

ORDINANCE NO. 22-03

**AN ORDINANCE CREATING SECTION 7.04 OF THE MUNICIPAL CODE
OF THE CITY OF PLATTEVILLE**

The Common Council of the City of Platteville, Wisconsin do ordain as follows:

Section 1. Section 7.04 is hereby created as follows:

7.04 Lead Water Service Line Replacement.

(1) 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;
- a. 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;
- a. 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
- a. 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) and as amended.

(2) IDENTIFICATION OF LEAD SERVICE LINES.

- a. Upon notice from Platteville Water and Sewer Utility, any person or entity who owns, manages or otherwise exercises control over a property connected to the Platteville Water and Sewer Utility water distribution system shall allow Platteville Water and Sewer Utility to inspect the customer side service line to determine the material of construction as authorized pursuant to Wis. Stats 196.171 et. seq.
- a. 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 Wis. Stats. 66.0119. 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.

a. Platteville Water and Sewer Utility shall create and maintain a record of the location of all identified lead service lines served by the utility.

a. Platteville Water and Sewer Utility shall provide written notice to any person or entity who owns, manages or otherwise exercises control over a property connected to the Platteville Water and Sewer Utility water distribution system that has been inspected and determined to be constructed of lead.

(3) 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:

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

No other service line material combinations have been identified which require replacement under this Chapter.

a. All lead water service lines must be replaced regardless of whether on the water utility side or the customer side. All customer side water service lines identified herein shall be replaced no later than December 31, 2024.

a. Replacement Priority. Owners, managers or persons otherwise exercising control over properties connected to the Platteville water and Sewer Utility water distribution system with customer-side lead water 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.
1. Properties where a leak or failure has been discovered on either the water utility-side or customer-side portion of a lead service line.
1. Properties at which confirmed water sample test at the tap shows lead concentrations at or above 15 parts per billion (ppb).
1. Properties where more than 20 people regularly have access to drinking water during any eight-hour period.
1. Properties where the water utility is replacing its side of the lead water service line to the property.
1. All other properties not covered by 1. – 5. above.

a. Owner to replace lead service. The owner shall, at the owner's expense, replace the customer-side lead service. In all cases, the Utility shall supply an appropriate connection point as part of its work.

a. Financing of replacement. In the event funding is made available for this purpose through any means, an eligible property owner may apply to the city for financing or reimbursement of any portion of the cost of replacing a lead customer-side water 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.

a. 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.

1. 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.

1. 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.

1. 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.

1. 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.

1. Pursuant to 7.04 (3) (d), the owner shall, at the owner's expense, replace the lead water service line. In all cases, the City shall supply an appropriate connection point as part of its work.

(4) **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 (2) (d) of this Section, 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 Wis. Stats ch. 68.

Section 2. All other provisions of Chapter 7 remain in effect.

Section 3. This Ordinance shall become effective upon passage and publication as provided by law.

Approved and adopted by the Common Council of the City of Platteville on a vote of 7 to 0 this 10th day of May 2022.

CITY OF PLATTEVILLE


Barbara Daus, Council President

ATTEST:


Candace Klaas, City Clerk

Published: 5-18-2022