

Chapter 13

WATER UTILITY



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13.01 Management of the Water Utility

The water utility of the village is governed by the village board pursuant to Wis. Stats..

13.02 Rates, Rules, and Regulations

- (1) **Generally.** The rates, rules, and regulations of the water utility shall be those approved by the village board, and shall be on file with and approved by the Wisconsin Public Service Commission (PSC).
- (2) **Operating Rules.** All persons applying for or receiving a water supply from the utility or who may hereinafter make application thereof shall be considered as having agreed to be bound by all rules and regulations as filed with the PSC.
- (3) **PSC Rules and Regulations Applicable.** All applicable PSC rules and regulations which are currently in existence or as subsequently amended are incorporated herein by reference. Copies of all current PSC rules and regulations shall be kept on file in the office of the administrator.

13.03 Issuance of Permit

Upon the filing of a properly executed application together with the permit fee, as set from time to time by the village board, the plumbing inspector shall ascertain whether a proposed connection to the water utility fulfills the rules and requirements of the water department of the City of Madison, which is furnishing water to the water works system of the village. In the event that the rules and regulations of the water department of the City of Madison are complied with in the installation of the connection, then the plumbing inspector shall issue a permit for the connection; otherwise the plumbing inspector shall deny the same.

13.04 Payment to the Village of Return on Investment

The village water utility shall pay to the general fund out of net annual earnings, after paying operating costs, maintenance, depreciation and taxes, a return on the net investment of the general fund of the village as allowed by the PSC in the water utility or such lesser percent as

may be earned in each calendar year, provided, however, that the village board may by resolution or ordinance provide for the use of such earnings for improvements and extensions of the water utility.

13.05 Private Wells

- (1) **Purpose.** The purpose of this section is to prevent unused and/or improperly constructed wells from serving as a passage for contaminated surface or near-surface waters or other materials to reach the usable ground water.
- (2) **Coverage.** All private wells located on any premises which are served by the village water utility shall be properly filled and sealed. Only those wells for which a well operation permit has been granted by the plumbing inspector are exempt from this requirement.
- (3) **Well Operation Permit.** A permit may be granted to a well owner to operate a well for a period not to exceed three years if the following requirements are met:
 - (a) The well and pump installation meet the requirements of the Wisconsin Administrative Code, and a well-constructor's report is on file with the State of Wisconsin Department of Natural Resources (DNR), or certification of the acceptability of the well has been granted by the private water supply section of the DNR.
 - (b) The well has a history of producing safe water and currently produces bacteriologically safe water as evidenced by three samplings two weeks apart.
 - (c) The proposed use of the well can be justified as being necessary in addition to water provided by the public water system.
 - (d) No physical connection exists between the piping of the public water system and the private well.
- (4) **Methods of Abandonment.** Wells to be abandoned shall be filled and sealed according to the procedures outlined in the Wisconsin Administrative Code.
- (5) **Reports and Inspection.** A well abandonment report must be submitted by the well owner to the DNR on forms provided by that agency. The report shall be submitted immediately upon completion of the filling of the well. The filling must be observed by the village's designated representative.

13.06 Cross Connection Control and Backflow Prevention

- (1) **Purpose.** The purpose of this ordinance is:
 - (a) To protect the health and welfare of users of the public potable water supply of Village of Shorewood Hills from the possibility of contamination or pollution of the potable water system(s) under the direct authority of the Village of Shorewood Hills Public Water Utility.
 - (b) To promote for the control and/or elimination of existing cross

connections (actual or potential) between the customer's potable water system(s) and other environment(s) containing substance(s) which may contaminate or pollute the water supply.

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

(2) **Definitions**

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

- (3) **Cross Connection Prohibited.** No person shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply, other than the public water supply of the utility, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply have been approved by the utility and the Wisconsin Department of Natural Resources.
- (4) **Responsibility.** The Village of Shorewood Hills shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to backflow of contaminants or pollutants. The utility shall charge fees according to the utility's "Cross Connection Control Manual" for maintaining a Comprehensive Cross Connection Control Protection Plan.
- (5) **Owner Responsibility.** The property owner shall be responsible for the protection of the customer's potable water system. The responsibilities include the elimination of or protection from all cross connections on their premises. The owner shall, at their own expense, install, maintain and test any and all backflow preventers on their premises in compliance with the Department of Safety & Professional Services 382.21 requirements and the utility's "Cross Connection Control Manual". The property owner shall have corrected any malfunction revealed by periodic testing of any backflow preventer on their premises. The property owner shall inform the utility of any proposed or modified cross connections and also any existing cross connections that are not protected by an approved backflow prevention means. The property owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type in the by-pass. Property owners who cannot shut down operation for testing of the backflow prevention assembly must supply additional assemblies necessary to allow testing and maintenance to take place. In the event the property owner installs potable water using fixtures, equipment or appurtenances upstream of a backflow preventer, such must have its own approved backflow prevention means. The property owner is required to follow the protection practices described in the American Water Works Association publication AWWA M-14 titled "Recommended Backflow Prevention and Cross Connection Control", United States Environmental Protection Agency publication titled "Cross Connection Control Manual", Wisconsin Department of Safety & Professional Services Plumbing Code, 382-384 and the utility's "Cross Connection Control Manual", unless the utility requires or authorizes other means of protecting the potable water supply system. These requirements or authorizations will be at the discretion of the utility.
- (6) **Inspections.** It shall be the duty of the utility to cause surveys to be made of all properties serviced by the utility where cross connections with the public water system is deemed possible. Residential properties serviced by the utility shall be surveyed on a 10-year interval. The utility may, but is not required to, perform the cross connection survey of the customer's property. If, in the opinion of the utility, the utility is not able to perform the survey, the property owner must, at

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

- (7) **Right of Entry.** Upon presentation of credentials, representatives of the utility shall have the right to request entry at any reasonable time to examine property served by a connection to the public potable water system of the utility for cross connections. If entry is refused, such representatives shall obtain a special inspection warrant under s.66.122, Wisconsin Statutes. The utility shall charge the property owner a fee of per day for refusal to allow entry to examine any property. Upon request, the owner, lessee or occupant of any property served shall furnish to the inspection agency any pertinent information regarding the piping system on such property.
- (8) **Authority to Discontinue Service.** The utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists and to take such other precautionary measures deemed necessary to eliminate any damage or contamination of the potable water system. Water service shall be discontinued if the means of backflow prevention required by the utility is not installed, tested, maintained and/or repaired in compliance with this ordinance, the Department of Safety & Professional Services Plumbing Code 382-384 and the utility's "Cross Connection Control Manual", or if it is found that the means of backflow prevention required by this ordinance has been removed or bypassed. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in subsection (9) of this section.
- (9) **Reconnection of Service.** Water service to any property disconnected under provisions of this ordinance shall not be restored until the cross connection(s) has been eliminated or a backflow prevention means approved by the utility has been installed in compliance with the provisions of this section.
- (10) **Emergency Discontinuance of Service.** If it is determined by the utility that a cross connection or an emergency endangers public health safety or welfare and requires immediate action, service may be immediately discontinued. The owner, lessee or occupant shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes within 10 days of such emergency discontinuance. Such hearing shall be before the Village of Shorewood Hills and shall conform to all

existing due process requirements.

- (11) **Plumbing Code.** The Village of Shorewood Hills adopts by reference the Wisconsin State Plumbing Code being Chapter SPS 382-384, Wisconsin Administrative Code. This section does not supersede the Wisconsin Uniform Plumbing Code and/or the Village of Shorewood Hills Ordinance No. , but is supplementary to it.