

ARTICLE B

Rules and Regulations

SEC. 5-2-22 COMPLIANCE WITH RULES.

All persons now receiving a water supply from the Village of St. Cloud water utility, or who may hereafter make application therefor, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin.

SEC. 5-2-23 ESTABLISHMENT OF SERVICE.

- (a) Application for water service shall be made in writing on a form furnished by the water utility. The application will contain the legal description of the property to be served, name of the owner, the exact use to be made of the service, and the size of the supply pipe and meter desired. (Note particularly any special refrigeration and/or air-conditioning water-consuming appliances.)
- (b) Service will be furnished only if:
 - (1) premises have a frontage on a properly platted street or public strip in which a cast iron or other long-life water main has been laid, or where property owner has agreed to and complied with the provisions of the utility's filed main extension rule,
 - (2) property owner has installed or agrees to install a service pipe from the curb line to the point of use, and laid not less than six (6) feet below the surface of an established or proposed grade, and according to utility's specification, and
 - (3) premises have adequate piping beyond metering point.
- (c) The owner of a multi-unit dwelling has the option of being served by individual metered water service to each unit. The owner, by selecting this option, is required to provide interior plumbing and meter settings to enable individual metered service to each unit and individual disconnection without affecting service to other units. Each meter and meter connection will be a separate water utility customer 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 meterage of the supply to an adjoining lot or parcel of land. No division of a water supply service shall be made at the curb for separate supplies therefrom for two (2) or more separate premises having frontage on any street or public service strip whether owned by the same or different parties.
- (e) The superintendent is hereby empowered to withhold approval of any application wherein full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner.

SEC. 5-2-24 SERVICE CONTRACT.

- (a) The minimum service contract period shall be one (1) year unless otherwise specified by special contract or in the applicable rate schedule. Where a customer, at his request, has been disconnected (meter removed) prior to expiration of his minimum contract period and his account is not delinquent, and where thereafter he requests the reconnection of service in the same or other location, a reconnection charge payable in advance, shall be collected. (See Section 5-2-9 for applicable rate.) The minimum contract period is renewed with each reconnection.

- (b) A reconnection charge shall also be required from consumers whose services are disconnected (shut off at curb stop) because of non-payment of bills when due, (not including disconnection for failure to comply with deposit or guarantee rules). (See Section 5-2-9 for applicable rate.)
- (c) A consumer shall be considered as the same consumer provided the reconnection is requested for the same location by any member of the same family, or if a place of business, by any partner or employee of the same business.

SEC. 5-2-25 WATER FOR CONSTRUCTION.

- (a) When water is requested for construction purposes, or for filling tanks or other such uses, an application therefor shall be made to the superintendent, in writing, upon application provided for that purpose in the Water Utility office, 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 shall be made in advance at the scheduled rates. The service pipe must be installed inside the building from where the water must be drawn. No connection with the service pipe at the curb shall be made without special permission from the superintendent.
- (b) In no case will any employee of the utility turn on water for construction work unless the contractor first presents a permit. Upon completion of the construction work, the contractor must return the original permit to the Water Utility, together with a statement of the actual amount of construction work performed.
- (c) Consumers shall not allow contractors, masons or other persons to take water from their premises without first showing a permit from the Utility. Any consumer failing to comply with this provision will have water service discontinued.

SEC. 5-2-26 OPERATION OF VALVES AND HYDRANTS; UNAUTHORIZED USE OF WATER; PENALTY.

Any person who shall, without authority of the superintendent, 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 ordinances. Permits for the use of hydrants apply only to such hydrants as are designated for the specific use.

SEC. 5-2-27 REFUNDS OF MONETARY DEPOSITS.

All monies deposited as security for payment of charges arising from the use of temporary water supply on a metered basis, or for the return of a sprinkling valve wheel or reducer, 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 wheel and reducer.

SEC. 5-2-28 SERVICE CONNECTIONS (OR WATER LATERALS).

- (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 pipe, unless adequate means of protection are provided by sand filling or such other insulation as may be approved by the superintendent. Service pipes 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 pipe and 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 pipe must be protected against injury by carefully hand tamping the ground filling, free from hard lumps, rocks, stones, or other injurious material, around and at least six (6) inches over the pipe.
- (c) All water supplies shall be of undiminished size from the street main in to the point of meter placement. Beyond the meter outlet valve the piping shall be sized and proportioned to provide, on all floors, at all times, an equitable distribution of water supply for the greatest probable number of fixtures or appliances operating simultaneously. All such service shall comply with the provisions of the State Plumbing Code and shall be inspected by the Village Building Inspector.

SEC. 5-2-29 SERVICE PIPING FOR METER SETTINGS.

- (a) In cases where a new customer whose service is to be metered installs the original service piping or where an existing metered customer changes his service piping for his own convenience, or where an existing flat rate customer requests to be metered, the customer shall, at his expense, provide a suitable location and the proper connections for the meter. The water superintendent should be consulted as to the type and size of meter setting. Where it is possible to set meters in the basement, or other suitable place within the building, a short nipple shall be inserted after the stop and waste cock, then a union, and then another nipple and coupling of the proper length. The nipple attached to the union and coupling shall be cut to a standard length provided by the plans of the superintendent (he may require a horizontal run of eighteen (18) inches in such pipe line) which may later be removed for the insertion of the meter into the supply line.
- (b) No permit will be given to change from metered to flat rate service.

SEC. 5-2-30 TURNING ON WATER.

The water cannot be turned on for a consumer except by a duly authorized employee of the utility. When a plumber has completed a job, he must leave the water turned off. This does not prevent him from testing his work.

SEC. 5-2-31 FAILURE TO READ METERS.

- (a) Where the utility is unable to read a meter after two (2) successive attempts, 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 quarter 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 minimum bill paid the preceding month. Only in unusual cases or where approval is obtained from the customer shall more than two (2) consecutive estimated bills be rendered.

- (b) If the meter is damaged (see Surreptitious Use of Water) or fails to operate, the bill will be based on the average use during the past year unless there is some reason why the use is not normal. If the average use cannot be properly employed, the bill will be estimated by some equitable method.

SEC. 5-2-32 COMPLAINT METER TESTS.

If a customer requests, the utility shall promptly make an accuracy test in addition to the periodic or installation test if twenty-four (24) months or more has elapsed since the last complaint test of the same meter in the same location. If less than twenty-four (24) months has expired, there will be a charge of Two (\$2.00) Dollars per inch of nominal size or fraction thereof, payable in advance. If the meter is found fast in excess of two (2%) percent, any payment that was made for the test will be refunded and there will be an adjustment for past billings. (See Wis. Adm. Code PSC Sections 185.61 through 185.78.)

SEC. 5-2-33 THAWING FROZEN SERVICES.

See Wis. Adm. Code, Chapter PSC 185.89.

SEC. 5-2-34 STOP BOXES.

The consumer shall protect the stop box in the terrace and shall keep the same free from dirt and other obstructions. The utility shall not be liable for failure to locate stop box and shut off the water in case of a leak on the consumer's premises.

SEC. 5-2-35 INSTALLATION OF METERS.

Meters will be furnished and placed by the utility and are not to be disconnected or tampered with by the consumer. All meters shall be so located that they shall be protected from obstructions and permit ready access thereto for reading, inspection, and servicing, such location to be designated or approved by the superintendent. All piping within the building must be supplied by the consumer. Where additional meters are desired by the consumer, he shall pay for all piping and an additional amount sufficient to cover the cost of maintenance and depreciation, but not less than twenty-five (25¢) cents per month.

SEC. 5-2-36 REPAIRS TO METERS.

- (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 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 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. 5-2-37 REPLACEMENT AND REPAIR OF SERVICE PIPE.

- (a) Where the property owner requests that a larger service lateral be installed to replace an existing smaller diameter pipe, an allowance of Fifteen (\$15.00) Dollars will be made as a deduction in the cost, providing the new service is to be installed in the same ditch as the existing service pipe.
- (b) The service pipe 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 utility. The property owner shall maintain the service pipe from the curb stop to the point of use.
- (c) If a consumer fails to repair a leaking or broken service pipe from curb to point of metering or use within such time as may appear reasonable to the superintendent after notification has been served on the consumer by the superintendent, the water will be shut off and will not be turned on again until the repairs have been completed.

SEC. 5-2-38 CHARGES FOR WATER WASTED DUE TO LEAKS.

See Wis. Adm. Code, Chapter PSC 185.35(6).

SEC. 5-2-39 INSPECTION OF PREMISES.

During reasonable hours any officer or authorized employee of the utility shall have the right of access to the premises supplied with service, for the purpose of inspection or for the enforcement of the utility's rules and regulations. At least once every twelve (12) months the utility will make a systematic inspection of all unmetered water taps for the purpose of checking waste and unnecessary use of water.

SEC. 5-2-40 CUSTOMER'S DEPOSITS.

- (a) **NEW RESIDENTIAL SERVICE.** The utility may require a cash deposit or other guarantee as a condition of new residential service if, and only if, the customer has an outstanding account balance with the utility which accrued within the last six (6) years, and which at the time of the request for new service remains outstanding and not in dispute.
- (b) **EXISTING RESIDENTIAL SERVICE.** The utility may require a cash deposit or other guarantee as a condition of continued service if, and only if, either or both the following circumstances apply:
 - (1) Service has been shut off or discontinued within the last twelve (12) months for violation of these rules and regulations or for nonpayment of a delinquent bill for service which is not in dispute.
 - (2) Credit information obtained by the company subsequent to the initial application indicates that the initial application for service was falsified or incomplete to the extent that a deposit would be required under these rules and regulations.
- (c) **COMMERCIAL AND INDUSTRIAL SERVICE.** If the credit for an applicant for commercial or industrial service has not been established to the satisfaction of the utility, he may be required to make a deposit or otherwise guarantee to the utility payment of bills for service.
- (d) **CONDITIONS OF DEPOSIT.** See Wis. Adm. Code, Chapter PSC 185.36(4).

- (e) REFUND OF DEPOSITS. The utility shall review the payment record of each residential customer with a deposit on file at not less than twelve- (12) month intervals and shall not require or continue to require a deposit unless a deposit could be required under the conditions stated above. In the case of a commercial or industrial customer the utility shall refund the deposit after twenty-four (24) consecutive months of prompt payment if the customer's credit standing is satisfactory to the company. Payment shall be considered "prompt" if it is made prior to notice of disconnection for nonpayment of a bill not in dispute. Any deposit or portion thereof refunded to a customer shall be refunded by check unless both the customer and the company agree to credit the regular bill or unless service is terminated, in which case the deposit with accrued interest shall be applied to the final bill and any balance returned to the customer promptly.
- (f) OTHER CONDITIONS. A new or additional deposit may be required upon reasonable written notice of the need therefor if such new or additional deposit could have been required under the circumstances when the initial deposit was made. Service may be refused or disconnected for failure to pay a deposit request as provided in the rules. When service has been disconnected for failure to make a deposit, or for failure to pay a delinquent bill, or for failure to comply with the terms of a Deferred Payment Agreement, and satisfactory arrangements have been made to have service restored, a reconnection charge as specified elsewhere in these rules, shall be paid by the customer as a condition to restoration of service.
- (g) GUARANTEE CONTRACTS.
 - (1) The utility may accept, in lieu of a cash deposit, a contract signed by a guarantor satisfactory to the company, whereby payment of a specified sum not exceeding the cash deposit requirement is guaranteed. The term of a guarantee contract shall be two (2) years, but shall automatically terminate after the customer has closed his account, or at the guarantor's request upon thirty (30) days' written notice to the utility.
 - (2) Upon termination of a guarantee contract or whenever the company deems same insufficient as to amount or surety, a cash deposit or a new or additional guarantee may be required upon reasonable written notice to the customer. Service to any customer who fails to comply with these requirements may be refused, or upon eight (8) days' written notice, disconnected.
 - (3) The Utility shall mail the guarantor copies of all disconnect notices sent to the customer whose account he has guaranteed unless the guarantor waives such notice in writing.
 - (4) In lieu of a cash deposit or guarantee, an applicant for new service who has an outstanding account accrued within the last six (6) years with the utility shall have the right to receive service from the company under a Deferred Payment Agreement as provided in these Rules and Regulations for the outstanding account balance.

SEC. 5-2-41 DISCONNECTION AND REFUSAL OF SERVICE.

- (a) REASONS FOR DISCONNECTION. Service may be disconnected or refused for any of the following reasons:
 - (1) Failure to pay a delinquent account or failure to comply with the terms of a Deferred Payment Agreement.
 - (2) Violation of the utility's rules and regulations pertaining to the use of service in a manner which interferes with the service of others or to the operation of nonstandard equipment, if the customer has first been notified and provided with reasonable opportunity to remedy the situation.

- (3) Failure to comply with deposit or guarantee arrangements as provided for in these rules and regulations.
- (4) Diversion of service around the meter.
- (b) **DISCONNECTION FOR DELINQUENT ACCOUNTS.**
 - (1) A bill for service is delinquent if unpaid after the due date shown on the bill. The utility may disconnect service for a delinquent bill by giving the customer, at least eight (8) calendar days prior to disconnection, a written disconnect notice which may be included with the bill for service. For purposes of this rule, the due date shall not be less than twenty (20) days after issuance.
 - (2) The utility may disconnect without notice where a dangerous condition exists for as long as the condition exists. Service may be denied to any customer for failure to comply with the applicable requirements of the rules and regulations of the Public Service Commission or of these rules and regulations, or if a dangerous or unsafe condition exists on the customer's premises.
 - (3) The utility shall notify the Fond du Lac County Department of Health and Social Services at least five (5) calendar days prior to any scheduled disconnection of residential service if the customer or responsible person has made a written request for this procedure. The utility shall apprise customers of this right upon application for service. If service to a residential customer which has been disconnected has not been restored within twenty-four (24) hours after disconnection, the utility shall notify the appropriate county Sheriff's Department of the billing name and service address and that a threat to health and life might exist to persons occupying the premises.
- (c) **DEFERRED PAYMENT AGREEMENT.**
 - (1) The utility shall offer Deferred Payment Agreements to residential customers. The Deferred Payment Agreement shall provide that service will not be discontinued for the outstanding bill if the customer pays a stated reasonable amount of the outstanding bill and agrees to pay a stated reasonable portion of the remaining outstanding balance in installments until the bill is paid. In determining what amounts are "reasonable," the parties shall consider the:
 - a. Size of the delinquent account.
 - b. Customer's ability to pay.
 - c. Customer's payment history.
 - d. Time that the debt has been outstanding.
 - e. Reasons why the debt has been outstanding.
 - f. Any other relevant factors concerning the circumstances of the customer.
 - (2) In the Deferred Payment Agreement it shall state immediately preceding the space provided for the customer's signature and in boldface print at least two (2) sizes larger than any other used thereon, the following:

"IF YOU ARE NOT SATISFIED WITH THIS AGREEMENT, DO NOT SIGN. IF YOU DO SIGN THIS AGREEMENT YOU GIVE UP YOUR RIGHT TO DISPUTE THE AMOUNT DUE UNDER THE AGREEMENT EXCEPT FOR THE UTILITY'S FAILURE OR REFUSAL TO FOLLOW THE TERMS OF THIS AGREEMENT."
 - (3) A Deferred Payment Agreement shall not include a finance charge.
 - (4) If an applicant for service has not fulfilled the terms of a Deferred Payment Agreement, the utility shall have the right to disconnect service or refuse service in accordance with these rules and under such circumstances, it shall not be required to offer subsequent negotiation of a Deferred Payment Agreement prior to disconnection.
 - (5) Any payments made by the customer in compliance with a Deferred Payment Agreement, or otherwise, shall be first considered made in payment of the previous account balance with any remainder credited to the current bill.

(d) DISPUTE PROCEDURES.

- (1) Whenever the customer advises the utility's designated office prior to the disconnection of service that all or part of any billing as rendered is in dispute, or that any matter related to the disconnection is in dispute, the company shall investigate the dispute promptly and completely, advise the customer of the results of the investigation, attempt to resolve the dispute, and provide the opportunity for the customer to enter into a Deferred Payment Agreement when applicable in order to settle the dispute.
- (2) After the customer has pursued the available remedies with the utility, he may request that the Public Service Commission's staff informally review the disputed issue and recommend terms of settlement.
- (3) Any party to the dispute after informal review may make a written request for a formal review by the Commission. If the Commission decides to conduct a formal hearing on the dispute, the customer must pay fifty (50%) percent of the bill in dispute or post a bond for that amount on or before the hearing date. Failure to pay the amount or post the bond will constitute a waiver of the right to a hearing. Service shall not be disconnected because of any disputed matter while the disputed matter is being pursued under the disputes procedure. In no way does this relieve the customer from the obligation of paying charges which are not disputed.
- (4) The form of disconnection notice to be used is as follows:

DISCONNECTION NOTICE

Dear Customer:

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

You have 8 days to pay the utility service arrears or your service is subject to disconnection.

If you fail to pay the service arrears, or fail to contact us within the 8 days allowed to make reasonable time payment arrangements, we will proceed with disconnection action.

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

If you have entered into a Deferred Payment Agreement with us and have failed to make the time payment you agreed to, your service will be subject to disconnection unless you pay the amount due within 8 days.

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

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

1. You have a question about your utility service arrears.

2. You are unable to pay the full amount of the bill and are willing to enter into a time payment agreement with us.
3. There are any circumstances you think should be taken into consideration before service is discontinued.
4. Any resident is seriously ill.

Illness Provision

If there is an existing medical emergency in your home and you furnish the 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, for some reason, you are unable to pay the full amount of the utility service arrears on your bill, you may contact the Utility to discuss arrangements 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 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 utility, you may make an appeal to the Wisconsin Public Service Commission, Madison, Wisconsin.

(UTILITY NAME)

- (5) In the event the utility is not able to collect any bill for water service even though Deposit and Guarantee Rules are on file, the bill may be put upon the tax roll as provided in Section 66.069, Wisconsin Statutes.

SEC. 5-2-42 SURREPTITIOUS USE OF WATER.

- (a) When the utility has reasonable evidence that a consumer is obtaining his supply of water, in whole or in part, by means of devices or methods used to stop or interfere with the proper metering of the utility service being delivered to his equipment, the utility reserves the right to estimate and present immediately a bill for service unmetered as a result of such interference and such bill shall be payable subject to a twenty-four (24) hour disconnection of service. When the utility shall have disconnected the consumer for any such reason, the utility will reconnect the consumer upon the following conditions:

- (1) The consumer will be required to deposit with the utility an amount sufficient to guarantee the payment of the consumer's bills for utility service to the utility.
 - (2) The consumer will be required to pay the utility for any and all damages to its equipment on the consumer's premises due to such stoppage or interference with its metering.
 - (3) The consumer must further agree to comply with reasonable requirements to protect the utility against further losses.
- (b) Sections 98.26 and 943.20, Wisconsin Statutes, as relating to water service, are hereby adopted and made a part of these rules.

SEC. 5-2-43 VACATION OF PREMISES.

When premises are to be vacated, the utility shall be notified in writing at once, so that it may remove the meter and shut off the supply at the curb cock. The owner of the premises shall be liable to prosecution for any damage to the property of the water department by reason of failure to notify the utility of vacancy.

SEC. 5-2-44 REPAIRS TO MAINS.

The utility reserves the right to shut off the water in the mains temporarily, to make repairs, alterations or additions to the plant or system. When the circumstances will permit of sufficient delay, the company will give notification, by newspaper publication or otherwise, of the discontinuance of the supply. No rebate will be allowed to consumers for such temporary suspension of supply.

SEC. 5-2-45 DUTY OF SUPERINTENDENT WITH RESPECT TO SAFETY OF THE PUBLIC.

It shall be the duty of the superintendent to see that all open ditches for water mains, hydrants, and service pipes are properly guarded to prevent accident to any person or vehicle and at night there shall be displayed amber signal light in such manner as will, so far as possible, insure the safety of the public.

SEC. 5-2-46 HANDLING WATER MAINS AND SERVICE PIPES IN SEWER OR OTHER TRENCHES.

- (a) Where excavating machines are used in digging sewers, all water mains shall be maintained at the expense of the contractor.
- (b) Contractors must ascertain for themselves the existence and location of all service pipes. Where they are removed, cut or damaged in the construction of a sewer, the contractor must at his own expense cause them to be replaced or repaired at once. He must not shut off the water service pipes from any consumer for a period exceeding six (6) hours.

SEC. 5-2-47 SETTLING MAIN OR SERVICE TRENCHES.

Trenches in unpaved streets shall be refilled with moist, damp earth, or by means of water tamping. When water tamping is used, the water shall be turned into the trench after the first twelve (12) inches of backfill has been placed and then the trench shall be kept flooded until the remainder of the backfill has been put in.

SEC. 5-2-48 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 thereof, against damage arising in any manner from the use of the water supply, variation of water pressure, or any interruption of water supply. Particularly, such owner or occupant must protect water-cooled compressors for refrigeration systems by means of high pressure safety cutout devices. There shall likewise be provided means for the prevention of the transmission of water ram or noise of operation of any valve or appliance through the piping of their own or adjacent premises.
- (b) **RELIEF VALVES.** On all "closed systems" (i.e., systems having a check valve, pressure regulator, or reducing valve, water filter or softener) an effective pressure relief valve shall be installed either in the top tapping or the upper side tapping of the hot water tank, or on the hot water distributing pipe connection at the tank. A one-half (1/2) inch drain pipe shall be connected to the relief valve for discharge on the floor or into a sink or open drain through an air gap. No stop valve shall be placed between the hot water tank and the relief valve or on the drain pipe.
- (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 have a diameter not less than that of the pipe it serves and a length not less than fifteen (15) diameters of said supply pipe. Where possible, the air chamber should be provided at its base with a valve and drain cock for water drainage and replenishment of air.

SEC. 5-2-49 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, 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.
- (b) **CROSS CONNECTIONS PROHIBITED.** No person, firm or corporation 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 regular public water supply of the Village may enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Water Utility and by the Wisconsin Department of Natural Resources in accordance with Section NR 111.25(3), Wisconsin Administrative Code.
- (c) **INSPECTIONS.** It shall be the duty of the Water Utility to cause inspections to be made of all properties served by the public water system where cross connections with the public water system is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be as established by the Water Utility and as approved by the Wisconsin Department of Natural Resources.
- (d) **RIGHT TO INSPECT.** Upon presentation of credentials, the representative of the Water Utility 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 Village for cross connections. If entry is refused, such representative shall obtain a special

- inspection warrant under Sec. 66.122, Wis. Stats. On request the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.
- (e) **DISCONTINUATION OF SERVICE.** The Water 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 danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wis. Stats., except as provided in Subsection (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) **IMMEDIATE DISCONTINUATION.** If it is determined by the Water Utility that a cross connection or an emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is filed with the Clerk of the Village and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Chapter 68, Wis. Stats., within ten (10) days of such emergency discontinuance.
 - (g) **STATE CODE ADOPTED.** The Village adopts by reference the State Plumbing Code of Wisconsin being Chapter H 62, Wisconsin Administrative Code.
 - (h) **SECTION NOT TO SUPERCEDE OTHER ORDINANCES.** This Section does not supercede the State Plumbing Code and any Village plumbing ordinances but is supplementary to them.

SEC. 5-2-50 PRIVATE WELL ABANDONMENT.

- (a) **ALL PRIVATE WELLS TO BE FILLED.** Except as hereinafter provided, no premises serviced by the public water system of the Village of St. Cloud shall have a private well. Any private well on such premises shall be abandoned. All abandoned wells shall be filled according to the procedures outlined in Chapter NR 112, 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. All filling shall be observed by the Superintendent. A well abandonment report shall be prepared immediately upon completion of the filling of the well and submitted by the well owner to the Wisconsin Department of Natural Resources on forms provided by that agency.
- (b) **EXCEPTIONS.** Excepted from the requirements of (a) herein are the following:
 - (1) All wells for which a well operation permit has been granted by the Village Clerk, provided that such wells remain operational and maintained. Well operation permits shall be issued as provided in (c) herein.
 - (2) All wells in use on or before January 1, 1986. With respect to such wells, the requirements of (a) herein shall not apply until ownership of the premises served by such private well is first transferred by sale or gift on or after January 1, 1986. The requirement of (a) herein shall apply six (6) months following date of any such transfer of ownership.
 - (3) Wells in use at the time that public water services are first extended to the premises served by such private well. With respect to such wells, the requirements of (a) herein shall not apply until ownership of said premises is first transferred by gift or sale following extension of public water services to the premises. The requirements of (a) herein shall apply six (6) months following date of any such transfer of ownership.

- (4) All abandoned wells subject to the requirements of (a) herein at the effective date of this ordinance shall be filled on or before July 1, 1986. All other wells which shall become subject to the requirements of this ordinance following the effective date of this ordinance shall be filled within six (6) months of the date when such well shall first become subject to the requirements of (a) herein.
- (c) **WELL OPERATION PERMITS.** A permit may be granted to a well owner to operate a well for a period not to exceed one (1) year if the following requirements are met. Application shall be made on forms provided by the Village Clerk-Treasurer. Well operation permits may be renewed upon reapplication with the Village Clerk-Treasurer, provided the requirements herein shall continue to be met.
- (1) The well and pump installation meets the requirements of Chapter NR 112, 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;
 - (2) The well has a history of producing safe water and presently produces bacteriologically safe water as evidenced by three (3) samplings two (2) weeks apart;
 - (3) The proposed use of the well can be justified as being necessary in addition to water provided by the public water system; and
 - (4) No physical connection shall exist between the piping of the public water system and the private well.
- (d) **PENALTIES.** Any person who shall violate any provision of this section shall be subject to a forfeiture of not less than Twenty (\$20.00) Dollars nor more than Five Hundred (\$500.00) Dollars, together with costs. Each twenty-four (24) hour period during which a violation exists shall be considered to constitute a separate offense.