

## CHAPTER 7

### MUNICIPAL UTILITIES

SEC.

- 7.01 Authority of Public Works Committee
- 7.02 General Regulations
- 7.03 Municipal Parking System
- 7.04 Sewerage System Utility
- 7.05 Franchise for Gas Service
- 7.06 Collection of Arrearages (Delinquent Utility Bills)
- 7.07 Cross Connections
- 7.08 Wells

#### 7.01 AUTHORITY OF PUBLIC WORKS COMMITTEE OF PUBLIC WORKS

The municipal utilities of the City of Wisconsin Dells shall be under the supervision of the Public Works Committee, which is established under Section 1.04(4) of this Code.

#### 7.02 GENERAL REGULATIONS

(1) Authority Exercised. Pursuant to the authority of Section 196.58 of the Wisconsin Statutes and the general police power of the City of Wisconsin Dells, the following regulations are established for the establishment, operation, maintenance, extension, repair or replacement of facilities or equipment for public utilities furnishing telephone or telegraph services, or to transmit heat, power or electrical current, and to determine the quality and character of the product or service to be furnished or rendered by any of said utilities within the corporate limits of the City of Wisconsin Dells.

(2) Wholesale and Retail Services.

(a) When Utilities Limited to Wholesale Operations. Whenever the City of Wisconsin Dells shall operate a public utility within the corporate limits of the City for the furnishing of a service or product to retail customers, then all other public utilities furnishing the same or a similar service within the corporate limits of the City of Wisconsin Dells shall be limited to wholesale operations within the corporate limits of the City.

(b) Utilities in Annexed Areas. In the event of annexation of area to the City of Wisconsin Dells wherein there is contained facilities or equipment of a public utility furnishing the same or similar service as provided by a public utility of the City of Wisconsin Dells, then the City shall proceed to obtain the necessary portions of such facilities pursuant to the applicable provisions of Chapters 66 and/or 197 of the Wisconsin Statutes.

(c) When Utilities Permitted to Conduct Retail Operations. In the event that no retail service shall be offered by the public utility operated by the City of Wisconsin Dells, then a public utility may offer such product or services at retail within the corporate limits of said City.

(3) Schematic Maps of Services and Facilities. Each public utility operating within the corporate limits of the City of Wisconsin Dells shall file in the Office of the Director of Public Works for said City, schematic maps detailing the location and other required details for the service or product of the following designated public utilities:

(a) Electric Utilities.

- (1) Poles; size, class and age.
- (2) Towers; type and size.
- (3) Fixtures; type and size
- (4) Wire; size, material, overhead or underground location detail, including clearance from street level and other wires.
- (5) Transformers; number, size and age.
- (6) Cut outs; type and size.
- (7) Service drops; length and size.
- (8) Type of service; single phase or multiple phase.
- (9) Meters; number, type and size.
- (10) Conductors; number, type and size.
- (11) Guys; location and shields.
- (12) Cross arms; number and age.
- (13) Ground rods.
- (14) Anchor rods.
- (15) Line voltage.

(b) Telephone Utilities.

- (1) Poles; size, class and age.
- (2) Guys; location and shields.
- (3) Clearance of wires from street level and other wires.
- (4) Service drops; location and length.
- (5) Cross arms; number, size and age.
- (6) Anchor rods.
- (7) Wire; size and composition, overhead or underground location detail.

(c) Telegraph Utilities.

- (1) Poles; size, class and age.
- (2) Wires; size and material, overhead or underground location detail, and clearance detail from street level and other wires.
- (3) Location of transmittal and receiving facilities.

(d) Natural Gas Transmission, Distribution, Service and Lateral Utility Lines.

- (1) Pipe location details, including depth below ground level.
- (2) Pipe; size, class and age.
- (3) Line pressure.
- (4) Valves, gates, regulators, meters, curb and meter stops, and fittings; location, size and classification.
- (5) Gate houses; location, size and classification.
- (6) Pressure, relief and control installations; location, size and classification.

(7) Odorizing equipment location.

(4) Filing of Maps Required. Each public utility operating within the corporate limits of the City of Wisconsin Dells shall annually file maps indicating extensions, deletions or other changes in its service or facilities subsequent to the last prior filing. Such supplemental filing shall be on regular blueprint paper or paper of equal substance. Two copies of each map shall be filed in the Office of the Director of Public Works.

(5) Notice of Change or Installation. Each of the above indicated public utilities shall, at least ten (10) working days prior to the commencement of work, have submitted a "Utility Installation Permit Application" with the City of Wisconsin Dells Public Works Department for any installation, extension, deletion or other change in facilities including reconstruction. No work on such changes shall be made, except in the case of an emergency, until the above indicated public utilities have received an approved Utility Installation Permit Application indicating that the permit application is sufficient and satisfactory from the Department of Public Works of the City of Wisconsin Dells. Such approval indicating compliance with the required permit shall not alleviate the necessity for obtaining other required permits and easements .

(6) Penalties. Any person, firm or corporation violating any of the provisions of Section 7.02 of this Code shall, upon conviction thereof, forfeit and pay not less than \$25.00 and not more than \$100.00 and the cost of prosecution, and in default of such forfeiture and cost be imprisoned in the county jail until payment of such forfeiture and cost shall be made, but not exceeding 20 days for each violation. Each day of continued violation shall constitute a separate offense.

(7) Repealed.

### **7.03 PARKING SYSTEM**

(1) General. The parking system of the City of Wisconsin Dells is a public utility operated pursuant to Wis. Stat. secs. 66.0805(6) and 66.0829.

(2) Parking Board. The affairs of the system shall be managed by the Parking Board which shall have eight (8) members as follows: Mayor, Director of Public Works or the designee of the Director of the Public Works, Chief of Police or the designee of the Chief of Police, three (3) members of the common council and two (2) public members. The mayor shall appoint the public members, council members, and chair subject to the approval of the Common Council for terms of one (1) year. The public members shall be appointed by the Mayor and approved by the Common Council for staggered terms of three (3) years.

- (3) Authority of Parking Board. The Parking Board shall have general powers to construct, extend, improve, operate, manage and maintain the City parking system as provided by the Common Council and shall make reports and recommendations to the Common Council. Acquisition of real property shall be in the name of the City of Wisconsin Dells and may not be made without the approval of the Common Council.
- (4) Revenue from Parking System. All monies obtained from parking devices and enforcement of street parking lots and collections for violations of parking meter regulations, shall be recorded in a designated account. None of these monies may be pledged or hypothecated in any way without the consent of the Common Council. The Common Council may elect to issue mortgage revenue bonds pursuant to Wis. Stat. § 66.0829.
- (5) Mechanical and Electronic Parking Enforcement Systems. The Parking Board shall provide for the installation, regulation, control, operation and use of mechanical and electronic parking enforcement devices, and shall maintain the devices in good workable and serviceable condition. The Parking Board shall establish fees for parking enforcement subject to approval by the Common Council.
- (6) Payment. Vehicles parked in a City parking space shall pay the fee associated with that space. If the fee is not paid, a forfeiture citation may be issued. The City shall have the discretion to suspend parking enforcement.
- (7) Designation of Parking Places. The Parking Board, or such officers and employees of the City as it shall designate, shall place lines or marks on the curb or on the street about or alongside each meter, to designate the parking space for which the meter is to be used, and each vehicle parking alongside or next to any parking meter shall park within the established lines or markings. It shall be unlawful and an offense to park any vehicle across any such line or mark, or to park a vehicle in a way that it shall not be within the area designated by lines or markings.
- (8) Fraud/Tampering. No person may:
- (a) Use fraudulent means or devices to avoid payment of parking fees; or,
  - (b) Tamper or interfere with a City installed parking device.
- (9) Parking Enforcement
- (a) Metered parking will be enforced daily April 1<sup>st</sup> through September 30<sup>th</sup> between the hours of 9:00a.m. and 10:00p.m.
  - (b) Rates and regulations shall be established by Resolution from recommendations made by the Parking Board and approved by the Common Council; and shall be appropriately displayed, without limitations, in parking areas, on parking devices, and on the City's website .

- (10) Penalties. The default penalty provisions of code sec. 30.04 shall apply to violations of this section; except the penalties for parking violations shall be established and approved as part of the city fee schedule.

## **7.04 SEWERAGE UTILITY, USE AND CHARGES**

(1) Authority and Powers. The Sewerage System Utility is hereby created and shall be operated by the City of Wisconsin Dells as a public utility in accordance with the laws of the State of Wisconsin and the ordinances and resolutions of the City of Wisconsin Dells. The management of said utility shall be conducted in the manner provided in Section 66.0821 of the Wisconsin Statutes, which said section is hereby adopted by reference excepting only that portion which provides for the appointment of a Manager and Cashier. As provided by said section, the Sewerage System Utility shall be operated by the Board of Public Works of the City of Wisconsin Dells. The said Board of Public Works is hereby authorized to take the entire charge and management of said utility and to supervise the operations thereof under the general control and supervision of the Common Council. The Director of Public Works of the City of Wisconsin Dells shall be the Manager of the Sewerage System Utility. The Treasurer of the City of Wisconsin Dells shall be the Cashier of the Sewerage System Utility.

(2) Definitions. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- (a) "City Council" shall mean the City Council for the City of Wisconsin Dells or its duly authorized deputy, agent or representative.
- (b) "BOD" (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 deg. C., expressed in milligrams per liter.
- (c) "Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer beginning five (5) feet outside the inner face of the building wall.
- (d) "Building Sewer" shall mean the extension from the building drain to the public sewer or other place of disposal; also called house connection.

- (e) "Category A" shall be those sanitary sewer users who discharge sewage with concentrations of BOD5 and suspended solids no greater than 300 milligrams per liter (mg/l).
- (f) "Category B" shall be those sanitary sewer users who discharge sewage with concentrations of BOD5 and/or suspended solids greater than 300 milligrams per liter (mg/l) but no greater than 400 milligrams per liter (mg/l).
- (g) "Category C" shall be those sanitary sewer users who discharge sewage with concentrations of BOD5 and/or suspended solids greater than 400 milligrams per liter (mg/l).
- (h) "City" shall mean the City of Wisconsin Dells.
- (i) "Combined Sewer" shall mean a sewer intended to receive both wastewater and storm or surface water.
- (j) "Garbage" shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.
- (k) "Industrial Wastes" shall mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.
- (l) "Industrial User" shall mean any nongovernmental, nonresidential user of the City owned sewerage system which discharges more than the equivalent of 25,000 gallons per day and which is further defined in the Wisconsin Administrative Code, Chapter NR110.03.
- (m) "May" is permissive.
- (n) "Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- (o) "Non-City Customer" shall be any person not receiving sewage collection and treatment facility services by the City of Wisconsin Dells on January 1, 1982.
- (p) "Normal Domestic Strength Sewage" shall mean sewage with concentrations of BOD5 and suspended solids no greater than 300 milligrams per liter (mg/l).

- (q) "Operation and Maintenance Costs" shall include all costs associated with the operation and maintenance of the sewerage works as well as the costs associated with periodic equipment replacement necessary for maintaining capacity and performance of sewerage works.
- (r) "Person" shall mean any individual, firm, company, association, society, corporation or group.
- (s) "pH" shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ion grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of  $10^{-7}$ .
- (t) "Pretreatment" means the treatment of wastewaters to remove or reduce the quantity of one or more pollutants prior to discharge to the sewerage system.
- (u) "Properly Shredded Garbage" shall mean the wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one (1) inch (1.27 centimeters) in any dimension.
- (v) "Premises Connected" are hereby defined as each premises used for human habitation which has a physical and direct connection to the sewerage system, except that if any building is connected by connection to the sewer main of an adjoining building, such building shall be considered a separate connection.
- (w) "Public Sewer" shall mean a publicly owned sewer.
- (x) "POTW" shall mean "Publically Owned Treatment Works". It is used interchangeably with "Wastewater Treatment Facility" (WWTF)
- (y) "Replacement Costs" shall mean expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the service life of the sewage treatment plant to maintain the capacity and performance for which such plant was designed and constructed. Operation and maintenance costs include replacement costs. Replacement costs shall include all costs necessary to accumulate the resources to replace equipment as required to maintain capacity and performance during the design life



of the facilities. A separate segregated distinct replacement fund shall be established and used only for replacement of equipment.

- (z) "Residential Unit" shall be equivalent to an average residential household contributing 73,000 gallons of wastewater per year with BOD<sub>5</sub> and suspended solids concentrations of 200 and 250 mg/l respectively.
- (aa) "Residential User" shall be a user whose contributions to the wastewater treatment works consist only of normal domestic strength waste originating from a house, apartment, flat or living quarters occupied by a person or persons constituting a distinct household.
- (bb) "Sanitary Sewer" shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants and institution, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.
- (cc) "Sewage" is the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions together with any groundwater, surface water and storm water that may be present.
- (dd) ) "Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating sewage.
- (ee) "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.
- (ff) "Sewer Connection Charge" shall be a charge assessed non-city customers for connecting to public sanitary sewers that discharge to the sewerage works.
- (gg) "Sewer Service Charge" is a service charge levied on users of the wastewater collection and treatment facilities for payment of capital-related expenses as well as operation and maintenance costs of said facilities. (User charge, which covers operation and maintenance and replacement costs, is a part of the Sewer Service Charge.)
- (hh) "Sewerage System" includes all street lateral, main and intercepting sewers and structures by which sewage or industrial waste is collected, transported, treated and disposed of. This shall not

include plumbing inside or in connection with a building served or service sewers from a building to the street lateral.

- (ii) "Sewerage Service" comprises the use of and benefit from the sewerage system, including the collection, transportation, pumping, treatment and final disposition of sewage.
- (jj) "Sewerage Works" shall mean all facilities for collecting pumping, treating and disposing of sewage.
- (kk) "Shall" is mandatory.
- (ll) "Slug" shall mean any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow causes the capacity of a public sewer to be exceeded or which adversely affects the operation of the sewage treatment plant.
- (mm) "Standard Methods" shall mean the examination and analytical procedures set forth in the latest addition of 'Standard Methods for the Examination of Water and Wastewater' as prepared, approved and published jointly by the American Public Health Association, American Water Works Association, and the Water Pollution Control Federation and is in compliance with Federal Regulations 40 CFR 136, "Guidelines Establishing Test Procedures for Analysis of Pollutants".
- (nn) "Storm Sewer" shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- (oo) "Suspended Solids" shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater or other liquids and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water & Wastewater" and referred to as nonfilterable residue.
- (pp) "User Charge" is a charge levied on users of the sewerage works as a part of the Sewer Service Charge for payment of operation and maintenance of said facilities.
- (qq) "Watercourse" shall mean a natural or artificial channel for the passage of water either continuously or intermittently.\

(rr) “Wisconsin Pollutant Discharge Elimination System (WPDES) Permit” shall mean the document issued by the State of Wisconsin Department of Natural Resources which establishes effluent limitations and monitoring requirements for a municipal wastewater treatment facility.

(3) Use of Public Sewers Required.

(a) It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the City of Wisconsin Dells or in any area under the jurisdiction of said City, any human or animal excrement, garbage or other objectionable waste.

(b) It shall be unlawful to discharge to any natural outlet within the City of Wisconsin Dells or in any area under the jurisdiction of said City, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

(c) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

(d) The owner of all houses, building or properties used for human occupancy, employment, recreation or other purposes situated within the City and abutting on any street, alley or right-of-way in which there is now located or planned to be located a public sanitary sewer of the City is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within ninety (90) days after date of official notice to do so.

(4) Private Sewage Disposal.

(a) Where a public sanitary or combined sewer is not available under the provisions of Section 7.04(3)(d), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this article.

(b) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Director of Public Works. The application for such permit shall be made to the City Council.

(c) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Director of Public Works. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Director of Public

Works when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the Director of Public Works.

(d) The type, capacities, location and layout of a private sewage disposal system shall be approved by the Wisconsin Department of Industry, Labor and Human Relations. No septic tank or cesspool shall be permitted to discharge to any natural outlet.

(e) At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Section 7.04(4)(d), a direct connection shall be made to the public sewer in compliance with this ordinance, and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material, except that in the case where gravity sewer service is not available, the property may be served by a private sewage disposal system.

(f) The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the City.

(g) No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

(h) When a public sewer becomes available, the building sewer shall be connected to said sewer within ninety (90) days and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt, except as exempted in Section 7.04(4)(e) of this article.

5) (Section reserved for future use.)

6) Building Sewers and Connections.

(a) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Director of Public Works.

(b) There shall be two (2) classes of building sewer permits: (a) for residential and commercial service and (b) for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the City. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgement of the Director of Public Works.

(c) All costs and expenses incident to the installation, connection and maintenance of the building sewer from the connection to the building to the point which is 20 feet from the centerline of the street, shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the said section of the building sewer. All costs and expenses incident to the installation, connection and maintenance of the building sewer from the point 20 feet from the centerline of the street to the public sewer shall be borne by the City except as otherwise provided by this ordinance. Any costs incurred from loss or damage that may be occasioned by the installation of the said section of building sewer shall be borne by the City.

(d) A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. Where existing property is served by one building sewer and is subdivided into two or more parcels which contain buildings used for human occupancy, employment, recreation or other purposes, such buildings will have separate building sewers connecting the building drains to the public sewers.

(e) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Director of Public Works, to meet all requirements of this ordinance.

(f) All building sewers shall be constructed of suitable material not less than four inches (4") in diameter. Non-conducting pipe must be provided with a tracing wire. The size, slope and alignment of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Wisconsin Administrative Code.

(g) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

(h) No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, swimming pools or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.

(i) The connection of the building sewer into the public sewer shall conform to the requirements of the Wisconsin Administrative Code. All such connections shall be made gastight and watertight.

(j) The applicant for the building sewer permit shall notify the Director of Public Works when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Director of Public Works or his representative.

(k) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the City.

(l) Any person desiring to connect a sanitary sewer other than a building sewer to a public sewer, shall make application to the Director of Public Works in writing. The application shall describe the location of the requested connection and the volume and characteristics of the wastewater to be transmitted and shall include a statement that the new sewers and connections to the public sewer system shall be properly designed and constructed and shall be subject to the lawful rules and regulations of the City. Connections will be allowed only when the capacity of downstream collection and treatment facilities is adequate. All construction costs including engineering, materials, labor, inspection and easements shall be the responsibility of the owner(s) of the property for which such connection is desired. Upon completion and City acceptance of the project for which the connection is desired, all of the facilities constructed other than the building sewers shall be conveyed to the City free and clear of any liens and the City shall assume the responsibility for the operation and maintenance of said facilities thenceforth.

(m) Design and construction of sanitary sewers and their connection to the public sewers shall be under the direction of a licensed professional engineer authorized by the owner(s) of the property or the City's engineer if requested by the owner(s). Such engineer shall keep accurate records of the location, depth and length of sewers as built and the location of the Y branches or slants. All costs of such engineering shall be the responsibility of the owner(s). The owner(s) of the property shall notify the proper representative of the City when the sewer is ready for inspection and connection to the public sewer. The connection and testing shall be inspected by said representative.

(7) Use of the Public Sewers.

(a) No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer.

(b) Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the City Council. Industrial cooling water or unpolluted process waters may be discharged, on approval of the City Council, to a storm sewer, combined sewer or natural outlet.

(c) No person shall discharge or cause to be discharged any of the following-described waters or wastes to any public sewers:

(1) Any flammable or explosive liquid solid or gas such as gasoline, benzene, naphtha or fuel oil which has a flash point of its vapor of not less than 140 deg. (60 deg C.).

(2) Any waters or wastes containing toxic or poisonous solids, carcinogens, liquids or gases in sufficient quantity, either singly or by sewage treatment process, constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant.

(3) Any waters or wastes having a pH lower than 6.0 or greater than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

(4) Any other solid, liquid or gaseous substance that is identified by the Environmental Protection Agency as being a hazardous waste and is included in the most current Federal Register listing of hazardous wastes.

(5) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, underground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

(d) No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the City Council that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property or constitute a nuisance. In forming their opinion as to the acceptability of these wastes, the City Council will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of

treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited are:

(1) Any liquid or vapor having a temperature higher than one hundred fifty degrees (150 deg) F (65 deg. C).

(2) Any water or waste from any installations serving institutions or commercial establishments containing grease, fats, wax, oils or like waste products of cookery or processing, or containing grease, fats, wax or oils wasted in connection with utensil, vat, dish or floor cleansing processes.

(3) Any garbage that has not been properly shredded.

(4) Any waters or wastes containing iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.

(5) Materials which exert or cause unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to adversely affect the operation of the sewage treatment works.

(6) Materials which exert or cause volume of flow or concentration of wastes constituting "slugs" as defined herein.

(7) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(e) If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 7.04(d) of this article, and which in the judgement of the City Council may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the City Council may:

(1) Reject the wastes if necessary by blockage, after proper notification is given to the property owner;

(2) Require pretreatment to an acceptable condition for discharge to the public sewers;



(3) Require control over the quantities and rates of discharge and/or;

(4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 7.04(e)(i) of this Article.

If the City Council permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the City Council and subject to the requirements of all applicable codes, ordinances and laws.

(f) Sand and grease traps are regulated as provided in Code Sec. 7.04(8).

(g) Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

(h) When deemed necessary by the City Council, a suitable control manhole shall be constructed on a building sewer carrying industrial wastes and such manhole shall contain such necessary meters, equipment, and other appurtenances to facilitate observation, sampling and measurement of the wastes. The construction cost and maintenance cost of the manhole shall be levied against the property as a special assessment and paid to the City as stipulated by the City Council.

(i) No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the City for treatment, subject to payment therefor, by the industrial concern.

(8) Sand and Grease Traps.

(a) Sand and grease traps shall be provided at restaurants, repair garages, gasoline stations, car washed and other industrial establishments for the proper handling of liquid wastes containing grease in excessive amounts, oil, flammable wastes, sand and other harmful ingredients. Individual exemptions from this requirement may be granted upon review by the Director of Public Works.

(b) All sand and grease traps shall be installed in accordance with the Wisconsin Plumbing Code and shall be readily accessible for cleaning and inspection. A description of the installed system along with manufacturer specifications and location shall be submitted to the Department of Public Works with the first maintenance report following installation.

(c) All sand and grease traps shall be kept in continuous and efficient operation at all times.

(d) Maintenance reports detailing all maintenance performed during the previous year shall be submitted to the Public Works Department annually.

(e) Notice of delinquent maintenance reports shall be provided along with the penalty for failure to report. Any sewerage system user which has not timely filed the required annual maintenance report shall be assessed a penalty not exceeding \$25.00 per day, with each day constituting a separate violation. The penalty shall be assessed from the due date until the date the maintenance report has been received by the Public Works Department.

(9) Powers and Authority of Inspectors and Adoption of State Plumbing Code.

(a) The Director of Public Works and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance. The Director of Public Works or his representatives shall have no authority to inquire into any industrial processes beyond that point having a direct bearing on the kind and source of discharge to the sewers of waterways or facilities for waste treatment.

(b) While performing the necessary work on private properties referred to in Section 7.04(9)(a) above, the Director of Public Works or duly authorized employees of the City shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the City employees and the City shall indemnify the company against loss or damage to its property by City employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.

(c) The Director of Public Works and other duly authorized employees of the City bearing proper credentials and identification shall be permitted to enter all private properties through which the City holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(d) Termination of Service. The Wisconsin Dells Water and Light Utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this ordinance exists and to take such order precautionary measures deemed necessary to eliminate any danger of contamination

of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in Section (e). Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this ordinance.

(e) Immediate Termination. If it is determined by the Wisconsin Dells Water and Light Utility that a cross connection or any emergency endangers the public health, safety or welfare and requires immediate action and a written finding to that effect is filed with the Clerk of the City of Wisconsin Dells and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes, within ten (10) days of such emergency discontinuance.

(f) Adoption of State Plumbing Code. The City of Wisconsin Dells adopts by reference the current State Plumbing code of Wisconsin being Chapters SPS 325 and SPS 381-387, Wisconsin Administrative Code and all future amendments. This ordinance does not supersede the State Plumbing Code and the City of Wisconsin Dells Plumbing Code, Chapter 15 of the Wisconsin Dells Code of Ordinances, but is supplementary to them.

(10) Basis for Sewer Service Charges.

(a) Sewer Users Served by Water Utility Water Meters. There is hereby levied and assessed upon each lot, parcel of land, building or premises having a connection with the sewerage works and being served with water solely by the water utility, a sewer service charge based, in part, on the quantity of water used as measured by the water utility meter used upon the premises.

(b) Sewer Users Served by Private Wells. If any person discharging sewage into the public sewer system procures any part, or all of his water from sources other than the water utility, all or part of which is discharged into the public sewer system, the person shall be required to have water meters installed for the purpose of determining the volume of water obtained from these other sources. Where sewage meters are already installed, the water meters will not be required. The water meters shall be furnished by the water utility and installed by a licensed plumber under the supervision of the City, all costs except the cost of the meter being at the expense of the person requiring the meter.

(c) Sewer Users Not Discharging Into the Sewage Works. The metered water used shall be adjusted and an allowance provided for those users who do not discharge all their metered water into the sewage works. A separate water meter shall be properly installed in such a way that it measures the water not returned to the sanitary sewer or the sewage treatment plant. The water meters shall be obtained

from the City and shall be installed by a licensed plumber under the City's supervision, all costs being at the expense of the person requiring the meter.

(11) Sewer Service Charges.

(a) Sewer Service Charge is a service charge levied on users of the sewerage system for payment of capital expenses as well as the operation and maintenance costs, including replacement of said facilities.

(b) Policy. It shall be the policy of the City of Wisconsin Dells to obtain sufficient revenues to pay the costs of the operation and maintenance of the sewerage facilities, including a replacement fund (i.e., a cash account to be used for future expenditures for obtaining or installing equipment, accessories or appurtenances which are necessary to maintain the capacity and performance of the sewerage system during the service life for which such facilities were designed and constructed), through a system of sewer service charges as defined in this Section. The system shall assure that users of the sewerage system pay their proportionate share of the cost of such facilities.

(c) Basis for Service Charge. The minimum monthly billing shall be sufficient to pay the billing and customer related administrative expenses. The unit price per volume shall be sufficient to pay the remaining annual cost of operation and maintenance, including any replacement fund, of the sewerage facilities. The method for determining the user charges is as provided herein. The rates in this ordinance shall be reviewed not less than every other year. The sewer utility budget shall be assigned to the parameters of flow, BOD, suspended solids and customers' charges. The total pounds of BOD, suspended solids and volume shall be divided into the cost for each parameter. Such review shall be conducted by the City Engineer and the City Clerk. Rates shall be adjusted, as required, to reflect the actual number and amount of users and actual costs. Users will be notified annually of the sewer rate charges.

(d) Sewer Service Charges. A sewer service charge is hereby imposed upon each lot, parcel of land, building, or premises served by the public sewer and wastewater facilities or otherwise discharging sewage, including industrial wastes, into the public sewerage system. Such sewer service charge shall be payable as hereinafter provided and in amount calculated as follows:

1. CATEGORY A is normal or domestic strength wastewater having organic concentration of biochemical oxygen demand (BOD5) less than 200 milligrams per liter (mg/l) and suspended solids (SS) less than 250 milligrams per liter (mg/l). The sewer service charge for Category A wastewater is as follows:

a. The customer sewer service charge, with one customer on each meter, shall be \$8.00 per month.

b. The total volumetric charge shall be \$7.56 per 1000 gallons of total water used during the billing period.

c. The volumetric charge includes the following:

\$4.49 is for operation and maintenance

\$0.93 is for replacement costs

\$2.14 is for debt retirement costs

2. CATEGORY B is wastewater having organic concentrations of biochemical oxygen demand (BOD5) greater than 200 milligrams per liter (mg/l) and/or suspended solids (SS) greater than 250 milligrams per liter (mg/l). The sewer service charge for Category B wastewater is as follows:

a. The customer sewer service charge, with one customer on each meter, shall be \$8.00 per month.

b. The total volumetric charge shall be equal to the volumetric charge for Category A wastewater, plus a High Strength Surcharge. The High Strength Surcharge shall be computed as the pounds of BOD5 discharged during the billing period which is in excess of domestic strength wastewater times a BOD5 unit price of \$0.64 per pound, plus the pounds of SS discharged during the billing period which is in excess of domestic strength wastewater times a SS unit price of \$0.12 per pound.

3. CATEGORY C is septage which has organic concentrations of biochemical oxygen demand (BOD5) greater than 200 milligrams per liter (mg/l) and/or suspended solids (SS) greater than 250 milligrams per liter (mg/l). The sewer service charge for Category C is as follows:

a. The total volumetric charge shall be equal to the volumetric charge for Category A wastewater, plus a Septage Surcharge. The Septage Surcharge shall be computed in the same manner as the High Strength Surcharge for Category B wastewater, with the exception that it will be assumed that holding tank wastewater has a BOD of 600 mg/l and SS of 1800 mg/l, and septic tank wastewater has a BOD of 7000 mg/l and SS of 15,000 mg/l.

b. Based on the above, the total volumetric charge for holding tank wastes shall be \$7.56 per 1000 gallons, and the total volumetric

charge for septic tank wastes shall be \$54.37 per 1000 gallons. In addition to the volumetric charge, a handling fee of \$17.37 per load shall be charged to all septage (holding tank or septic tank wastes) discharged to the collection system.

(e) Reassignment of Sewer Users. The City of Wisconsin Dells will reassign sewer users into appropriate sewer service charge categories if wastewater sampling programs and other related information indicate a change of categories is necessary.

(12) Septic Disposal.

(a) Septage Disposal. Any licensed disposer wishing to discharge septage to the City of Wisconsin Dells wastewater collection system shall file an application in writing to the City Engineer. The application must state fully the type, frequency, quantity, quality, and location of generated septage to be disposed of in the City wastewater collection system. The City Engineer will evaluate the application and make a determination as to the amount and conditions of septage disposal in the City system. If the City of Wisconsin Dells cannot accept all the proposed septage disposal, then consideration shall be given to those generators of septage that are within the sewer service or holding tank service areas as defined at Wis. Admin. Code, sec. NR 205.07(2). All City approvals for septage disposal shall be with condition that if the sewerage system has operational problems, maintenance problems, or threat of WPDES permit violations that are indirectly or directly related to septage disposal, the City may immediately restrict septage disposal until such time as corrective action or mitigative measures have been taken.

(b) Septage shall be discharged to the City's wastewater collection system only by City-approved and State of Wisconsin licensed disposers, and at locations, times, and conditions as specified by the City Engineer. Septage discharges to City specified manholes may be allowed, provided discharge rates are restricted as necessary to facilitate mixing, prevent a backup in the receiving sewer, and prevent a slug load to the wastewater treatment facility. Discharges may be limited to the normal working hours of the City of Wisconsin Dells Public Works Department. Septage disposers shall submit written documentation of each discharge to the City Engineer within one working day of the discharge.

(13) Payment of Sewer Service Charges.

(a) Method of Billing. The sewer service charge shall be payable to the City Treasurer in such manner as may be directed from time to time by the City Council. Any change in the manner of payment shall be published in a newspaper in the form of display or commercial type rather than legal notice form, no less than

three consecutive weeks prior to the commencement of the new billing and paying procedures.

(b) Penalties. A penalty of 1 percent per month for all unpaid amounts shall be added to bills not paid within 20 days from the date of issuance.

(c) Lien for Charges. Sewerage service charges shall be a lien upon the property served pursuant to Section 66.0809(3) of the Wisconsin Statutes and shall be collected in the manner therein provided.

(14) Sewer Connection and Treatment Plant Surplus Capacity Charges.

(a) All non-City customers of the sewerage works receiving such service for the first time after January 1, 1981, shall pay a Sewer Connection Charge to the City. The City Council shall establish the number of residential units assigned to any non-City customer.

(b) An existing customer may have to pay a Sewer Connection Charge if its wastewater changes substantially in quantity or quality. The number of additional residential units shall be assigned by the Approving Authority.

(c) There shall be a single charge of \$500.00 required of any customer who installs a dumping station for campers and recreational vehicles that connects to the sewerage works.

(d) The charges for connection to the sewerage works and for prorate payment of debt service on surplus capacity for the Treatment Plant (per REU) shall be as set for in the schedule of fees established by resolution adopted pursuant to Code sec. 2.05.

2014 – Connection Charge added to schedule of fees \$3025 6% increase per/year

(e) Residential Equivalent Units (REU's). The following schedule shall be used in setting the rates set forth above:

Single family	1 REU
Duplexes	2 REU
Apartments/Condominiums	1 REU/unit
Hotel/Motel	.5 REU/unit
Bars/Taverns-for ea.40 capacity	1 REU
Bowling Alley with bar	.6 REU/alley

Vehicle service garage (20 employees or less)	1 REU
Churches	1 REU
Halls (without kitchen or bar- for each 200 capacity	1 REU
Office Building (for each 20 capacity)	1 REU
Telephone Exchange (for each 20 employees)	1 REU
Barber Shop/Beauty Salon	.4 REU
Nursing Home	.25 REU/bed space
Funeral Home	2 REU
Dentists	1 REU/care station
Medical Clinics	1 REU/5 medical staff personnel
Retail Stores, banks, shops, etc	1 REU/20 employees + .375 REU.1000 sq.ft. floor space
Fire House	1 REU
Car Wash - manual	.25 REU/car station
Car Wash - Automatic	1 REU/400 gal. of est. use
Laundromats	.75 REU/machine
Domestic use from industries	1 REU/20 employees full-time equiva- lent
Restaurants	1 REU/12 seating spaces
Restaurants - 24 hour	1 REU/6 seating spaces
Restaurants - drive-in with paper service	1 REU/25 seating spaces
Schools without meals & showers	1 REU/25 pupils
Schools with meals & without showers	1.5 REU/25 pupils
Schools with meals & showers	2 REU/25 pupils
Mobile Home Park (with collection system)	1 REU/site
Hospitals	.5 REU/bed space
Campgrounds & Camping Resorts	.25 REU/camp site
Camper and/or recreational vehicle dump station	2 REU/station
Amusement Park without food	1 REU/1 acre (gross ares)
Amusement Park with food	1.5 REU/1 acre (gross area)
Public Restrooms	1.5 REU/building
Other	To be determined by City Council



(15) Audit and Supervision.

(a) Annual Audit. The City shall conduct an annual audit, the purpose of which shall be to maintain the proportionality between users and user classes of the user charge system and to insure that adequate revenues are available relative to increasing operation, maintenance and replacements costs.

(b) Notification. The City shall, at least annually, notify the users of current or any change in the portion of user charges and ad valorem taxes attributable to wastewater treatment services.

(c) Supervision of Common Council. It is not the intention of the City of Wisconsin Dells in establishing this utility to subject its operations to the control of the Public Service Commission of the State of Wisconsin and it is hereby specifically provided that this utility is subject to the general control and supervision of the Common Council of the City of Wisconsin Dells only except as provided by Section 66.0821(5) of the Wisconsin Statutes.

(16) (Reserved for future use.)

(17) Penalties.

(a) Any person found to be violating any provisions of Section 1-10 of this ordinance shall be served by the Director of Public Works with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

(b) Any person who shall continue any violation beyond the time limit provided for in Section 17(a), shall, on conviction thereof, forfeit an amount not less than \$100 and not more than \$5,000 together with costs and disbursement. Each day in which any such violation shall continue shall be deemed a separate offense.

(c) Any person violating any of the provisions of this ordinance shall become liable to the City for any expense, loss or damage occasioned the City by reason of such violation.

## **7.05 FRANCHISE FOR GAS SERVICE**

(1) Franchise Granted to Wisconsin Power and Light Company. There is hereby granted Wisconsin Power and Light Company, a public utility corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, with its principal office at Madison, Wisconsin, a franchise, license and permit to supply, in public service, gas to the City of Wisconsin Dells, Columbia County, Wisconsin, and to its inhabitants.

(2) Gas to be Supplied. The gas will primarily be natural gas as received from the pipeline company, but may from time to time contain varying proportions of manufactured gas. The characteristics of the gas received from the pipeline company may vary or be changed from time to time within the limits permitted under regulations of the Federal Power Commission, and the characteristics of the gas delivered to the customer may vary or be changed from time to time within the limits permitted under regulation of the Public Service Commission of Wisconsin.

(3) Construction of Gas Facilities. There is hereby granted to Wisconsin Power & Light Company for the purpose of enabling the company to furnish gas service to the City of Wisconsin Dells and to its inhabitants, the right and authority to place, lay, maintain and repair gas mains and gas laterals, and other necessary and proper appurtenance, in the streets, alleys and public ways and grounds in the City of Wisconsin Dells.

(4) Damage to Highway Improvements. A condition of the franchise, license and permit is that the Wisconsin Power & Light Company shall not damage highway improvements without restoring the damaged portions to a condition of repair equal to that existing prior to such damage.

## **7.06 COLLECTION OF ARREARAGES**

(1) Authority. This code section authorizes the use of the procedures under Wis. Stat. sec. 66.0809(3) for the collection of arrearages for electric service provided by the Wisconsin Dells Public Works Department.

(2) Procedure.

- (a) On October 15 in each year, notice shall be given to the owner or occupant of all lots or parcels of real estate to which utility services have been furnished prior to October 1 by the Wisconsin Dells Public Works Department and payment for which is owing and in arrears at the time of giving the notice .

- (b) The notice shall be given by the Wisconsin Dells Public Works Department.
- (c) The notice shall be in writing and shall state:
  - 1. the amount of arrears, including any penalty assessed pursuant to the rules of the utility;
  - 2. that, unless the amount is paid by November 1, a penalty of 10% of the amount of arrears will be added; and,
  - 3. that, unless the arrears, with any added penalty, are paid by November 15, the arrears and penalty will be levied as a tax against the lot or parcel of real estate to which the utility service is furnished and for which payment is delinquent.
- (d) The notice may be served by delivery to either the owner or occupant, personally; or, by letter addressed to the owner or occupant at the post office address of the lot or parcel of real estate.
- (e) On November 16, the Wisconsin Dells Public Works Department shall certify and file with the Clerk a list of all lots or parcels of real estate, giving the legal description for which notice of arrears was given and for which arrears remain unpaid, stating the amount of arrears and penalty.
- (f) Each delinquent amount, including the penalty, becomes a lien upon the lot or parcel of real estate to which the utility service was furnished and payment for which is delinquent; and, the Clerk shall insert the delinquent amount and penalty as a tax against the lot or parcel of real estate.
- (g) All proceedings in relation to the collection of general property taxes and to the return and sale of property for delinquent taxes apply to the tax if it is not paid within the time required by law for payment of taxes upon real estate.
- (h) If an arrearage is for utility service, furnished and metered by the Wisconsin Dells Public Works Department directly to a mobile home unit in a licensed mobile home park, the notice shall be given to the owner of the mobile home unit; and, the delinquent amount becomes a lien on the mobile home unit rather than on the parcel of real estate on which the mobile home is located. A lien on a mobile home unit may be enforced using the procedures under Wis. Stat. sec. 779.48(2).

## **7.07 WATER SYSTEM CROSS CONNECTION CONTROL**

(1) **Definition of Cross Connection.** A cross connection is defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the City of Wisconsin Dells' 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.

(2) **Unprotected Cross Connections Prohibited.** No person, firm, or cross connection. Cross Connections shall be protected as required in Wis. Admin. Code Chap. SPS 382.

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

(4) **Right of Entry.** Upon presentation of credentials, a representative of the water utility shall have the right to request entry, at any reasonable time, to a property served by a connection to the public water system for the purpose of inspecting the property for cross connections. Refusing entry to such utility representative shall be sufficient cause for the water utility to discontinue water service to the property. If entry is refused, a special inspection warrant under Wis. Stat. sec. 66.0119 may be obtained.

(5) **Provision of Requested Information.** The water utility may request an owner, lessee, or occupant of property served by a connection to the public water system to furnish the water utility with pertinent information regarding the piping systems on the property. Refusing to provide requested information shall be sufficient cause for the water utility to discontinue water service to the property.

(6) **Discontinuation of Water for Violation.** The water utility may discontinue water service to any property wherein any unprotected connection in violation of this ordinance exists, and take other precautionary measures deemed necessary to eliminate any danger or contamination of the public water system. Water service may be discontinued, however, only after reasonable notice and opportunity for hearing under Wis. Stat. Chap. 68. Water service to such property shall not be restored until the unprotected cross connection has been eliminated.

(7) **Emergency Discontinuance.** If it is determined by the water utility that an unprotected cross connection or emergency endangers public health, safety, or welfare, and requires

immediate action, and if a written finding to that effect is filed with the City Clerk and delivered to the customer's premises, water service may be immediately discontinued. The customer shall have an opportunity for hearing under Wis. Stat. Chap. 68 within 10 days of such emergency discontinuance. Water service to such property shall not be restored until the unprotected cross connection has been eliminated.

## **7.08 WELLS**

(1) Coverage. It is the intention of this Ordinance to provide that all private wells located on any premises which is served by the public water system of the City of Wisconsin Dells shall be properly filled pursuant to Sections 3 and 4 of this Ordinance. Only those wells for which a well operation permit has been granted by the City Clerk may be exempted from this requirement; subject to conditions of maintenance and operation.

(2) Well Operation Permits. A permit may be granted to a well owner to operate a well for a period not to exceed five (5) years if the following requirements 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 State of Wisconsin or its 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. Application shall be made on forms provided by the City Clerk and shall be accompanied by a fee as established by resolution adopted pursuant to Section 2.05. The following conditions must be met for the issuance or renewal of a well operation permit:

(a) The well and pump installation meet the requirements of Chapter NR 812, Wisconsin Administrative 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) The well has a history of producing safe water and presently produces 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. The samples will be taken by the Wisconsin Dells DPW with a private well owner representative present. The land owner is responsible for obtaining the required testing which must be performed by a licensed professional.

(c) The well and pump system be evaluated by a licensed well driller or pump installer and certified to comply with Ch. NR 812 subch. IV, prior to issuing the initial permit and every 10 years afterwards;

(d) Written documentation of the well and pump inspection indicating compliance with Ch. NR 812 requirements using standardized forms provided by the department;

(e) There shall be no cross-connections between the piping of the public water system and the private well.

(f) The proposed use of the well can be justified as being necessary in addition to water provided by the public water system.

(3) Methods. Wells to be abandoned shall be filled according to the procedures outlined in Chapter NR 812, Wisconsin Administrative Code. The pump and piping must be removed and the well checked for obstructions prior to plugging. Any obstruction or liner must be removed.

(4) Reports and Inspection. A well abandonment report must be submitted by the well owner to the Department of Natural Resources on forms provided by that agency (available at the Office of the City Clerk). The report shall be submitted immediately upon completion of the filling of the well. The filling must be observed by a representative of the City of Wisconsin Dells.

(5) Penalties. Any person, firm or other well owner violating any provision of this ordinance shall upon conviction be punished by a fine of not less than \$25.00 nor more than \$75.00 to be imposed by the Director of Public Works, together with the cost of prosecution. Each 24-hour period during which a violation exists shall be deemed and constitute a separate offense.

## CHAPTER 7 REVISIONS

08-22-77 A-12  
06-18-79 A-35  
10-15-84 A-136  
03-25-85 A-144 Creates penalty if utility bill not paid within 20 days from issuance.  
11-21-85 A-140  
01-16-86 A-157  
10-27-88 A-209  
10-27-88 A-210  
03-20-89 A-224  
04-18-89 A-226  
10-16-89 A-245  
09-16-91 A-293  
01-20-92 A-303  
05-28-92 A-311  
12-22-94 A-356 Fee for Well Permit  
11-17-97 A-417 Well Permit Fee referred to Schedule of Fees. 7.08(2)  
12-24-97 A-419 Delinquent Utility Bills to Tax Roll - 7.02(7)  
02-06-02 A-497 Collection of delinquent utility bills. 7.02(7) repealed. 7.06 created.  
06-30-04 A-555 Changes Board to Committee  
03-25-06 A-598 Creates a Utility Installation Permit application process. 7.02(5)  
02-22-14 A-738 Sewer rate increase. 7.04 repealed and recreated.  
09-26-15 A-777 Update to parking fees, enforcement and signage. 7.03(6)  
12-30-15 A-782 Sewer Rate Increase. 17% 7.04(11)(d)(1)-(3)  
01-23-16 A-788 Repeals & Recreates 7.03  
07-18-16 A-800 Parking Enforcement 7.03(9)  
11-26-20 A-857 Updates to Private Wells 7.08  
04-28-22 A-876 Adopts WisDNR water service connections model  
[03-30-23 A-892 Allows Director of Public Works & Police Chief designees on Parking Board](#)  
04-25-24 A-905 Amended and created Sand & Grease Traps