

**ORDINANCE 2015-01**

**AN ORDINANCE REPEALING AND RE-CREATING  
SECTION 9 CHAPTER 1 OF THE  
VILLAGE OF FREDONIA CODE OF ORDINANCES  
PERTAINING TO WATER UTILITY RATES AND REGULATIONS**

**CHAPTER 1**

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**Water Utility Rates and Regulations**

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## **Article A: Rates**

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### **Sec. 9-1-1 Public Fire Protection Service – F-1.**

Public fire protection service includes the use of hydrants for fire protection service only and such quantities of water as may be demanded for the purpose of extinguishing fires within the service area. This service shall also include water used for testing equipment and training personnel. For all other purposes, the metered or other rates set forth, or as may be filed with the Public Service Commission, shall apply.

The annual charge for public fire protection service to the Village of Fredonia shall be \$139,504. The utility may bill for this amount in equal quarterly installments.

Billing: Same as Schedule Mg-1.

### **Sec. 9-1-2 Private Fire Protection Service – Unmetered - Upf-1,**

This service shall consist of permanent or continuous unmetered connections to the main for the purpose of supplying water to private fire protection systems such as automatic sprinkler systems, standpipes, and private hydrants. This service shall also include reasonable quantities of water used for testing check valves and other backflow prevention devices.

Quarterly Private Fire Protection Service Demand Charges:

2 – inch or smaller connection	- \$	24.00
3-inch connection	- \$	45.00
4-inch connection	- \$	81.00
6-inch connection	- \$	150.00
8-inch connection	- \$	201.00
10-inch connection	- \$	321.00
12-inch connection	- \$	450.00
14-inch connection	- \$	585.00
16-inch connection	- \$	705.00

Billing: Same as Schedule Mg-1.

## Sec. 9-1-3 General Service – Metered – Mg-1.

### Quarterly Service Charges (All Customer Classes)

5/8-inch meter - \$	17.25	3-inch meter - \$	120.00
3/4-inch meter - \$	17.25	4-inch meter - \$	183.00
1-inch meter - \$	28.50	6-inch meter - \$	309.00
1-1/4-inch meter - \$	42.00	8-inch meter - \$	471.00
1-1/2-inch meter - \$	54.00	10-inch meter - \$	675.00
2-inch meter - \$	78.00	12-inch meter - \$	879.00

### Plus Volume Charges:

#### Residential Customers

All water used per quarter    -\$2.85 per 1,000 gallons

#### Multi-Family Customers

All water used per quarter    -\$2.75 per 1,000 gallons

#### Non-Residential Customers

All water used per quarter    -\$2.30 per 1,000 gallons

**Residential Class** includes single-family homes, duplexes, and individually-metered condominiums, apartments, and mobile homes.

**Multi-family Class** includes master-metered multi-family dwelling units such as condominium complexes, apartment buildings, and mobile home parks.

**Nonresidential Class** includes commercial, industrial, and public authority customers. Commercial customers include business entities and institutions, except government entities, that provide goods or services. Churches and parochial schools are not governmental and are classified as commercial. Industrial customers include customers who are engaged in the manufacture or production of goods. Public Authority customers include any department, agency, or entity of local, state, or federal government, including public schools, colleges, and universities.

Billing: Bills for water service are rendered quarterly and become due and payable upon issuance following the period for which service is rendered. A late payment charge of 1 percent per month will be added to bills not paid within 20 days of issuance. This late payment charge shall be applied

to the total unpaid balance for utility service, including unpaid late payment charges. This late payment charge is applicable to all customers. The utility customer may be given a written notice that the bill is overdue no sooner than 20 days after the bill is issued. Unless payment or satisfactory arrangement for payment is made within the next 10 days, service may be disconnected pursuant to Wis. Admin. Code Ch. PSC 185.

Combined Metering: For residential customers, volumetric readings from all meters on a single service lateral shall be combined for billing. For nonresidential customers, volumetric readings may be combined for billing if the utility for its own convenience places more than one meter on a single water service lateral. Multiple meters placed for the purpose of identifying water that is not discharged into the sanitary sewer are not considered for utility convenience and may not be combined for billing nonresidential customers. This requirement does not preclude the utility from combining readings where metering configurations support such an approach. Volumetric readings from individually metered separate service laterals may not be combined for billing purposes.

#### **Additional Meter Rental Charge – Am-1**

Upon request, the utility shall furnish and install additional meters to:

- A. Water service customers for the purpose of measuring the volume of water used that is not discharged into the sanitary sewer system; and
- B. Sewerage service customers who are not customers of the water utility for the purpose of determining the volume of sewage that is discharged into the sanitary sewer system.

The utility shall charge a meter installation charge of \$12.00 and a quarterly rental fee for the use of this additional meter.

Quarterly Additional Meter Rental Charges:

5/8-inch meter - \$	8.40
3/4-inch meter - \$	8.40
1-inch meter - \$	14.25
1-1/4-inch meter - \$	21.00
1-1/2-inch meter - \$	27.00
2-inch meter - \$	39.00

This schedule applies only if the additional meter is installed on the same service as the primary meter and either:

- A. The additional meter is 3/4-inch or smaller if the metering configuration is the Addition Method; or
- B. The additional meter is 2-inch or smaller for all other metering configurations.

If the additional meter is larger than 2-inch, or larger than 3/4-inch and installed in the Addition Method, each meter shall be treated as a separate account and Schedule Mg-1 rates shall apply.

Billing: Same as Schedule Mg-1.

### **Other Charges**

Payment Not Honored by Financial Institution Charge: The utility shall assess a \$20.00 charge when a payment rendered for utility service is not honored by the customer's financial institution. This charge may not be in addition to, but may be inclusive of, other such charges when the payment was for multiple services.

Billing: Same as Schedule Mg-1.

### **Public Service**

#### Metered Service

Water used by the Village of Fredonia on an intermittent basis for flushing sewers, street washing, flooding skating rinks, drinking fountains, etc., shall be metered and billed according to the rates set forth in Schedule Mg-1 for nonresidential customers.

#### Unmetered Service

Where it is impossible to meter the service, the utility shall estimate the volume of water used based on the pressure, size of opening, and the period of time the water is used. The estimated quantity shall be billed at the volumetric rates set forth in Schedule Mg-1 for nonresidential customers, excluding any service charges.

Billing: Same as Schedule Mg-1.

## **Sec. 9-1-4 General Water Service – Unmetered Ug-1.**

Service may be supplied temporarily on an unmetered basis where the utility cannot immediately install a water meter, including water used for construction. Unmetered

service shall be billed the amount that would be charged to a metered residential customer using 12,000 gallons of water per quarter under Schedule Mg-1, including the service charge for the 5/8-inch meter. If the utility determines that actual usage exceeds 12,000 gallons of water per quarter, an additional charge for the estimated usage shall be made according to the rates under Schedule Mg-1.

This schedule applies only to customers with a 1-inch or smaller service connection. For customers with a larger service connection, the utility shall install a temporary meter and charges shall be based on the rates set forth under Schedule Mg-1.

Billing: Same as Schedule Mg-1.

### **Sec. 9-1-5 Seasonal Service Sg-1**

Seasonal customers are general service customers who voluntarily request disconnection of water service and who resume service at the same location within 12 months of the disconnection, unless service has been provided to another customer at that location in the intervening period. The utility shall bill seasonal customers the applicable service charges under Schedule Mg-1 year-round, including the period of temporary disconnection.

Seasonal Service shall include customers taking service under Schedule Mg-1, Schedule Ug-1, or Schedule Am-1.

Upon reconnection, the utility shall apply a charge under Schedule R-1 and require payment of any unpaid charges under this schedule.

Billing: Same as Schedule Mg-1 unless the utility and customer agree to an alternative payment schedule for the period of voluntary disconnection.

### **Sec. 9-1-6 Bulk Water BW-1**

All bulk water supplied from the water system through hydrants or other connections shall be metered or estimated by the utility. Utility personnel or a party approved by the utility shall supervise the delivery of the water.

Bulk water sales are:

- A. Water supplied by tank trucks or from hydrants for the purpose of extinguishing fires outside the utility's service area;
- B. Water supplied by tank trucks or from hydrants for purpose other than extinguishing fires, such as water used for irrigation or filling swimming pools; or,

- C. Water supplied from hydrants or other temporary connections for general service type applications, except that Schedule Ug-1 applies for water supplied for constructive purposes.

A service charge of \$12.00 and a charge for the volume of water used shall be billed to the party using the water. The volumetric charge shall be calculated using the highest volumetric rate for residential customers under Schedule Mg-1. In addition, for meters that are assigned to bulk water customers for more than 7 days, the applicable service charge in Schedule Mg-1 will apply after the first 7 days.

The water utility may require a reasonable deposit for the temporary use of its equipment under this and other rate schedules. The deposit(s) collected shall be refunded upon return of the utility's equipment. Damaged or lost equipment shall be repaired or replaced at the customer's expense.

Billing: Same as Schedule Mg-1.

### **Sec. 9-1-7 Reconnection Charges – R-1.**

The utility shall assess a charge to reconnect a customer, which includes reinstalling a meter and turning on the valve at the curb stop, if necessary. A utility may not assess a charge for disconnecting a customer.

During normal business hours	\$12.00
After normal business hours	N/A

Billing: Same as Schedule Mg-1.

### **Sec. 9-1-8 Water Lateral Installation Charge – Cz-1.**

The utility shall charge a customer for the actual cost of installing a water service lateral from the main through curb stop and box if these costs are not contributed as part of a subdivision development or otherwise recovered under Wis. Stats. Chapter 66.

Billing: Same as Schedule Mg-1.

### **Sec. 9-1-9 through 9-1-19 Reserved for Future Use.**



## **Article B: Rules and Regulations**

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### **Sec. 9-1-20 Compliance with Rules.**

All persons now receiving water service from this 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.

### **Sec. 9-1-21 Establishment of Service.**

- (a) Application for water service may 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, the 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) The 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 the property owner has agreed to and complied with the provisions of the water 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 the 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 of 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.

### **Sec. 9-1-22 Reconnection of Service.**

- (a) Where the water utility has disconnected service at the owner's request, a reconnection charge shall be made when the customer requests reconnection of service. See Schedule R-1 for the applicable rate
- (b) A reconnection charge shall also be required from customers whose services are disconnected (shut off at curb stop box) because of nonpayment of bills when due. See Schedule R-1 for the 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.

### **Sec. 9-1-23 Temporary Metered Supply, Meter and Deposits.**

An applicant for temporary water service 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 the applicable rate.

### **Sec. 9-1-24 Water for Construction.**

- (a) When water is requested for construction purposes or for filling tanks or other such uses, an application shall be made to the water 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) Customers shall not allow contractors, masons, or other persons to take unmetered water from their premises without permission from the water utility. Any customer 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.

### **Sec. 9-1-25 Use of Hydrants.**

- (a) In cases where no other supply is available, permission may be granted by the water 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 the use of the hydrant, the customer must notify the water utility to that effect.

### **Sec. 9-1-26 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 that are designated for the specific use.

### **Sec. 9-1-27 Refunds of Monetary Deposits.**

All money 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.

### **Sec. 9-1-28 Service Connection.**

- (a) No water service 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 or 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 supplies 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 the water supply for the greatest probable number of fixtures or appliances operating simultaneously.

### **Sec. 9-1-29 Replacement and Repair of Service Laterals.**

- (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 the curb to the point of metering or use within such time as may appear reasonable to the water utility, the water will be shut off and will not be turned on again until the repairs have been completed.

### **Sec. 9-1-30 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.

### **Sec. 9-1-31 Charges for Water Wasted Due to Leaks.**

See Wis. Admin. Code PSC 185.35 or Schedule X-4, if applicable.

### **Sec. 9-1-32 Thawing Frozen Service Laterals.**

See Wis. Admin. Code PSC 185.88 or Schedule X-4, if applicable.

### **Sec. 9-1-33 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.

### **Sec. 9-1-34 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 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 rates.

### **Sec. 9-1-35 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 premises of hot water or steam in the meter, shall be paid for by the customer or the owner of the premises.

### **Sec. 9-1-36 Service Piping for Meter Settings.**

When 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 the meter setting.

- (a) Meters will be repaired by the water department and the cost of such repairs caused by ordinary wear and tear will be borne by the utility.
- (b) Repair of any damage to a meter resulting from the carelessness of the owner of the premises, his agent, or tenant, or from the negligence of any of them to properly secure and protect same, including any damage that may result from allowing a water meter to become frozen or to be injured from the presence of hot water or steam in the meter, shall be paid for by the consumer or the owner of the premises.

### **Sec. 9-1-37 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.

### **Sec. 9-1-38 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.

### **Sec. 9-1-39 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 or minimum 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.
- (c) See Wis. Admin. Code PSC 185.33.

## **Sec. 9-1-40 Complaint Meter Tests.**

See Wis. Admin. Code PSC 185.77.

## **Sec. 9-1-41 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.

## **Sec. 9-1-42 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 water supply at the curb stop. The owner of the premises shall be liable for prosecution for any damage to the water utility's property. See "Abandonment of Service" in Schedule X-1 for further information.

## **Sec. 9-1-43 Deposits for Residential Service.**

See Wis. Admin. Code PSC 185.36.

## **Sec. 9-1-44 Deposits for Nonresidential Service.**

See Wis. Admin. Code PSC 185.361.

## **Sec. 9-1-45 Dispute Procedures.**

See Wis. Admin. Code PSC 185.39.

## **Sec. 9-1-46 Disconnection and Refusal of Service.**

See Wis. Admin. Code PSC 185.37.

The following is an example of a disconnection notice that the utility may use to provide the notice to customers.

### DISCONNECTION NOTICE

Dear Customer:

The bill enclosed with this notice includes your current charge for water utility service and your previous unpaid balance.

You have 10 days to pay the water utility service arrears or your service is subject to disconnection.

If you fail to pay the service arrears or fail to contact us within 10 days allowed to make reasonable deferred payment arrangement or other suitable arrangement, we will proceed with disconnection action.

To avoid the inconvenience of service interruption and an additional charge of (amount) for reconnection, we urge you to pay the full arrears IMMEDIATELY AT ONE OF OUR OFFICES.

If you enter into a Deferred Payment Arrangement with us and have failed to make the deferred payments you agreed to, your service will be subject to disconnection unless you pay the entire amount due within 10 days.

If you have a reason for delaying the payment, call us and explain the situation.

PLEASE CALL THIS TELEPHONE NUMBER (telephone number), IMMEDIATELY IF:

1. You dispute the notice of delinquent amount.
2. You have a question about your water service utility arrears.
3. You are unable to pay the full amount of the bill and are willing to enter into a deferred payment agreement with us.
4. There are any circumstances you think should be taken into consideration before service is discontinued.
5. Any resident is seriously ill.

Illness Provision: If there is an existing medical emergency in your home and you furnish the water utility with a statement signed by either a licensed Wisconsin physician or a public health official, we will delay disconnection of service up to 21 days. The



statement must identify the medical emergency and specify the period of time during which disconnection will aggravate the existing emergency.

Deferred Payment Agreements: If you are a residential customer and you are unable to pay the full amount of the water utility service arrears on your bill, you may contact the water utility to discuss arrangement to pay the arrears over an extended period of time.

This time payment agreement will require:

1. Payment of a reasonable amount at the time the agreement is made.
2. Payment of the remainder of the outstanding balance in monthly installments over a reasonable length of time.
3. Payment of all future water utility service bills in full by the due date.

In any situation where you are unable to resolve billing disputes or disputes about the grounds for proposed disconnection through contacts with our water utility, you may make an appeal to the Public Service Commission of Wisconsin by calling (800) 225-7729.

(WATER UTILITY NAME)

## **Sec. 9-1-47 Collection of Overdue Bills.**

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

## **Sec. 9-1-48 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 water utility will reconnect the service 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 customer must further agree to comply with reasonable requirements to protect the water utility against further losses.

See Wis. Stat. 98.26 and 943.20

### **Sec. 9-1-49 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.

### **Sec. 9-1-50 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.

### **Sec. 9-1-51 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.

### **Sec. 9-1-52 Protective Devices.**

- a) Protective Devices in General: The owner or occupant of every premise receiving water supply shall apply and maintain suitable means of protection of the premise supply and all appliances 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 cut out devices. There shall be 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.

## **Sec. 9-1-53 Cross Connection Control.**

- (a) **Definition.** A cross connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Village water system, and the other 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.
- (b) **Cross Connections Restricted.** No person, firm or corporation shall establish or maintain or permit to be established or maintained any unprotected cross connection. Cross connection shall be protected as required in SPS 382, Wisconsin Administrative Code.
- (c) **Inspections.** The water utility shall inspect or arrange for an inspection of residential, office type, and Village owned property served by the public water system for cross connections every ten (10) years or when the meter is replaced; whichever occurs first. These properties shall be inspected during the year that ends in the same number as the property address. Other commercial, industrial, and public authority properties shall hire their own inspector every two years and submit the results to the Village. These properties shall be inspected during an even number year if their street address is an even number and during an odd number year if their street address is an odd number. Any unprotected cross connections identified by the inspection shall be promptly corrected. Failure to promptly correct an unprotected cross connection shall be sufficient cause for the water utility to discontinue water service to the property, as provided under Section (e) of this ordinance.
- (d) **Right of Entry.** The Village of Fredonia Director of Public Works or his authorized representative shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the Village of Fredonia for cross connections. Refusing entry to such utility

- representative shall be sufficient cause for the water utility to discontinue water service to the property as provided under Section (e) of this ordinance. If entry is refused, such representative may obtain a special inspection warrant under S. 66.119, Wisconsin statutes.
- (e) **Discontinuance of Service.** The Fredonia Water 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 other 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 (f). 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.
  - (f) **Emergency Discontinuance.** If it is determined by the Fredonia Water Utility that a cross connection or an emergency endangers public health, safety or welfare and required immediate action, and a written finding to that effect is filed with the Clerk of the Village of Fredonia 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.
  - (g) **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, as provided under Section (e) of this ordinance.
  - (h) **State Code Adopted.** The Village of Fredonia adopts by reference the State Plumbing Code of Wisconsin, being Chapter SPS 382, Wisconsin Administrative Code.
  - (i) **Section Not to Supersede Other Ordinances.** This section does not supersede the State Plumbing Code and any Village plumbing ordinances but is supplementary to them.

## **Sec. 9-1-54 Water Main Extension Rule.**

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 paragraph A.

2. Part of the contribution required in paragraph B.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 paragraph 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 paragraph 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 paragraph A.

## **Sec. 9-1-55 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 the 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.

This ordinance shall take effect and be in force one day after its passage and posting as provided by law.

PASSED AND ADOPTED by the Fredonia Village Board, Ozaukee County, Wisconsin, this \_\_\_\_ day of \_\_\_\_\_, 2015.

FREDONIA VILLAGE BOARD

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Donald Dohrwardt  
Village President

ATTEST:

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Village Clerk