

CHAPTER 7

WATER SERVICE

7.01 WATER SERVICE RULES ADOPTED. (a) The Common Council having authorized the preparation of revised rules and regulations for the water utility of the City of Platteville, designated therein as “Rules and Regulations for Water Utility of Platteville Wisconsin” as part of the code of general ordinances of said City and a part of the Municipal Code thereof, which ordinance has been on file in the office of the City Clerk for more than two weeks, the printed copy of such ordinance on file in the office of the City Clerk is hereby adopted as part of the general ordinances of the City of Platteville as a revision of Chapter 7 of the Municipal Code thereof and same shall have the force of law upon publication of this ordinance.

(b) Such ordinance shall be published in book or pamphlet form suitable for public distribution, and a copy thereof shall remain permanently on file in the office of the City Clerk where it shall be available for public inspection.

7.02 WATER SYSTEM CROSS-CONNECTION CONTROL. (a) Statement of Policy. Whereas, it is the City of Platteville’s intent to provide a program for protecting the public water system from contamination due to back flow of contaminants through the water service connection into the public water system; and

Whereas, Chapters NR811 and Comm 82, Wisconsin Administrative Code, require protection of the public water system from contaminants due to back flow of contaminants through the water service connection; and

Whereas, the Wisconsin Departments of Natural Resources and Commerce require the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination of all potable water systems;

Now, Therefore, the following are adopted by the Common Council.

(b) That 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 City of Platteville 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.

CHAPTER 7 Water Service

- (c) That 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 City of Platteville 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 Platteville Water & Sewer Commission and by the Wisconsin Department of Natural Resources in accordance with Section NR811.09 Wisconsin Administrative Code.
- (d) That it shall be the duty of the Platteville Water & Sewer Department 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 Platteville Water & Sewer Commission and as approved by the Wisconsin Department of Natural Resources.
- (e) That upon presentation of credentials, the representative of the Platteville Water & Sewer Department shall have the right to request entry at any reasonable time to examine any property served by the connection to the public water system of the City of Platteville for cross-connections. If entry is refused, such representative shall obtain a special inspection warrant under Section 66.0119, Wisconsin Statutes. Upon 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.
- (f) That the Platteville Water & Sewer Commission 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 subsection (g). Water service to such property shall not be restored until the cross-connection(s) has been eliminated in compliance with the provisions of this section.
- (g) That if it is determined by the Platteville Water & Sewer Commission 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 City of Platteville 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 10 days of such emergency discontinuance.
- (h) That the City of Platteville adopts by reference the State Plumbing Code of Wisconsin being Comm 82 and 84, Wisconsin Administrative Code.

- (i) That this section does not supersede the State Plumbing Code and the City of Platteville plumbing ordinance, but is supplementary to them.

7.03 PRIVATE WELL ABANDONMENT (DECOMMISSIONING). (a) Purpose. In order to prevent private wells from serving as a passage for contaminated surface or near-surface waters or other materials to reach the usable ground water, private wells that are not longer in use, for which a well permit has expired or that fail to meet the requirements of NR 812 must be properly filled and sealed as provided herein.

(b) Coverage. Except as provided herein, all private wells located on any premises which are served by the public water system of the City of Platteville shall be properly filled and sealed by May 1, 1987. Only those wells for which a well operation permit has been granted by the Director of Public Works are exempt from this requirement; subject to conditions of maintenance and operation as set forth in the permit.

(c) Well Operation Permits. A permit may be granted to a well owner to operate a well for a period not to exceed five years if the following requirements are met.

A. The well and pump installation meet the requirements of Chapter NR812, Wisconsin Administrative Code, and a well constructor's report is on file with the Department of Natural Resources, or certification of the acceptability of the well has been granted by the Private Water Supply Section of the Department of Natural Resources.

B. The well has a history of producing safe water and presently produces bacteriologically safe water as evidenced by one sampling.

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 shall exist between the piping of the public water system and the private well.

(d) Methods. Wells to be abandoned shall be filled and sealed according to the procedures outlined in Chapter NR812, 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.

(e) Reports and Inspection. A well abandonment report must be submitted by the well owner to the Department of Natural Resources on forms provided by that agency. The report shall be submitted immediately upon the well being filled and sealed. The filling and sealing must be observed by a representative of the Platteville Water

CHAPTER 7 Water Service

& Sewer Department. The owner must submit a copy of the well abandonment report to the Water & Sewer Department.

- (f) Penalties. The penalties for violating this section shall be as set forth in section 1.10. Each day during which a violation exists shall constitute a separate offense.

7.04 LEAD WATER SERVICE LINE REPLACEMENT. (a) INTENT AND PURPOSE.

The Common Council of the City of Platteville finds that it is in the public interest to establish a comprehensive program for the removal and replacement of lead pipe water service lines in use within both the City utility's water system and in private systems and, to that end, declares the purposes of this section to be as follows:

- A. To ensure that the water quality at every tap of utility customers meets the water quality standards specified under federal law;
- B. To reduce lead in city drinking water to meet the Environmental Protection Agency (EPA) standards and ideally to a lead contaminant level of zero in city drinking water for the health of City residents;
- C. To eliminate the constriction of water flow caused by mineral rich groundwater flowing through lead water service pipes and the consequent buildup of mineral deposits inside lead pipes; and
- D. To meet the Wisconsin Department of Natural Resources (WDNR) requirements for local compliance with the Lead and Copper Rule (see 56 CFR 6460, 40 CFR parts 141.80-141.90 and Wis. Admin Code NR 809.541-809.55), as may be amended.

(b) DEFINITIONS.

- A. "City water system" means the water supply system owned by and located within the City.
- B. "Customer service line" means the portion of a water service line that extends from the outlet of the curb stop to the inlet of a customer's water meter.
- C. "Lead service line" means (i) all or a portion of a water service line constructed of lead, and/or (ii) all or a portion of a water service line constructed of galvanized material that is or was downstream of lead. The term includes both customer service lines and utility service lines.
- D. "Utility" means the Platteville Water and Sewer Utility.

CHAPTER 7 Water Service

- E. "Utility service line" means the portion of a water service line from the water main to the outlet of the curb stop, including the curb stop, but not the outlet joint of the curb stop.
- F. "Water service line" means the service line that extends from the water main to a customer's water meter.

(c) IDENTIFICATION OF LEAD SERVICE LINES.

- A. Upon notice from the Utility, any person or entity who owns, manages or otherwise exercises control over a property connected to the Utility's water distribution system shall allow the Utility to inspect the customer service line to determine the material of construction as authorized pursuant to Section 196.171 et. seq., Wisconsin Statutes.
- B. Upon presentation of credentials, representatives of the 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 the Utility for inspection of the service line. If entry is refused, such representatives may obtain a special inspection warrant under Section 66.0119, Wisconsin Statutes. Upon request, the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system on such property.
- C. The Utility shall create and maintain a record of the location of all identified lead service lines served by the Utility.
- D. The Utility shall provide written notice to any person or entity who owns, manages or otherwise exercises control over a property connected to the Utility's water distribution system that has been inspected and determined to be constructed of lead.

(d) LEAD SERVICE LINE REPLACEMENT.

- A. The following service line material combinations are subject to partial or full replacement with copper and/or plastic service lines under this chapter as identified:

CHAPTER 7 Water Service

Water Utility-Side	Customer Utility-Side	Side Requiring Replacement
Lead	Lead	Full – both Utility and customer side
Lead	Galvanized	Full – both Utility and customer side
Lead	Copper	Partial – Water Utility Only
Lead	Plastic	Partial – Water Utility Only
Copper	Lead	Partial – Customer Only
Plastic	Lead	Partial – Customer Only

- B. All lead service lines must be replaced regardless of whether on the Utility-side or the customer-side. All customer-side lead service lines discovered prior to December 31, 2024 shall be replaced immediately. All customer-side lead service lines discovered on or after December 31, 2024 shall be replaced within one year from the date of discovery.
- C. Replacement Priority. Owners, managers or persons otherwise exercising control over properties connected to the Utility’s water distribution system with customer-side lead service lines shall be required to replace said lines according to the following order of priority and based on the replacement schedule established by the Platteville Water and Sewer Utility Commission:
1. Schools or licensed childcare facilities.
 2. Properties where a leak or failure has been discovered on either the Utility-side or customer-side portion of a lead service line.
 3. Properties at which confirmed water sample test at the tap shows lead concentrations at or above 15 parts per billion (ppb).
 4. Properties where more than 20 people regularly have access to drinking water during any eight-hour period.
 5. Properties where the Utility is replacing its side of the lead service line to the property.
 6. All other properties not covered by 1. – 5. above.
- D. Owner to replace lead service lines. The owner shall, at the owner’s expense, replace the customer-side lead service lines. In all cases, the Utility shall supply an appropriate connection point as part of its work.
- E. Financing of replacement. In the event funding is made available for this purpose through any means, an eligible property owner may apply to the

CHAPTER 7 Water Service

City for financing or reimbursement of any portion of the cost of replacing a customer-side lead service line under the terms of such financing program. Disputes regarding the eligibility for financing may be appealed to the Platteville Water and Sewer Commission. As a condition of receiving any available financing from the Utility/City, the property owner must provide adequate documentation demonstrating the contractor and/or plumber completing the work anticipated hereunder is properly certified and/or licensed by the state, as appropriate.

- F. Water system reconstruction. The Utility Superintendent or designee shall inspect all private connections to the public water mains at the time that the utility system water main is to be reconstructed.
1. Any existing private lead service line shall be considered illegal.
 2. Prior to the actual reconstruction of the water main and lateral system, each property owner shall be given notice of the project. Such notice shall be made not less than 30 days prior to commencement of the actual work.
 3. As the reconstruction progresses, the Utility Superintendent or designee shall inspect each private water service connection for the presence of lead or, in the event inspection has been made previously, determine the materials used in the private water connection from inspection records.
 4. If the private water service line does not contain lead, the City shall reconnect the same to the utility system at an appropriate point near the right-of-way line.
 5. If the private water service line is found to contain lead, the Utility Superintendent or designee shall immediately notify the owner in writing of that fact.
 6. Pursuant to subsection 7.04(d)(D), the owner shall, at the owner's expense, replace the lead service line. In all cases, the City shall supply an appropriate connection point as part of its work.

(e) **AUTHORITY TO DISCONTINUE SERVICE.** As an alternative to any other methods provided for obtaining compliance with the requirements of this Section regarding replacement of illegal customer-side water service lines, the Utility may, no sooner than 30 days after the giving of notice as provided in subsection 7.04 (c)(D), discontinue water service to such property served by illegal customer-side water service lines after reasonable notice and an opportunity for hearing before the Platteville Water and Sewer Commission under Chapter 68, Wisconsin Statutes.

7.05 PRIVATE LEAD SERVICE LINE REPLACEMENT FINANCING. (a) INTENT AND PURPOSE. The Common Council of the City of Platteville finds that the replacement of public and private lead service lines protects public health and promotes the general welfare of City residents. The purpose of this section is to facilitate loans to property owners to replace private lead service lines by treating principal and interest repayments, fees and other charges for these loans as special charges eligible for inclusion on the tax bill for these properties.

(b) DEFINITIONS.

- A. "Annual installment" means the portion of the private LSL replacement loan amount that is due for a particular year under the private LSL replacement loan agreement.
- B. "Borrower" means a property owner who enters into a private LSL replacement loan agreement with the City to fund the replacement of a private lead service line on the borrower's property.
- C. "Loan agreement" means a written agreement among a borrower and the City as provided in subsection (d).
- D. "Loan amount" means the amount of principal, interest, administrative fees, and other loan charges under the loan agreement to be paid by the borrower under the private LSL replacement loan.
- E. "LSL" means lead service line.
- F. "Private LSL replacement loan" means a loan made by the City to a borrower under this section for the replacement of a private lead service line on a subject property.
- G. "Private LSL" means a customer-side water service line, as defined in Section 196.372(1)(a), Wisconsin Statutes, constructed of lead or constructed of galvanized material that is or was downstream of lead.
- H. "Subject property" means any property on which a private lead service line replacement has been made and financed through an outstanding private LSL replacement loan.

(c) LOAN APPLICATION AND APPROVAL. A prospective borrower applying for a private LSL replacement loan must comply with the loan application process established by the City. The City will review and determine whether to approve the loan application.

(d) LOAN AGREEMENT. The City and the borrower must execute a loan agreement which at a minimum:

CHAPTER 7 Water Service

- A. Sets forth the total loan amount, the annual interest rate on the loan, the loan term, the amount of each annual installment, and any applicable City fee.
 - B. Informs the borrower that the loan amount shall be considered a special charge, and each year's annual installment shall be levied onto the property tax bill of the subject property as a special charge and be a lien against the subject property pursuant to Section 66.0627, Wisconsin Statutes, as may be amended.
- (e) PRIVATE LSL REPLACEMENT LOAN AS SPECIAL CHARGE. A private LSL replacement loan shall be considered a special charge and lien on the subject property. Each year's annual installment shall be levied onto the property tax bill of the subject property as a special charge pursuant to Section 66.0627, Wisconsin Statutes, as may be amended.
- (f) COLLECTION OF SPECIAL CHARGES. The City shall follow its customary practice in collecting special charges placed on the tax rolls, including assessing penalties and charging interest and initiating foreclosure proceedings where appropriate.
- (g) SEGREGATED FUND. Special charges collected for private LSL replacement loan repayments shall be placed in a segregated fund and disbursed in accordance with the requirements of the City's funding sources.
- (h) RECORD KEEPING. The City shall keep an accounting of private LSL replacement loans and payments received by the City and provide borrowers with that information upon request.
- (i) ADMINISTRATION FEE. The City may establish a reasonable fee to charge a borrower for administering a private LSL replacement loan and include this fee in the loan agreement.