

CHAPTER 19. PUBLIC WORKS

SECTION 19.01 PUBLIC CONSTRUCTION

Pursuant to paragraph 62.15 (1) Wis. Stats., any class of public construction or any part thereof may be done directly by the City without submitting the same for bids.

SECTION 19.02 RIVERSIDE CEMETERY

- (1) The City of Mondovi hereby assumed possession and control of the assets of Riverside Cemetery Association effective May 6, 1952 pursuant to section 157.04 Wis. Stats.
- (2) Management and control of such assets shall be in accordance with Chapter 157 of the Wis. Stats.
- (3) The plat of Riverside Cemetery situated in the SE of the SE section 12, Twp. 24 N. Rge. 11 W., Buffalo County, Wisconsin, as prepared by Frank J. Davy & Son adopted as the official plat and survey of said cemetery.
- (4) The said cemetery property shall be known and designated as Riverside Cemetery of the City of Mondovi, Wisconsin.
- (5) Conveyances of burial lots shall be signed by the mayor and countersigned by the Clerk and before delivery thereof, the Clerk shall enter in a book kept the purpose, the date and consideration, and the name and residence of the grantee.
- (6) The management operations and control of said Cemetery and property is vested in the Common Council of said City of Mondovi which shall have power to fix the price for which lots in said Cemetery shall be sold, fees for perpetual care, burial permits and to make such other rules and regulations governing the use of said property as it may from time to time deemed advisable, all within the provisions of chapter 157 of the Wis. Stats.

SECTION 19.03 WATER UTILITY REGULATIONS

(1) Public Service Commission Rules Adopted

(a) Operating Rules

- (i) All persons now receiving a water supply from the Utility of who may hereafter make application therefore, shall be considered as having agreed to be bound by all rules and regulations as filed with the State Public Service Commission.

(ii) Public Service Commission Rules Adopted

The following provisions of Ch. PSC 185, Wis. Adm. Code, are adopted by reference and made a part of these rules as if set forth in full:

S185.11-185.13, S185.15-185.19, S185.21 and S185.22, S185.31-185.33, S185.35-185.39, S185.41-185.47, S185.51 and S185.52, S185.61, S185.65, S185.71-185.79, S185.795, S185.81, S185.815, and S185.82-185.59.

(2) Conflict with Other Ordinances or Rules

If any of the provisions of the Public Service Commission rules adopted by reference in subparagraph (1) (a) (2) conflict with any existing ordinance or utility regulation, the Public Service Commission rules shall prevail.

SECTION 19.04 DEFINITIONS

- (1) Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:
- (a) “Act” shall mean the Clean Water Act (33 U.S.C. 1251 et seq., as amended)
 - (b) “Agency” shall mean the Common Council, acting as the governing board of the City Sewer and Water Utility, and any board, commission or committee designated by it to administer and enforce the terms of this ordinance.
 - (c) “Biochemical Oxygen Demand” (BOD5) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standards laboratory procedure in five days at 20 C, expressed in milligrams per liter.
 - (d) “Commercial User” shall mean any place of business which discharges sanitary waste as distinct from industrial wastewater.
 - (e) “Commercial Wastewater” shall mean domestic waste water emanating from a place of business as distinct from industrial wastewater.
 - (f) “D.N.R.” shall mean the State of Wisconsin Department of Natural Resources.
 - (g) “Debt Service Charge” shall mean charge levied on users of a sewage treatment plant for the cost of repaying money bonded to construct said plant.
 - (h) “Domestic Wastewater” shall mean water-carried wastes in the amount of approximately 50 gallons per capita per day containing approximately $\frac{250 \text{ mg}}{1 \text{ BOD5}}$ and approximately $\frac{250 \text{ mg}}{1 \text{ suspended solids}}$ consistent with that emanating from a typical household.
 - (i) “Grant” shall mean Federal and/or State financial assistance for the construction of improvements to the public sewer collection system and/or sewage treatment plant.
 - (j) “Grantee” shall mean the local agency which receives a grant.
 - (k) “Industrial User” shall mean any nongovernmental, nonresidential user of a sewage treatment plant which discharges more than the equivalent of 85,000 gallons per day of sanitary wastes and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions: Division ‘A’, Agriculture; Forestry and Fishing; Division ‘B’, Mining; Division D, Manufacturing; Division E, Transportation, communications, electric, gas, and sanitary services; Division I, Industrial services.
 - (l) “Industrial Waste Water” shall mean the liquid processing wastes from an industrial manufacturing process, trade, or business including but not limited to all standard Industrial Classification Manual, Class D manufactures as distinct from domestic wastewater.
 - (m) “Operation and Maintenance Costs” shall mean expenditures for the sewage treatment plant to provide the performance for which the plant was constructed. The term operation and maintenance include replacement.

- (n) "Person" shall mean any individual, firm, company, association, society, corporation, or group.
- (o) "Public Sewer Collection System" shall mean a system of sanitary sewers owned, maintained, operated, and controlled by the agency.
- (p) "Replacement Costs" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the service life of the sewage treatment plant to maintain the capacity and performance for which such plant was designed and constructed.
- (q) "Residential User" shall mean those places which are connected to the public wastewater collection system as distinct from Industrial or commercial wastewater.
- (r) "Sanitary Sewer" shall mean a pipe or conduit (owned and maintained by the Agency) which carries sewage.
- (s) "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments.
- (t) "Sewage treatment plant" shall mean any arrangement of devices and structures used for treating sewage.
- (u) "Sewer Service Charge" shall mean a charge levied on users of a sanitary sewer to maintain said sewer in operational condition.
- (v) "Shall" is mandatory and "May" is permissive.
- (w) "Standard Industrial Classification Manual" office of Management and Budget, 1972.
- (x) "Superintendent" shall mean the superintendent of the City Sewer and Water Utility or his authorized deputy, agent or representative.
- (y) "Suspended Solids" shall mean solids that are filterable and in suspension in the liquid; the quantity being determined by the filterable residue test as described in "Standard Methods for the Examination of Water and Wastewater".
- (z) "User Charge" is a charge levied on users of a treatment works, or that portion of the ad valorem taxes paid by a user, for the user's proportionate share of the cost of operation and maintenance (including replacements) of such works under sections 204 (b) (1) (a) and 201 (h) (2) of the Act and this subpart.
- (aa) "User Charge System" is a system based on estimated use of wastewater treatment services where each user (or user class) pays its proportionate share of operations and maintenance (including replacements) costs of treatment works within the grantee's service area, based on the user's proportionate contribution to the total wastewater loading from all users (or user classes). To insure a proportional distribution of operation and maintenance costs to each user (or user class) the user's contribution shall be based on factors such as strength, volume, and delivery flow rate characteristics.
- (bb) "Users" shall mean those residential, commercial, institutional and industrial establishments which are connected to the public sewer collection system.
- (cc) "Wastewater" see sewage.
- (dd) "Wastewater Service Charge" shall mean total of the charges for Debt Service Charge, Operation and Maintenance Costs and sewer service charge.
- (ee) "Slug" shall mean any discharge of sewage or industrial wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than 5 times the average 24 hour concentration or flows of the sewer during normal operation.

(2) Sewage Service Charges

- (a) The purpose of this article is to establish the basis for reasonable charges for the cost of collecting and treating domestic and industrial wastewaters.
- (b) Two classes of wastewater charges shall be established as follows:

- (i) Domestic wastewater;
- (ii) Industrial wastewater.

- (c) Domestic wastewater shall include wastewater from commercial, institutional, public and residential sources. Such charges shall be assessed quarterly by the Agency. Such charges shall be reviewed to determine their adequacy to offset operations, maintenance and capital costs annually. Accordingly the Agency reserves the authority to adjust such charges annually to assure their continued adequacy.

- (i) Domestic Wastewater Charges

The charges for domestic wastewater will be based on metered water volume and shall consist of a debt services charge, operation and maintenance charge, sewer and service charge, replacement charge, and a minimum charge (combined debt service charge and operation and maintenance charge). The amount of such charges shall be set from time to time by the Agency in accordance with applicable law.

- (ii) Where public water supply is not available, and a private water supply is used, water usage shall be determined as follows:

$$\text{Volume of Domestic Water Usage} = \frac{\text{Total Domestic Metered Water Volume}}{\text{Total Number of Metered Domestic Users}}$$

- (iii) The agency shall reserve the right to require a meter for any user, public or private.

- (d) Should the industrial wastewaters contain a fluid or solid not reflected by volume, BOD or suspended solids, special charges shall be determined on a case-by-case basis. These charges shall reflect the costs and difficulties associated with treating that specified wastewater.
- (e) Sampling of industrial wastewaters may be made on a regular basis or as needed to verify the charges.
- (f) Each new Class D industry shall file with the Superintendent an initial written statement for each separate connection to the system giving the daily column, surge rage, pounds of suspended solids and pounds of 8005 of wastewater. Initial charges shall be developed on the basis of this statement.
- (g) Changes in operations or use shall be reported by the owner and it shall be his sole responsibility to have such changes made to the original statement to remain in compliance with this ordinance.

- (h) The superintendent may sample and test at any time any industrial wastewater discharge to verify the accuracy of any statement filed by an owner. The costs of any test shall be at the expense of the Agency.

(3) Service Charge Determination

- (a) The intent of this sub-section is to establish the method for recovering operation and maintenance costs invested by the Agency on behalf of the industrial user.
- (b) The agency shall maintain annual operation and maintenance costs allocated for volume, BOD, and suspended solids. The Agency shall adjust the charge for operation and maintenance annually to reflect cost increases and decreases. Operational and maintenance costs for the public sewer collection shall be allocated to such industry on volume only and shall only apply to that portion of the public sewer collection system used by that industry.
- (c) Industrial users, whose wastewater discharge is at a strength greater than domestic wastewater, shall pay an additional charge for operation and maintenance. The amount of surcharge for BODE and suspended solids shall be determined based on the following formula:

Cm = amount of surcharge, always greater than zero

B = BOD5 discharge - $\frac{mg}{1}$

Bc = Discharged - $\frac{250mg}{1}$ operating cost attributable to suspended solids

Vu = Wastewater Volume for the billing period

$$Cm = Bc (B) + Sc (S) Vu$$

- (d) Cm shall be the total annual margin made to the industry. The Agency shall invoice the industry a minimum of once per year. Shorter invoicing periods may be established.
- (e) The total annual operation and maintenance costs shall include a depreciation allowance and may be increased by an amount up to 10% of the total as an estimated factor to allow for increased costs during the year of the changes.
- (f) If there is any change in the volume, BOD5, or suspended solids characteristics by the industry, the industry's share of operation and maintenance cost shall be adjusted accordingly.

(4) Service Contracts

Where individual industrial wastewaters constitute a substantial portion of either the volumetric or organic capacity of the sewage treatment facilities, a service agreement between the industry and the Agency may be executed. Such service agreements shall be required where the industrial wastewaters emanating from an industry contains either 30% or more of the design BOD5, 30% or more of the design volume or 30% or more of the design suspended solids to the sewage treatment plant. Such agreement shall assure continued participation in capital costs by the industry over the life of the agreement. Should the industry eliminate their discharge, the Agency, at its option, may elect to

assign to another user that portion of design capacity and associated capital costs thereby relieving the industry of continued financial participation.

(5) Use of the Sanitary Sewers

- (a) No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, or any other unaltered water to any sanitary sewer.
- (b) The Agency reserves the right to refuse or accept any or all industrial wastewaters from an industry or combination of industries as may be necessary to insure adequate treatment and proper operation of the public sewer collection system.
- (c) No person shall discharge or cause to be discharged any of the following described fluids or solids into the public sewer collection system:
 - (i) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive fluid or solid.
 - (ii) Any fluids or solids containing toxic or poisonous elements in sufficient quantity, either singly or by interaction with other elements, to injure or interfere with any sewage treatment process, constitute a hazard to human or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant such as, but not limited to, circuit etching waste or plating wastes.
 - (iii) Any fluids or solids having any other corrosive property capable of causing damage or hazard to structures equipment, and/or personnel of the sewage treatment plant.
 - (iv) Fluids or solid substances in quantities or of such size as to cause obstruction to the flow in sanitary sewers, or other interfaces with the proper operation of the sewage treatment plant such as, but not limited to, ashes, cinders, clay, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshing's', entrails, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- (d) No person shall discharge or cause to be discharged the following specifically described substances, materials, fluids, or solids which may harm sanitary sewers, sewage treatment processes and equipment, have an adverse effect on the receiving stream, or may constitute a nuisance without the specific written permission of the Superintendent. Such permission is subject to termination at any time upon written notice. In forming his opinions to the acceptability of these wastes, the Superintended will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sanitary sewers, materials of construction of the sanitary sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, and other pertinent factors. The substances prohibited are:
 - (i) Any fluid having a temperature higher than 150 F.
 - (ii) Any liquid containing fats, wax, grease, or oils, whether emulsified or not, in excess of $\frac{100 \text{ mg}}{1}$ or containing substances which may solidify or become viscous at temperatures between 32 F and 150 F.

- (iii) Any garbage that has not been properly shredded or solid material having any dimensions greater than 1 inch. The installation and operation of any garbage grinder equipped with a motor of $\frac{3}{4}$ horsepower or greater shall be subject to the review and approval of the superintendent.
- (iv) Any flux or solid containing chromium, copper, zinc, cyanide and similar objectionable or toxic substance which exceed the limits which are established for such materials. Unless more restrictive limits are established by a state or federal regulatory agency having jurisdiction the following concentrations in $\frac{mg}{1}$ shall not be exceeded on a grab sample basis:

Arsenic	0.500	Lead	0.200
Barium	4.000	Mercury	0.002
Cadmium	0.010	Nickel	2.000
Chromium	0.600	Selenium	0.004
Copper	1.000	Silver	0.100
Cyanide	0.050	Zinc	1.000

- (v) Any fluid or solid containing phenols or other taste or odor-producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, or as are established by the State, Federal, or other public agencies having jurisdiction for such discharge to the receiving waters. Unless other limits are established by a State or Federal regulatory agency having jurisdiction, the concentration of Phenol shall not exceed $\frac{0.005 mg}{1}$ on a grab sample basis.
- (vi) Any radioactive wastes or isotopes or such half-life or concentration as may exceed limits established by State or Federal Regulations.
- (vii) Any liquids having a pH lower than 6.0 or in excess of 9.0.
- (viii) Materials which exert or cause:
- (1) Unusual concentrations of inert suspended solids (such as, but not limited to Fullers earth, clays, lime slurries, and lime to the treatment processes).
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (3) Unseal BOD5, chemical oxygen demand or chlorine requirements in such quantities in excess of that found in domestic sewage.
 - (4) Unusual volume of flow or concentration of wastes constituting "slugs" as defined in sub-paragraph 19.04 (ae), or which interfere with proper plant operation.

- (ix) Fluids or solids containing substances which are not treatable by the sewage treatment processes employed, or are untreatable to such degree that the sewage treatment plant effluent cannot meet the requirement of other agencies having jurisdiction.
- (e) If any sewage is discharged, or proposed to be discharged into the public sewer collection system which contains the substances or possess the characteristics enumerated in subsections (c) and (d), and which in the judgment of the Superintendent may have a deleterious effect upon the sewage treatment works, processes, equipment, or receiving waters, or which otherwise create hazard to life or constitute a public nuisance, the Superintendent may in writing:
 - (i) Reject the wastes.
 - (ii) Require pretreatment to an acceptable condition prior to the discharge to the sanitary sewers.
 - (iii) Require flow equalization of the rate of discharge, and/or
 - (iv) Require payment to cover the added cost of handling and treating the wastes not covered by the sewer charges under the provisions of the sewer use charges.

If the Superintendent permits the pretreatment or equalization of waste flows, plans and specifications for such facilities shall be submitted by the owner to the DNR for review and approval.

- (f) Grease and oil separators and sand interceptors shall be provided when, and in the opinion of the superintendent, they are necessary for the proper handling of liquids containing grease in excessive amounts, or any flammable fluids, sand or other harmful ingredients; except that such interceptors and separators shall not be required for all private living quarters or dwelling units. All separators and interceptors shall be of a type and capacity approved by the DNR and/or the Division of Health, and shall be located as to be readily and easily accessible for cleaning and inspection.
- (g) Where pre-treatment or flow-equalizing facilities are provided, they shall be maintained continuously in satisfactory condition and effectively operated by the Owner at his expense.
- (h) The Owner of any industry discharging industrial wastewaters constituting less than 10% of any one of the sewage treatment plant design parameters of volume, BOD₅, and suspended solids shall install a suitable control manhole in accordance with Chapter H62.04 (4) (i) Wis. Adm. Code. The manhole shall be installed by the Owner at his expense and shall be maintained by him so as to be safe and accessible at all times.
- (i) The owner of the any industry discharging industrial wastewater in excess of 10% of the design capacity of the sewage treatment plant for either volume, BOD₅, or suspended solids shall install a special control manhole. The special control manhole shall be approved by the DNR and the Agency prior to installation. The special control manhole shall consist of a manhole on the discharge line with a volume measuring device and a separate structure for housing volume recording instruments and an automatic proportional sampler. The sampler shall automatically (in

- proportion to volume) collect samples of the waste. The agency shall record volume and operate the automatic sampler on such occasions as deemed necessary to develop a basis for service charges. The owner shall design, construct, operate and maintain the special control manhole at his expense. The agency shall record, sample, test and analyze at the agency's expense. The location and access to the special control manhole shall be as provided for in chapter 62.04 (4) (i) Wis. Adm. Code.
- (j) Special control manholes may be required by the Agency should the industrial wastewater contain a fluid or solid not reflected by volume, BOD5, or suspended solids.
 - (k) All measurements, tests, and analysis of the characteristics of fluids and solids to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, et al. The control manhole shall be considered to be the most representative location in the sewage flow system of the premise.
 - (l) No statement contained in this section shall be construed as preventing any special agreement or arrangement between the agency and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the agency for treatment, subject to payment therefore, by the industrial concern provided the agreement is not in conflict with the intent or rates established by this or other applicable ordinances.
 - (m) The Agency shall have the right at its discretion, upon payments, terms, and conditions as may be mutually agreed upon, to contract in writing for the right to use any sewer serving property located wholly or partly outside the jurisdiction of the Agency. In the event a contract is made, a user of any sewer serving property wholly or partly outside the jurisdiction of the agency shall be subject to all the terms and provisions of this ordinance and in addition to all payments and charges, be required to pay all equivalent costs, taxes, charges and expenses as would be imposed upon and paid by a user located within the jurisdiction of the Agency.

(6) Powers and Authority of Inspectors

- (a) The Superintendent and other duly authorized employees of the Agency bearing proper credentials and identifications shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with provisions of this ordinance. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other processes beyond that point having a direct bearing on the kind and source of discharge to the sanitary sewers or sewage treatment facilities.
- (b) While performing the necessary work on private properties referred to in paragraph (a), the Superintendent duly authorized employee of the Agency shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Agency employees and the Agency shall indemnify the company against loss or damage to its property by agency employees and against liability claims and demands for personal injury or property

damage asserted against the company and growing out of the gauging and sampling operation except as such may be caused by negligence or failure of the company to maintain safety conditions.

- (c) The superintendent and other duly authorized employees of the Agency bearing proper credentials and identification shall be permitted to enter all private properties for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage collection system. All entry and subsequent work, if any, shall be done in full accordance with the terms of this Ordinance and the Sewage Ordinance.

(7) Penalties

- (a) Any bill not paid four weeks after date of billing shall be declared delinquent and a past-due notice shall be issued to the billed party. The past-de notice shall contain an additional charge to cover the costs of rebilling. Additional delinquent notices including their respective charges shall be sent at eight and twelve weeks after the billing date. Should a bill still be delinquent after 120 days, the Agency may elect to take the following action:

- (i) Lien

Whenever wastewater treatment bills or capital surcharge bills become delinquent, the same shall become and constitute a lien upon the real estate to which sewer service is supplied. Statements rendered for such charge shall be deemed notice to all parties, whether or not the person charged with the statement is the owner of the property served the claim for lien shall be made in the form of a sworn statement setting forth:

- (1) A description of the real estate, sufficient for the identification thereof, upon or for which the sewerage service was supplied;
 - (2) The amount or amounts of money due for such sewage service; and
 - (3) The date or dates when such amount or amounts became delinquent.

If all amounts shown due remain unpaid after recording as provided by state statutes, the Agency may foreclose the lien in the same manner and with the same effect as in the foreclosure of mortgages on real estate.

- (ii) Civil Action

In the alternative of levying a lien, the Agency may, at tis discretion, file suit in a civil action to collect such amounts as are delinquent and use against the occupant or use of the real estate and shall collect, as well, all attorney's fees incurred by the Agency in filing the Civil Action. Such attorney's fees shall be fixed by order of the court.

- (b) In addition to all penalties and costs attributable and chargeable to recording notices of the lien or filing a civil action, the owner or user of the real estate being served by

the treatment works shall be liable for interest upon all unpaid balances at the rate of 12% per annum.

- (c) The Agency reserves the right to revoke discharge permits and to disconnect service to any user whenever wastewater treatment or surcharge bills become delinquent.

(8) Validity

- (a) Other ordinances or parts of ordinance sin conflict with this section are hereby repealed.
- (b) The invalidity of any section, clause, sentence, or provision in this section shall not affect the validity of any other part of this section which can be given effect without such invalid part or parts.
- (c) This section shall not invalidate more restrictive State or Federal regulations.

(9) Accounting

- (a) The City will biennially review the wastewater contributions of its users and align its revenue system to recover actual costs.
- (b) The City will maintain the propionate distribution of operation, maintenance and replacement costs among users and user classes.
- (c) Sufficient revenues will be generated by this ordinance to pay operation, maintenance and replacement costs for the wastewater system.
- (d) Any excess revenues collected from a user class will be attributable to that class for the next year.
- (e) Any user discharging toxic pollutant shall pay for any increased operation, maintenance or replacement costs caused by the toxic discharge.
- (f) Users will be notified annually of the portion of user charges attributable to wastewater treatment services.
- (g) The City shall maintain and keep proper books of records and account, separate from all other records and accounts, in which shall be made full entries of all system transactions.

(10) Building Sewers and Connections

- (a) No unauthorized person shall alter, disturb or uncover any connections with or opening into any sanitary sewer or appurtenance thereof without first obtaining written permission from the Superintendent.
- (b) There shall be two classes of building sewer permits: (a) for establishments producing only domestic wastewaters including a residences, institutions, public facilities, and commercial establishments; and (b) for service to establishments producing industrial wastewater. In either case, the owner or his representative shall make application on a special form furnished by the Agency. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee of \$10.00 shall be paid at the time the application is filed.

- (c) All costs and expenses incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Agency from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- (d) A separate and independent building sewer shall be provided for every building; except where one buildings stands at the rear of another on an interior lot and no private sewage system is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- (e) Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintended, to meet all requirements of this ordinance.
- (f) The size, slope, alignment, materials of construction of a buildings ewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling of the trench, shall all conform to the requirements of Chapter 62.20 Wis. Adm. Code.
- (g) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the sanitary sewer, sewage carried by such a building drain shall be lifted and discharged to the building sewer by facilities conforming to H62.11 (13) Wis. Adm. Code.
- (h) No person shall make connection of roof down-spouts, exterior foundation drains, airway drains, basement sump-pumps or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a sanitary sewer.
- (i) The connection of the building sewer into the sanitary sewer shall conform to the requirements of sub-section (f).
- (j) The applicant of the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the sanitary sewer. The connection shall be mad ender the supervision of the Superintendent or his representative.
- (k) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to minimize the hazard to public welfare and safety. Streets, sidewalks, parkways, and other public property distributed in the course of the work shall be restored in a manner satisfactory of the Agency.

SECTION 19.05 CROSS CONNECTION CONTROL

- (1) 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 Mondovi 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 depending on pressure differential between the two systems.

- (2) No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any cross-connection. No inter-connection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the City water utility may enter the supply or distribution system of the city, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the city water utility and by the Wisconsin Department of Natural Resources in accordance with Section NR 810.15 (2), Wis. Adm. Code.
- (3) It shall be the duty of the city 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 are deemed possible. The frequency of inspection and re-inspections based on potential health hazards involved shall be as established by the water utility superintendent and as approved by the Wisconsin Department of Natural Resources.
- (4) Upon presentation of credentials, any representative of the City 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 the city for cross-connection. If entry is refused, such representative shall obtain a special inspection warrant under s. 66.0119, Wis. Stats. On request, the owner, lessee or occupant of any property so served, shall furnish the inspection agency any pertinent information regarding the piping system or systems on such property.
- (5) The City 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 only after reasonable notice and opportunity for hearing under Chapter 68, Wis. Stats., except as provided in subsection (6). Water services to such property shall not be restored until all cross-connections have been eliminated in compliance with the provisions of this section.
- (6) If it is determined by the City 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 City Clerk and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing such emergency discontinuance.
- (7) The State Plumbing Code of Wisconsin, being COMM 82, Wis. Adm. Code, is hereby adopted by reference.
- (8) This section shall not supersede the State Plumbing Code or s. 19.063 of the Municipal Code of the City of Mondovi, but is supplementary to them.
- (9) Unless otherwise authorized by the DNR, water suppliers for the City of Mondovi water system shall cause a survey to be conducted for every residential service a minimum of once every ten years or on schedule matching meter replacement. Public educational

materials, when being provide in lieu of low hazards inspections, shall be provided to the water customer no less than every three years and with ever cross connection survey. Unless a detailed alternative schedule is included in the cross connection control program and is approved by the Department of Natural Resources, water suppliers of the City of Mondovi water system, shall cause a survey to be conducted for every industrial commercial and public authority service a minimum of once every 2 years. Commercial properties of similar or lesser risk to residential properties may follow the same schedule as residential properties. Completed survey results shall be maintained by the water supplier until corrections and follow up surveys have been made.

- (10) The Methods, devices and assemblies which will be used to protect the potable water supply for the City of Mondovi must comply, in all respects, with the methods, devices, and assemblies as set forth in s. COMM 82.41, Wis. Adm. Code.
- (11) The City shall submit a copy of this ordinance to the Department of natural Resource. Additionally, the City shall provide an annual report including the total number of all service connection by category and a report indicating the number of surveys completed in each category for the year of any report submitted.

SECTION 19.06 PRIVATE WELL ABANDONMENT

(1) Purpose

Purpose this section is to prevent unused and/or improperly constructed wells from serving as a passage for contaminated surface or near-surface waters or other materials to reach usable groundwater. These wells must be properly filled and sealed.

- (2) All private wells located on any premises served by the public water system of the City of Mondovi shall be properly filled by January 1, 1984. Only those wells for which a well operation permit has been granted by the City Clerk may be exempted from this requirement, subject to conditions of maintenance and operation.

(3) Well Operation Permits

A permit may be granted to a well owner to operate a well for a period not to exceed one year provided that following requires are met. Application forms shall be made available by the City Clerk. A fee of \$15.00 payable to the City shall accompany each initial application; no fee shall be charged for renewal of the permit.

- (a) The well and pump installation must meet the requirement of Chapter NR 112, Wis. Adm. Code, and a well constructor's report must be on file with the department of Natural Resources, or a certification of the acceptability of the well must have been granted by the Private Water Supply Section of the Department of Natural Resources.
- (b) The well must produce bacteriologically safe water as evidenced by a water sample report, dated within 60 days of the application date, by the State Laboratory of Hygiene or an independent laboratory certified under the State Laboratory Certification Program to do a bacteriological examination of water.

- (c) No physical connection shall exist between the piping of the public water system and the private well.
- (4) Wells to be abandoned shall be filled according to the procedures outlines in Chapter NR 112, Wis. Adm. Code. The pump and piping must be removed and the well checked for obstructions prior to plugging. Any obstructions or liner must be removed.
- (5) A well abandonment report must be submitted by the well owner to the Department of Natural Resources on forms provided by that agency. The City Clerk shall make such forms available. The report shall be submitted immediately upon the completion of filling of the well. The filing must be observed by the water utility superintended or his designated representative.
- (6) The owner of any premises on which a private well is located and which is not served by the public water system of the City of Mondovi shall annually file with the City Clerk a water sample report dated within 60 days of the filing, by the state laboratory of hygiene or an independent laboratory certified under the state laboratory certification program to the bacteriological examination of water. The City Clerk shall not charge a fee of the filing of such report.
- (7) Penalties
Any person violating any provisions of this section shall, upon conviction, be punished by a forfeiture of not less than \$50.00 nor more than \$200.00 together with the cost of prosecution. Each 24 hour period during which a violation exist shall be deemed and constitute a separate offense.