their work, but upon completion must leave the water turned off.

Section 7.01.19 **Sprinkling restrictions and emergency water conditions**

Where the municipality has a policy regarding sprinkling restrictions and/or emergency water conditions, failure to comply with such may result in disconnection of service. See Wis. Admin. Code § PSC 185.37.

Section 7.01.20 **Failure to read meters**

- (A) Where the water utility is unable to read a meter, the fact will be plainly indicated on the bill, and either an estimated bill will be computed, or the minimum charge applied. The difference shall be adjusted when the meter is again read, that is, the bill for the succeeding billing period will be computed with the gallons or cubic feet in each block of the rate schedule doubled, and credit will be given on that bill for the amount of the bill paid the preceding period. Only in unusual cases shall more than three consecutive estimated bills be rendered.
- (B) If the meter is damaged (see Surreptitious Use of Water) or fails to operate, the bill will be based on the average use during the past year unless there is some reason why the use is not normal. If the average use cannot be properly determined, the bill will be estimated by some equitable method. (See Wis Admin. Code § PSC 185.33.)

Section 7.01.21 **Inspection of premises**

During reasonable hours, any officer or authorized employee of the water utility shall have the right of access to the premises supplied with service, for the purpose of inspection or for the enforcement of the water utility's rules and regulations. Whenever appropriate, the water utility will make a systematic inspection of all unmetered water taps for the purpose of checking waste and unnecessary use of water. (See Wis. Stat. § 196.171.)

Section 7.01.22 **Vacation of premises**

When premises are to be vacated, the water utility shall be notified, in writing, at once, so that it may remove the meter and shut off the supply at the curb stop. The owner of the premises shall be liable to prosecution for any damage to the water utility's property. See "Abandonment of Service" in Schedule X-1 for further information.

Section 7.01.23 **Collection of Overdue Bills**

An amount owed by the customer may be levied as a tax as provided in Wis. Stat. § 66.0809.

Section 7.01.24 **Surreptitious use of water**

When the water utility has reasonable evidence that a person 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 water utility service being delivered, the water utility reserves the right to estimate and present immediately a bill for unmetered service as a result of such interference, and such bill shall be payable subject to a 24-hour disconnection of service. If the water utility disconnects the service for any such reason, the utility will reconnect the consumer upon the following conditions:

- (A) The customer will be required to deposit with the water utility an amount sufficient to guarantee the payment of the bills for water utility service.
- (B) The customer will be required to pay the water utility for any and all damages to water utility equipment resulting from such interference with the metering.
- (C) The consumer must further agree to comply with reasonable requirements to protect the water utility against further losses.

(See Wis. Stat. §§ 98.26 and 943.20.)

Section 7.01.25 **Repairs to mains**

The water utility reserves the right to shut off the water supply in the mains temporarily, to make repairs, alterations or additions to the plant or system. When the circumstances will permit, the water utility will give notification, by newspaper publication or otherwise, of the discontinuance of the water supply. No credit will be allowed to customers for such temporary suspension of the water supply. (See Wis. Admin. Code § PSC 185.87.)

Section 7.01.26 **Duty of water utility with respect to safety of the public**

It shall be the duty of the water utility to see that all open ditches for water mains, hydrants and service laterals are properly guarded to prevent accident to any person or vehicle and at night there shall be displayed proper signal lighting to insure the safety of the public.

Section 7.01.27 **Handling water mains and service laterals in excavation trenches**

Contractors must call Digger's Hotline and ensure a location is done to establish the existence and location of all water mains and service laterals as provided in Wis. Stat. § 182.0175. Where water mains or service laterals have been removed, cut or damaged during trench excavation, the contractors must, at their own expense, cause them to be replaced or repaired at once. Contractors must not shut off the water service laterals to any customer for a period exceeding 6 hours.

Section 7.01.28

Protective devices

- (A) Protective devices in general. The owner or occupant of every premise receiving a water supply shall apply and maintain suitable means of protection of the premise 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, such owner or occupant must protect water-cooled compressors for refrigeration systems by means of high and/or low 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, reducing valve, water filter or softener), an effective pressure relief valve shall be installed at or near the top of the hot water tank, or at the hot water distribution pipe connection to the tank. No stop valve shall be placed between the hot water tank and the relief valve or on the drain pipe. See applicable plumbing codes.
- (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 be sized in conformance with local plumbing codes. Where possible, the air chamber should be provided at its base with a valve for water drainage and replenishment of air.

Section 7.01.29

Cross-connections

Every person owning or occupying a premise receiving municipal water supply shall maintain such municipal water supply free from any connection, either of a direct or of an indirect nature, with a water supply from a foreign source, or of any manner of connection with any fixture or appliance, whereby water from a foreign supply or the waste from any fixture, appliance, waste or soil pipe may flow, be siphoned or pumped into the piping of the municipal water system. (See Wis. Admin. Code § NR 811.06.)

Section 7.01.30

Water main extensions

Water mains will be extended for new customers on the following basis:

- (A) Where the cost of the extension is to immediately be collected through assessment by the municipality against the abutting property, the procedure set forth under Wis. Stat. § 66.0703 will apply, and no additional customer contribution to the utility will be required.
- (B) Where the municipality is unwilling or unable to make a special assessment, the extension will be made on a customer-financed basis as follows:

- (1) The applicant(s) will advance as a contribution in aid of construction, the total amount equivalent to that which would have been assessed for all property under Subsection (A).
 - (2) Part of the contribution required in (1) will be refundable. When additional customers are connected to the extended main within 10 years of the date of completion, contributions in aid of construction will be collected equal to the amount which would have been assessed under Subsection (A) for the abutting property being served. This amount will be refunded to the original contributor(s). In no case will the contributions received from additional customers exceed the proportionate amount which would have been required under Subsection (A), nor will it exceed the total assessable cost of the original extension.
- (C) When a customer connects to a transmission main or connecting loop installed at utility expense within 10 years of the date of completion, there will be a contribution required of an amount equivalent to that which would have been assessed under Subsection (A).

Section 7.01.31 **Water Main Installations in Platted Subdivisions**

- (A) Application for installation of water mains in regularly platted real estate development subdivisions shall be filed with the utility.
- (B) If the developer, or a contractor employed by the developer, is to install the water mains (with approval of the utility), the developer shall be responsible for the total cost of construction.
- (C) If the utility or its contractor is to install the water mains, the developer shall be required to advance to the utility, prior to the beginning of the construction, the total estimated cost of the extension. If the final costs exceed estimated costs, an additional billing will be made for the balance of the cost due. This balance is to be paid within 30 days. If final costs are less than estimated, a refund of the overpayment will be made by the water utility.