

TITLE 9

Public Utilities

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Water Utility Regulations and Rates

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Article A: Rates

Sec. 9-1-1 PSC Regulations and Rates Adopted.

The rules and regulations governing the operation of the Village of Hatley's Water Utility operations are adopted and incorporated herein by reference.

Sec. 9-1-2 General Service—Metered—Mg-1.

(a) **Quarterly Service Charge:**

5/8-inch meter -	\$ 25.00
3/4-inch meter -	\$ 25.00
1-inch meter -	\$ 30.00
1-1/4-inch meter -	\$ 32.00
1-1/2-inch meter -	\$ 35.00
2-inch meter -	\$ 50.00

(b) **Plus Volume Charge (all meter sizes):**

First	5,000	gallons used each quarter	-	\$.00 per 1,000 gallons.
Next	25,000	gallons used each quarter	-	\$ 2.97 per 1,000 gallons.
Over	70,000	gallons used each quarter	-	\$ 1.95 per 1,000 gallons.
Over	100,00	gallons used each quarter	-	\$ 1.75 per 1,000 gallons.

- (c) **Billing.** Bills for water service are rendered quarterly and become due and payable upon issuance following the period for which service is rendered. A late payment charge of one percent (1%) per month will be added to bills not paid within twenty (20) days of issuance. The late payment charge will be applied to the total unpaid balance for the current billing period's usage, including unpaid late payment charges. This late payment charge is applicable to all customers. The Water Utility customer may be given a written notice that the bill is overdue no sooner than twenty (20) days after the bill is issued. Unless payment or satisfactory arrangement for payment is made within the next ten (10) days, service may be disconnected pursuant to Chapter PSC 185, Wis. Adm. Code. A charge will be made for processing checks that have been returned for insufficient funds.

(d) **Combined Metering.**

- (1) Volumetric meter readings will be combined for billing if the Water Utility *for its own convenience* places more than one (1) meter on a single water service lateral. Multiple meters placed for the purpose of identifying water not discharged into the

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sanitary sewer are *not* considered for Utility convenience and shall not be combined for billing. This requirement does not preclude the Water Utility from combining readings where metering configurations permit such an approach. Meter readings from individually metered separate service laterals shall *not* be combined for billing purposes.

- (2) Buildings used in the same business, located on the same parcel and served by a single lateral may have the customer's water supply piping installed to a central point so that volume can be metered in one (1) place.

Sec. 9-1-2 through Sec. 9-1-19 Reserved for Future Use.

Article B: Rules and Regulations

Sec. 9-1-20 Compliance with Rules.

All persons now receiving a water supply from the Village of Hatley Water Utility, or who may request service in the future, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin.

Sec. 9-1-21 Establishment of Service.

- (a) Application for water service 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 service lateral and meter desired. (Note particularly any special refrigeration, fire protection, or water-consuming air conditioning 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 Water Utility's filed main extension rule.
 - (2) Property owner has installed or agrees to install a service lateral from the curb stop to the point of use that is not less than six (6) feet below the surface of an established or proposed grade, and meets the Water Utility's specifications, and
 - (3) Premises have adequate piping beyond metering point.
- (c) The owner of a multi-unit dwelling has the option of being served by individual metered water service to each unit. The owner, by selecting this option, is required to provide interior plumbing and meter settings to enable individual metered service to each unit and individual disconnection without affecting service to the other units. Each meter and meter connection will be treated as a separate Water Utility account for the purpose of the filed rules and regulations.
- (d) No division of the water service lateral 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 service lateral shall be made at the curb for separate supplies for two (2) or more separate premises having frontage on any street or public service strip, whether owned by the same or different parties. Duplexes shall be served from one lateral, provided that individual metered service and disconnection is provided, and it is permitted by local ordinance.
- (e) The Water Utility may 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.

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- (f) Buildings used in the same business, located on the same parcel, and served by a single lateral may have the customer's water supply piping installed to a central point so that the volume can be metered in one (1) place.

Sec. 9-1-22 Reconnection of Service.

- (a) Where the Water Utility service has been disconnected service at the customer's request, a reconnection charge shall be made when the customer requests reconnection of service. (See PSC-approved Rate Schedule for the applicable rate.)
- (b) A reconnection charge shall also be required from customers whose services are disconnected (shut off at curb stop box) because of non-payment of bills when due. (See PSC-approved Rate Schedule for the applicable rate.)
- (c) If reconnection is requested for the same location by any member of the same household, or if a place of business, by any partner of the same business, it shall be considered as the same customer.

Sec. 9-1-23 Temporary Metered Service, Meter and Deposits.

An applicant for temporary water service on a metered basis shall make and maintain a monetary deposit for each meter installed as security for payment for use of water and for such other charges which may arise from the use of the supply. A charge shall be made for setting the valve and furnishing and setting the meter. See PSC-approved Rate Schedule for the applicable rate.

Sec. 9-1-24 Water for Construction.

- (a) When water is requested for construction purposes or for filling tanks or other such uses, an application shall be made to the Water Utility, in writing, giving a statement of the amount of construction work to be done, or the size of the tank to be filled, etc. Payment for the water for construction may be required in advance at the scheduled rates. The service lateral must be installed into the building before water can be used.
- (b) In no case will any employee of the Water Utility turn on water for construction work unless the contractor has obtained permission from the Water Utility.
- (c) Consumers shall not allow contractors, masons or other persons to take unmetered water from their premises without permission from the Water Utility. Any customer failing to comply with this provision will have water service discontinued and will be responsible for the cost of the estimated volume used.

Sec. 9-1-25 Use of Hydrants.

- (a) In cases where no other supply is available, permission may be granted by the Water Utility to use a hydrant. No hydrant shall be used until the proper meter and valve are installed. In no case shall any valve be installed or moved except by an employee of the Water Utility.
- (b) Before a valve is set, payment must be made for its setting and for the water to be used at the scheduled rates. Where applicable, see Schedule B-1 for deposits and charges. Upon completing use of the hydrant, the customer must notify the Water Utility to that effect.

Sec. 9-1-26 Operation of Valves and Hydrants; Unauthorized Use of Water; Penalty.

Any person who shall, without authority of the Water Utility, allow contractors, masons, or other unauthorized persons to take water from their premises, operate any valve connected with the street or supply mains, or open any fire hydrant connected with the distribution system, except for the purpose of extinguishing fire, or who shall wantonly damage or impair the same shall be subject to a fine as provided by municipal ordinance. Utility permission for the use of hydrants applies only to such hydrants that are designated for the specific use.

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

All money deposited as security for payment of charges arising from the use of temporary water supply on a metered basis, or for the return of a hydrant valve and fixtures if the water is used on an unmetered basis, will be refunded to the depositor on the termination of the use of water, the payment of all charges levied against the depositor, and the return of the Water Utility's equipment.

Sec. 9-1-28 Service Laterals.

- (a) No water service lateral shall be laid through any trench having cinders, rubbish, rock or gravel fill, or any other material which may cause injury to or disintegration of the service lateral, unless adequate means of protection are provided by sand filling or such other insulation as may be approved by the Water Utility. Service laterals passing through curb or retaining walls shall be adequately safeguarded by provision of a channel space or pipe casing, not less than twice the diameter of the service connection. The space between the service lateral and channel or pipe casing shall be filled and lightly caulked with an oakum, mastic cement, or other resilient material, and made impervious to moisture.

- (b) In backfilling the pipe trench, the service lateral must be protected against injury by carefully hand tamping the ground filling around the pipe. There should be at least six (6) inches of ground filling over the pipe, and it should be free from hard lumps, rocks, stones, or other injurious material.
- (c) All water service laterals 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.

Sec. 9-1-29 Service Piping for Meter Settings.

Where the original service piping is installed for a new metered customer, where existing service piping is changed for the customer's convenience, or where a new meter is installed for an existing unmetered customer, the owner of the premises at his/her expense shall provide a suitable location and the proper connections for the meter. The Water Utility should be consulted as to the type and size of meter setting. The meter setting and associated plumbing shall comply with the Water Utility's standards.

Sec. 9-1-30 Turning on Water.

The water may only be turned on for a customer except by an authorized employee of the Water Utility. Plumbers may turn the water on to test their work, but upon completion must leave the water turned off.

Sec. 9-1-31 Failure to Read Meters.

- (a) Where the Water Utility is unable to read a meter, the fact will be plainly indicated on the bill, and either an estimated bill will be computed or the minimum charge applied. The difference shall be adjusted when the meter is again read, that is, the bill for the succeeding billing period will be computed with the gallons or cubic feet in each block of the rate schedule doubled, and credit will be given on that bill for the amount of the bill paid the preceding period. Only in unusual cases shall more than three (3) consecutive estimated or minimum bills be rendered.
- (b) If the meter is damaged (see Surreptitious Use of Water) or fails to operate, the bill will be based on the average use during the past year unless there is some reason why the use is not normal. If the average use cannot be properly determined, the bill will be estimated by some equitable method. (See PSC 185.33, Wis. Adm. Code.)

Sec. 9-1-32 Complaint Meter Tests.

See Wis. Adm. Code, Chapter PSC 185.77.

Sec. 9-1-33 Thawing Frozen Service Laterals.

See Wis. Adm. Code, Chapter PSC 185.89.

Sec. 9-1-34 Curb Stop Boxes.

The curb stop box is the property of the Water Utility. The Water Utility is responsible for its repair and maintenance. This includes maintaining, through adjustment, the curb stop box at an appropriate grade level where no direct action by the property owner or occupant has contributed to an elevation problem. The property owner is responsible for protecting the curb stop box from situations that could obstruct access to it or unduly expose it to harm. The Water Utility shall not be liable for failure to locate the curb stop box and shut off the water in case of a leak on the owner's premises.

Sec. 9-1-35 Installation of Meters.

Meters will be owned, furnished and installed by the Water Utility or a Water Utility-approved contractor and are not to be disconnected or tampered with by the customer. All meters shall be so located that they shall be protected from obstructions and permit ready access for reading, inspection, and servicing, such location to be designated or approved by the Water Utility. All piping within the building must be supplied by the owner. Where additional meters are desired by the owner, the owner shall pay for all piping. See Schedule Am-1 for applicable rates.

Sec. 9-1-36 Repairs to Meters.

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

Sec. 9-1-37 Replacement and Repair of Service Laterals.

- (a) The service lateral from the main to and through the curb stop will be maintained and kept in repair and, when worn out, replaced at the expense of the Water Utility. The property owner shall maintain the service lateral from the curb stop to the point of use.
- (b) If an owner fails to repair a leaking or broken service lateral from the curb to the point of metering or use within such time as may appear reasonable to the Water Utility after notification has been served on the owner by the Water Utility, the water will be shut off and will not be turned on again until the repairs have been completed.

Sec. 9-1-38 Abandonment of Service.

If a property owner changes the use of a property currently receiving water service such that water service will no longer be needed in the future, the Water Utility may require the abandonment of the water service at the water main. In such case, the property owner may be responsible for all removal and/or repair costs, including the water main and the Utility portion of the water service lateral.

Sec. 9-1-39 Charges for Water Wasted Due to Leaks.

See Wis. Adm. Code, Chapter PSC 185.35.

Sec. 9-1-40 Inspection of Premises.

During reasonable hours any officer or authorized employee of the Water Utility shall have the right of access to the premises supplied with service, for the purpose of inspection or for the enforcement of the Water Utility's rules and regulations. Whenever appropriate, the Water Utility will make a systematic inspection of all unmetered water taps for the purpose of checking waste and unnecessary use of water.

State Law Reference: Sec. 196.171, Wis. Stats.

Sec. 9-1-41 Deposits for Residential Service.

See Wis. Adm. Code, Ch. PSC 185.36.

Sec. 9-1-42 Deposits for Nonresidential Service.

See Wis. Adm. Code, Ch. 185.361.

Sec. 9-1-43 Deferred Payment Agreement.

See Wis. Adm. Code, Ch. 185.38.

Sec. 9-1-44 Dispute Procedures.

See Wis. Adm. Code, Ch. 185.39.

Sec. 9-1-45 Disconnection and Refuse of Service.

- (a) **Disconnection.** See Wis. Adm. Code Chapter PSC 185.37.
- (b) **Disconnection Notice.** 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 Water Utility service and your previous unpaid balance.

You have 10 days to pay the Water Utility service arrears or your service is subject to disconnection.

If you fail to pay the service arrears, or fail to contact us within the 10 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 10 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 dispute the notice of delinquent account.
2. You have a question about your Water Utility service arrears.
3. You are unable to pay the full amount of the bill and are willing to enter into a time payment agreement with us.
4. There are any circumstances you think should be taken into consideration before service is discontinued.
5. Any resident is seriously ill.

Illness Provision

If there is an existing medical emergency in your home and you furnish the Water Utility with a statement signed by either a licensed Wisconsin physician, or a public health official, we will delay disconnection of service up to 21 days. The statement must identify the medical emergency and specify the period of time during which disconnection will aggravate the existing emergency.

Deferred Payment Agreements

If you are a residential customer, and for some reason, you are unable to pay the full amount of the Water Utility service arrears on your bill, you may contact the Water Utility to discuss 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 Water Utility service bills in full by the due date.

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

(UTILITY NAME)

Sec. 9-1-46 Collection of Overdue Bills.

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

Sec. 9-1-47 Surreptitious Use of Water.

- (a) When the Water Utility has reasonable evidence that a person is obtaining his/her 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 Water Utility service, the Water 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) hours disconnection of service. If the Water Utility disconnects the service for any such reason, the Water Utility will reconnect the service upon the following conditions:
 - (1) The customer will be required to deposit with the Water Utility an amount sufficient to guarantee the payment of bills for Water Utility service.
 - (2) The customer will be required to pay the Water Utility for any and all damages to its Water Utility equipment resulting from such interference with the metering.
 - (3) The customer must further agree to comply with reasonable requirements to protect the Utility against further losses.
- (b) Sections 98.26 and 943.20, Wis. Stats., as relating to water service, are hereby adopted and made a part of these rules.

Sec. 9-1-48 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 water supply at the curb stop. The owner of the premises shall be liable for prosecution for any damage to the property of the Water Utility.

Sec. 9-1-49 Repairs to Mains.

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

State Law Reference: PSC 185.87, Wis. Adm. Code.

Sec. 9-1-50 Duty of Water Utility with Respect to Safety of the Public.

It shall be the duty of the Water Utility to see that all open ditches for water mains, hydrants, and service laterals are properly guarded to prevent accident to any person or vehicle, and at night there shall be displayed proper signal lighting to insure the safety of the public.

Sec. 9-1-51 Handling Water Mains and Service Laterals in Excavation Trenches.

Contractors must call Digger's Hotline and ensure a location is done to establish the existence and location of all water mains and service laterals as provided in Sec. 182.0175, Wis. Stats. Where water mains or service laterals have been removed, cut, or damaged during trench excavation, the contractors must, at their own expense, cause them to be replaced or repaired at once. Contractors must not shut off the water service laterals to any customer for a period exceeding six (6) hours.

Sec. 9-1-52 Protective Devices.

- (a) **Protective Devices in General.** The owner or occupant of every premise receiving water supply shall apply and maintain suitable means of protection of the premise supply, and all appliances, against damage arising in any manner from the use of the water supply, variation of water pressure, or any interruption of water supply. Particularly, such owner or occupant must protect water-cooled compressors for refrigeration systems by means of high and/or low pressure safety cutout devices. There shall 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 at or near the top of the hot water tank, or on the hot water distribution pipe connection to the tank. No stop valve shall be placed between the hot water tank and the relief valve or on the drain pipe. (See applicable Village plumbing codes).
- (c) **Air Chambers.** An air chamber or approved shock absorber shall be installed at the terminus of each riser, fixture branch, or hydraulic elevator main for the prevention of undue water hammer. The air chamber shall be sized in conformance with applicable local plumbing codes. Where possible, the air chamber should be provided at its base with a valve for water drainage and replenishment of air.

Sec. 9-1-53 Water Main Extension Rules.

Water mains will be extended for new customers on the following basis:

- (a) Where the cost of the extension is to immediately be collected through assessment by the municipality against the abutting property, the procedure set forth under Sec. 66.0703, Wis. Stats. will apply, and no additional customer contribution to the Utility will be required.
- (b) Where the municipality is unwilling or unable to make a special assessment, the extension will be made on a customer-financed basis as follows:
 - (1) The applicant(s) will advance as a contribution in aid of construction the total amount equivalent to that which would have been assessed for all property under Subsection (a).
 - (2) Part of the contribution required in Subsection (b)(1) will be refundable. When additional customers are connected to the extended main within ten (10) years of the date of completion, contributions in aid of construction will be collected equal to the amount which would have been assessed under Subsection (b)(1) for the abutting property being served. This amount will be refunded to the original contributor(s). In no case will the contributions received from additional customers exceed the proportionate amount which would have been required under Subsection (a) nor will it exceed the total assessable cost of the original extension.
- (c) When a customer connects to a transmission main or connecting loop installed at Utility expense within ten (10) years of the date of completion, there will be a contribution required of an amount equivalent to that which would have been assessed under Subsection (a).

Sec. 9-1-54 Water Main Installations in Platted Subdivisions.

- (a) Application for installation of water mains in regularly platted real estate development subdivisions shall be filed with the Utility.
- (b) If the developer, or a contractor employed by the developer, is to install the water mains (with approval of the Utility), the developer shall be responsible for the total cost of construction.
- (c) If the Utility or its contractor is to install the water mains, the developer shall be required to advance to the Utility, prior to the beginning of the construction, the total estimated cost of the extension. If the final costs exceed estimated costs, an additional billing will be made for the balance of the cost due. This balance is to be paid within thirty (30) days. If final costs are less than estimated, a refund of the overpayment will be made by the Water Utility.

Sec. 9-1-55 Cross Connection Control.

- (a) **Purpose.** Chapters NR 810 and SPS 382, Wis. Adm. Code, require protection for the public water system from contamination due to backflow of contaminants through the water service connection. The Wisconsin Department of Natural Resources (WisDNR) requires the development and implementation of a comprehensive cross connection control program to effectively prevent the contamination of potable water systems.
- (b) **Definitions.** The following definitions shall be applicable in this Section:
 - (1) **Backflow.** The undesirable flow of water or mixtures of water and other liquids, solids, gases, or other substances under positive or reduced pressure into the Village of Hatley Water Utility potable supply of water from any source.
 - (2) **Backflow Prevention.** A means designed to prevent backflow caused by backpressure or backsiphonage, most commonly categorized as air gap, reduced pressure principle backflow assembly, double check valve assembly, pressure vacuum breaker assembly, backsiphonage backflow vacuum breaker (spill-resistant pressure vacuum breaker) assembly, pipe-applied atmospheric vacuum breaker, flush tank ballcock, laboratory faucet backflow preventor, backflow prevented for carbonated beverage machine, vacuum breaker wall hydrants (freeze-resistant automatic draining type), chemical dispensing machine, hose connection vacuum breaker, hose connection backflow preventor, backflow preventor with intermediate atmospheric vent and barometric loop.
 - (3) **Backpressure.** An elevation of pressure in the downstream piping system (i.e. pump, elevation of piping, or steam and/or air pressure) above the utility supply pressure, which would cause or tend a reversal of the normal direction of flow.
 - (4) **Backsiphonage.** The flow of water or other liquids, mixtures or substances into the Utility's potable water system from any source caused by the sudden reduction of pressure in the Utility's potable water supply system.
 - (5) **Cross Connections.** Any physical connection or arrangement between two (2) otherwise separate systems, one of which contains potable water from the Utility, and the other containing 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 (2) systems.
- (c) **Unprotected Cross Connections Prohibited.** No person, firm, or corporation may establish or maintain, or permit to be established or maintained, any unprotected cross connection. Cross connections shall be protected as required in SPS 382, Wis. Adm. Code.
- (d) **Inspection.** The Village of Hatley Water Utility may inspect, or arrange for an inspection of, property served by the public water system for cross connections. As an alternative, the Water Utility may require a person, firm, or corporation who owns, leases, or occupies property to have their plumbing inspected, at their own expense, by a State of Wisconsin

Certified Cross Connection Inspector/Surveyor. The frequency of inspections shall be established by the Water Utility in accordance with the Wisconsin Administrative Code. Any unprotected cross connections identified by the inspection shall be promptly corrected. Failure to promptly correct an unprotected cross connection shall be sufficient cause for the Water Utility to discontinue water service to the property, as provided under Subsection (g) below.

- (e) **Right of Entry.** Upon presentation of credentials, a representative of the Water Utility shall have the right to request entry, at any reasonable time, to a property served by a connection to the public water system for the purpose of inspecting the property for cross connections. Refusing entry to such Utility representative shall be sufficient cause for the Water Utility to discontinue water service to the property, as provided under Subsection (g) below. If entry is refused, a special inspection warrant under Section 66.0119, Wis. Stats., may be obtained.
- (f) **Provision of Requested Information.** The Water Utility may request an owner, lessee, or occupant of property served by a connection to the public water system to furnish the Water Utility with pertinent information regarding the piping systems on the property. Refusing to provide requested information shall be sufficient cause for the Water Utility to discontinue water service to the property, as provided under Subsection (g) below.
- (g) **Discontinuation of Water for Violation.** The Water Utility may discontinue water service to any property wherein any unprotected connection in violation of this Section exists, and take other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service may be discontinued, however, only after reasonable notice and opportunity for hearing under Chapter 68, Wis. Stats., (Title 4 of this Code of Ordinances), except as provided in Subsection (h) below. Water service to such property shall not be restored until the unprotected cross connection has been eliminated.
- (h) **Emergency Discontinuance of Service.** If it is determined by the Water Utility that an unprotected cross connection or emergency endangers public health, safety, or welfare, and requires immediate action, and if a written finding to that effect is filed with the Village Clerk-Treasurer and delivered to the customer's premises, water service may be immediately discontinued. The customer shall have an opportunity for hearing under Chapter 68, Wis. Stats., (Title 4 of this Code of Ordinances), within ten (10) days of such emergency discontinuance. Water service to such property shall not be restored until the unprotected cross connection has been eliminated.
- (i) **Public Water Supplies.** This Section does not supersede the State of Wisconsin Department of Natural Resources NR 811, Wis. Adm. Code, but is supplementary to it.
- (j) **Plumbing Code.** The Village of Hatley Village Board adopts by reference the Wisconsin Uniform Plumbing Code, being SFS 383-384, Wis. Adm. Code. This Section does not supersede the Wisconsin Uniform Plumbing Code and/or the Village of Hatley Plumbing Code but is supplementary to it.

Sec. 9-1-56 Well Abandonment; Well Operation Permit.

- (a) **Purpose.** The purpose of this Section is to protect public health, safety and welfare, and to prevent contamination of groundwater by assuring that unused, unsafe or noncomplying wells, or wells which may be illegally cross-connected to the municipal water system, are properly maintained or abandoned.
- (b) **Applicability.** This Section applies to all wells located on premises served by the Village of Hatley's municipal water system. Water Utility customers outside the jurisdiction of the municipal system may be required under contract agreement or Water Utility rule to adopt and enforce equivalent ordinances within their jurisdictions for the purpose(s) stated in Subsection (a) above.
- (c) **Definitions.** The following definitions shall be applicable in this Section:
 - (1) **Municipal Water System.** A community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county, or municipal-owned institution for congregate care or correction, or a privately-owned water utility serving the foregoing.
 - (2) **Noncomplying.** A well or pump installation which does not comply with NR 812.42, Wis. Adm. Code, "Standards for Existing Installations," and which has not been granted a variance pursuant to NR 812.43, Wis. Adm. Code.
 - (3) **Pump Installation.** The pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, and pressure tanks, pits, sampling faucets and well seals or caps.
 - (4) **Unsafe.** A well or pump installation means one which produces water which is bacteriologically contaminated or contaminated with substances which exceed the drinking water standards of NR 140 or 809, Wis. Adm. Code, or for which a Health Advisory has been issued by the Wisconsin Department of Natural Resources.
 - (5) **Unused.** A well or pump installation that is one which is not used or does not have a functional pumping system.
 - (6) **Well.** A drillhole or other excavation or opening deeper than it is wide that extends more than ten (10) feet below the ground surface constructed for the purpose of obtaining groundwater.
 - (7) **Well Abandonment.** The proper filling and sealing of a well according to the provisions of NR 812.26, Wis. Adm. Code.
- (d) **Private Well Abandonment Required.** All wells on premises served by the municipal water system shall be properly abandoned in accordance with Subsection (f) below by one (1) year or not later than one (1) year from the date of connection to the municipal water system, unless a valid well operation permit has been issued to the well owner by the Village of Hatley Water Utility under the terms of Subsection (e) below.
- (e) **Private Well Operation Permit.** Owners of wells on premises served by the municipal water system wishing to retain their wells for any use shall make application for a well

operation permit for each well no later than ninety (90) days after connection to the municipal water system. The Village of Hatley shall grant a permit to a well owner to operate a well for a period not to exceed ten (10) years providing all conditions of this Section are met. A well operation permit may be renewed by submitting an application verifying that the conditions of this Section are met. The Village of Hatley Water Utility, or its agent, may conduct inspections and water quality tests or require inspections and water quality tests to be conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the Village Clerk. The following conditions must be met for issuance or renewal of a well operations permit:

- (1) **Administrative Code Compliance.** The well and pump installation shall meet the "Standards for Existing Installations" described in NR 812.42, Wis. Adm. Code.
 - (2) **Testing.** The well and pump shall have a history of producing safe water evidenced by a least one (1) coliform bacteria sample. In areas where the Wisconsin Department of Natural Resources has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to document the safety of the water.
 - (3) **Cross Connections Prohibited.** There shall be no cross connections between the well pump's installation or distribution piping and the municipal water system.
 - (4) **Private Well Discharges.** The water from the private well shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the sewer utility.
 - (5) **Functional Pumping System Requirement.** The private well shall have a functional pumping system.
 - (6) **Necessity Test.** The proposed use of the private well shall be justified as reasonable in addition to water provided by the municipal water system.
- (f) **Private Well Abandonment Procedures.**
- (1) **Consistency With Administrative Code Requirements; Debris Removal.** All wells abandoned under the jurisdiction of this Section shall be done according to the procedures and methods of NR 812.26, Wis. Adm. Code. All debris, pumps, piping, unsealed liners, and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.
 - (2) **Notification of Abandonment Procedures.** The owner of the well, or the owner's agent, may be required to obtain a well abandonment permit prior to any well abandonment and shall notify the Village Clerk at least forty-eight (48) hours in advance of any well abandonment activities. The abandonment of the well may be observed or verified by personnel of the municipal system.
 - (3) **Abandonment Report.** An abandonment report form, supplied by the Wisconsin Department of Natural Resources, shall be submitted by the well owner to the Village Clerk and the Wisconsin Department of Natural Resources within thirty (30) days of the completion of the well abandonment.

- (g) **Penalties.** Any well owner violating any provision of this Section shall, upon conviction, be punished by forfeiture of not less than Twenty-Five Dollars (\$25.00) or more than One Hundred Dollars (\$100.00) and the cost of prosecution. Each day of violation is a separate offense. If any person fails to comply with this Section for more than thirty (30) days after receiving written notice of the violation, the Village may impose a penalty and cause the well abandonment to be performed and the expense to be assessed as a special charge against the property.

Cross-Reference: NR 812, Wis. Adm. Code; SFS 383-384, Wis. Adm. Code

Title 9 ► Chapter 2

Sewer Utility Regulations and Rates

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Sec. 9-2-1 Definitions.

- (a) **Definitions Established.** The following definitions are applicable in this Chapter:
- (1) **Biochemical Oxygen Demand (BOD).** The quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20° Centigrade, expressed in milligrams per liter. Quantitative determination of BOD shall be made in accordance with procedures set forth in "Standard Methods".
 - (2) **Building Drain.** That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer.
 - (3) **Building Sewer.** The extension from the building drain to the public sewer or other place of disposal beginning outside the inner face of the building wall.
 - (4) **Garbage.** The residue from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of food products and produce.

- (5) **Industrial Waste.** The wastewater from industrial process, trade, or business, as distinct from sanitary sewage, including cooling water and the discharge from sewage pretreatment facilities.
- (6) **Person.** Any and all persons, including any individual, firm, company, municipal or private corporation, limited liability corporation, partnership, association, society, institution, enterprise, governmental agency, or other entity.
- (7) **pH.** The logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of the hydrogen-ions, in grams per liter of solution. Neutral water, for example, has a pH value of seven (7) and hydrogen-ion concentration of 10^{-7} .
- (8) **Sanitary Sewer.** A sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.
- (9) **Shock.** Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation and shall adversely affect the system and/or performance of the wastewater treatment works.
- (10) **Standard Methods.** The examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage, and Industrial Wastes" published jointly by the American Public Health Association, the American Water Works Association, and the Federation of Sewage and Industrial Wastes Association.
- (11) **Storm Drain ("Storm Sewer").** A drain or sewer for conveying water, ground water, subsurface water or unpolluted water from any source.
- (12) **Suspended Solids.** Solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for Examination of Water and Wastewater" and is referred to as nonfilterable residue.
- (13) **Wastewater.** The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any ground water, surface water, and stormwater that may be present, but not intentionally admitted.
- (14) **Wastewater Treatment Works.** An arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with waste treatment.
- (15) **Watercourse.** A natural or artificial channel for the passage of water, either continuously or intermittently.

- (16) **Wisconsin Pollutant Discharge Elimination System (WPDES) Permit.** A document issued by the Wisconsin Department of Natural Resources which establishes effluent limitations and monitoring requirements for the municipal wastewater treatment facility.

Sec. 9-2-2 Sewer System Management; Authority.

(a) **Management.**

- (1) The management, operation and control of the sewer system for the Village of Hatley is vested in the Village Board of said Village.
- (2) All records, minutes and written proceedings thereof shall be kept by the Village Clerk. The Village Clerk or Treasurer shall keep all financial records of the Sewer Utility.

(b) **Authority and Responsibilities.**

- (1) The Sewer Utility of the Village of Hatley shall have the power to construct sewer lines for public use, and shall have the power to lay sewer pipes in and through the alleys, streets, and public grounds of the Village, and generally to do all such work as may be found necessary or convenient in the management of the sewer system.
- (2) The Village Board shall have power by themselves, their officers, agents, and servants, to enter upon any land for the purpose of making examination or supervise in the performance of their duties under this Chapter, without liability therefor.
- (3) The Village Board shall have the power to purchase and acquire for the Village all real and personal property which may be necessary for construction of the sewer system, or for any repair, remodeling, or additions thereto.

(c) **Condemnation of Real Estate.** Whenever any real estate or any easement therein, or use thereof, shall in the judgment of the Village Board be necessary to the sewer system; and whenever, for any cause, an agreement for the purchase thereof cannot be made with the owner thereof, the Village Board shall proceed with all necessary steps to take such real estate easement, or use by condemnation in accordance with the Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if federal funds are used.

(d) **Title to Real Estate and Personality.** All property, real and mixed, acquired for the construction of the sewer system, and all plans, specifications, diagrams, papers, books and records connected with said sewer system, and all buildings, machinery and fixtures pertaining thereto shall be the property of said Village.

Sec. 9-2-3 User Rules and Regulations Generally.

- (a) The rules, regulations and sewer rates of the Village of Hatley Sewer Utility hereinafter set forth shall be considered a part of the contract with every person, company or corporation

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who is connected with the sewer system of the Village of Hatley, and every such person, company or corporation by connecting with the sewer system shall be considered as expressing his/her or their consent to be bound by such rules, regulations and rates.

- (b) Whenever any of said rules and regulations, or such others as the said Village of Hatley Sewer Utility may hereafter adopt are violated, the service shall be shut off from the building or place of violation [even though two (2) or more parties are receiving service through the same connection], and shall not be re-established except by order of the Village Board, and on payment of all arrears, the expenses and established charges of shutting off and putting on, and such other terms as the Village Board may determine, and a satisfactory understanding with the party that no further cause for complaint shall arise. In case of such violation, the said Village Board may declare any payment made for the service by the party or parties committing such violation to be forfeited, and the same shall thereupon be forfeited.
- (c) The right is reserved to the Village Board to change said rules, regulations and sewer rates from time to time as the Board may deem advisable, and to make special rates and contracts in all proper cases.

Sec. 9-2-4 Rules for Sewer Users and Plumbers.

The following rules and regulations for the government of licensed plumbers, sewer users and others are hereby adopted and established:

- (a) **Plumbers.** No plumber, pipe fitter, or other person will be permitted to do any plumbing or pipe fitting work in connection with the sewer system without first receiving a proper license from the State of Wisconsin.
- (b) **Users.**
 - (1) **Application for Service.**
 - a. Every person connecting with the sewer system shall file an application in writing to the Village Board, in forms as is prescribed for that purpose. Application forms are available from the Village Clerk or his/her designee. The application must state fully and truthfully all uses which will be applicable, except upon further application and permission regularly obtained from said Village Board. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. Persons connected to the sewer system of the Village of Hatley are referred to in this Chapter as "Users".
 - b. The application may be for service to more than one (1) building, or more than one (1) unit of service through one (1) service connection; and in such case, the charges shall be made accordingly.
 - c. If it appears that the service applied for will not provide adequate service for the contemplated use, the Village Board may reject the application, it shall issue a permit for services as shown on the application.

- (2) **Payment for Connection Application.**
 - a. Prior to the issuance of the application for service, all users that were not installed during the original construction project will be required to make a payment to the Sewer Utility as follows:
 - 1. Residential: Two Thousand Dollars (\$2,000.00).
 - 2. Commercial: At Cost.
 - 3. Industrial: At Cost.
 - b. Fees not collected in this manner which are not used within one (1) year may be refunded to the current owner of the property with respect to which the fees were imposed. Upon request, developers may appeal the amount, collection, or use of these fees directly to the Village Board.
- (3) **Tap Permits.** After sewer connections have been introduced into any building or upon any premises, no plumber shall make any alterations, extension, or attachments unless the party ordering such tapping or other work shall exhibit the proper permit for the same from the Village Board.
- (4) **User to Keep in Repair.** All users shall keep their own service pipes in good repair and protected from frost, at their own risk and expense, and shall prevent any unnecessary overburdening of the sewer system.
- (5) **User Use Only.** No user shall allow others or other services to connect the sewer system through his/her system.
- (6) **User to Permit Inspection.** Every user shall permit the Village Board, or its authorized agent, at all reasonable hours of the day, to enter their premises or building to examine the pipes and fixtures and the manner in which the drains and sewer connections operate; and users shall at all times, frankly and without concealment, answer all questions put to them relative to their use of the sewer system.
- (7) **Utility Responsibility.** It is expressly stipulated that no claim shall be made against said Village Board by reason of the breaking, clogging, stoppage, or freezing of any service pipes; nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary. The right is hereby reserved to terminate service at any time for the purpose of making repairs or any other necessary purpose, any permit granted or regulation to the contrary notwithstanding.
- (c) **Excavations.**
 - (1) **Ordinance Compliance.** All street excavations performed pursuant to this Chapter shall comply with the street opening and restoration standards found in Title 6, Chapter 2 of this Code of Ordinances.
 - (2) **Inconvenience to the Public.** In making excavations in streets or highways for laying service pipe or making repairs, the paving and earth removed must be deposited in a manner that will occasion the least inconvenience to the public.
 - (3) **Open Excavations.** No person shall leave any such excavation made in any street or highway open at any time without barricades, and during the night warning lights must be maintained at such excavations.

- (4) **Restoration.** In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than nine (9) inches in depth, and each layer thoroughly compacted to prevent settling. This work, together with the replacing of sidewalks, ballast and paving, must be done so as to make the street in a condition as, at a minimum, as good as before it was disturbed, and satisfactory to the Village Board or its agents. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.
- (d) **Tapping the Mains.**
 - (1) **Authorization and Compliance with Standards Required.** No persons, except those having special permission from the Village Board or persons in their service and authorized by them, will be permitted, under any circumstances to tap the mains or collection pipes. The kind and size of the connection with the pipe shall be that specified in the permit or order from the Village Board.
 - (2) **Tapping Procedures.** Pipes should always be tapped on the top half, and not within six (6) inches (15 cm) of the joint, or within twenty-four (24) inches (60 cm) of another lateral connection.
- (e) **Installation of House Laterals.**
 - (1) **Standards.** All service pipes (laterals) on private property shall be installed in accordance with H82, Wis. Adm. Code, "Design, Construction, Installation, Supervision and Inspection of Plumbing", specifically H82.04, Wis. Adm. Code, "Building Sewers".
 - (2) **Inspections.** All building sewers under construction will be inspected by a designated representative of the Village of Hatley. The building sewers and/or private interceptor main sewers shall be inspected upon completion of placement of the pipe and before backfilling, and tested before or after backfilling. Any sewer that is backfilled prior to inspection shall be re-excavated to allow said inspection.
- (f) **Septic Tank and Holding Tank Disposal.**
 - (1) **Disposal Permit Required.**
 - a. No person engaged in the business of gathering and disposing of septic tank sludge or holding tank sewage shall transfer such material into any disposal area or sewer manhole located within Village of Hatley boundaries unless a permit for disposal has been first obtained from the Village Board or its designee.
 - b. Written for such permit shall be made to the Village Board and shall state:
 - 1. Name and address of the applicant;
 - 2. Number of disposals units; and
 - 3. Size, make, model, and license number of each unit.
 - c. Septic disposal permits shall be non-transferrable except in the case of replacement of the disposal unit for which a permit shall have been originally issued.
 - d. Such permit may be obtained upon payment of a fee as established by the Village Board. The Village Board may impose such conditions as it deems necessary on any permit granted.

- (2) **Disposal Charges.**
 - a. Disposal charges shall be:
 - 1. Septic tanks: per Section 1-3-1.
 - 2. Holding tanks: per Section 1-3-1.
 - b. Bills shall be mailed on a monthly basis to permit holders and if payments are not received within thirty (30) days thereof, disposal privileges shall be suspended by the Sewer Utility.
- (3) **Insurance Requirement.** Any person or party disposing of septic tank or holding tank sludge agrees as a condition of permit issuance to carry public liability insurance in an amount not less than One Hundred Thousand Dollars (\$100,000.00) to protect any and all persons or property from injury and/or damage caused in any way or manner by any act, or failure to act, by any of his/her employees or agents. The person(s) shall furnish a certificate certifying such insurance to be in full force and effect.
- (4) **Improper Materials for Disposal.** Any materials dumped into the Utility's treatment system shall be of domestic origin only. The permittee shall comply with the provisions of any and all applicable ordinance and/or policies of the Village, and specifically shall not deposit or drain any gasoline, oil, acid, alkali, grease, rags, waste, volatile or inflammable liquids, or other deleterious substances into any manhole nor allow any earth, sand, or other solid material to pass into any part of the sewage system.
- (5) **Indemnification.** The person(s) or party disposing waste agrees to indemnify and hold harmless the Village of Hatley from any and all liability and claims for damages arising out of or resulting from work and labor performed.
- (6) **Bond.** The person(s) or party disposing septage waste shall furnish a bond to the Village in a minimum amount of One Thousand Dollars (\$1,000.00) to guarantee performance; the Village Board or its designee reserves the right to require a higher bond amount. Said performance bond shall be delivered to the Village Clerk prior to the issuance of the permit.

Sec. 9-2-5 Sewer User Charge System.

(a) User Charge System.

- (1) It shall be the policy of the Village Board to obtain sufficient revenues to pay the cost of:
 - a. The annual debt retirement payment on any bonded indebtedness;
 - b. Any required cash reserve account payment; and
 - c. Operation and maintenance of the sewage works, including a replacement fund (i.e., a cash account to be used for future expenditures for obtaining or installing

equipment, accessories or appurtenances which are necessary to maintain the capacity and performance of the sewage works during the service life for which such works were designed and constructed), through a system of user charges as defined in this Section.

- (2) The user charge system shall assure that each user of the sewage system pays a proportionate share of the cost of such works.
- (b) **Classification of Customers.** All sewer users shall be classified by the Sewer Utility as:
 - (1) Residential/commercial (domestic strength); or
 - (2) Industrial customers.
- (c) **Basis for User Charges.**
 - (1) User charges shall consist of:
 - a. A minimum quarterly billing, on the basis of user charge factors; and
 - b. A unit price per volume of water utilized.
 - (2) The minimum quarterly billing shall be sufficient to pay the annual debt retirement and FmHA Reserve Account costs. A portion of the debt service and Reserve Account may be budgeted by levying an ad valorem tax in accordance with the Wisconsin Statutes. The unit price per volume shall be sufficient to pay the annual cost of operation and maintenance, including any replacement fund, of the sewage works.
 - (3) Users will be notified annually of the portion of user charges or ad valorem taxes attributable to wastewater treatment services.
 - (4) Water meter readings shall be used to determine the actual water volume used. The unit price portion of the third quarter (i.e. July-September) sewer bill may be based on the average volume of water used during the previous second, first and fourth quarter, except that no "zero" usage quarter will be averaged. All other quarterly sewer bills will be based on actual water used.
 - (5) If a portion of the water furnished to any customer is not discharged into the sewer system, the quantity of such water will be deducted in computing the charge for water service, provided a meter has been installed to measure such water use. The customer must at his/her own expense make necessary changes in the water piping and install couplings so that a meter can be set. A charge for the actual cost of providing a meter shall be paid by the customer.
- (d) **User Charge Methodology.** The methodology of determining the user charges is given in Appendix A, on file with the Village Clerk. The Sewer Utility shall provide the initial estimates of water volumes number of meters, costs, etc., to calculate the first year's user charges. The user charges, and provisions of this Chapter, shall be reviewed not less than biannually. Such review shall be performed by the Village auditor. User charges shall be adjusted, as required, to reflect actual volumes of water used and actual costs.
- (e) **Meter Readings Unavailable.** Where it is not possible to obtain a water meter reading, or in cases where no water meter exists, the customer shall be assigned an average water

volume by the Village, based on previous water readings, and this shall be so stated on the bill. The difference shall be adjusted when the meter is read again.

(f) **Sewer Rates Generally.**

- (1) There shall be charged to each user of the sewer system a sewer charge as follows:
 - a. A minimum charge per Sec. 1-3-1 based on the amount of the water consumption per one thousand (1,000) gallons.
 - b. A variable charge per Section 1-3-1 based on the amount of water consumed, as defined in Section 9-2-4(c), per one thousand (1,000) gallons in excess of twelve thousand (12,000) gallons per quarter.
- (2) All charges for sewerage service shall be made quarterly and shall be payable on the first day of January, April, July and October in each year. A three percent (3%) late payment penalty will be added to those bills not paid on or before the 20th day after the due date of the bill with a thirty cent (\$0.30) minimum penalty charge. A failure to receive a bill shall not excuse non-payment. Sewerage service charges shall be a lien on the property served in accordance with the Wisconsin Statutes.
- (3) Excess revenues collected from a user class will be applied to operation, maintenance, and replacement costs attributable to that class for the next year.
- (4) The user charge system takes precedence over pre-existing agreements inconsistent with the governing regulations of the Wisconsin Fund Grant Program.

Sec. 9-2-6 Mandatory Connection.

- (a) The owner of each parcel of land adjacent to a sewer main on which there exists a building useable for human habitation, or in a block through which such system is extended, shall connect to such system within forty-five (45) days of notice in writing from the Village Board or its designee. Upon failure to do so, the Village may cause such connection to be made and bill the property owner for such costs. If such costs are not paid within thirty (30) days, such notice shall be assessed as a special tax lien against the property pursuant to the Wisconsin Statutes, provided, however, that the owner may within thirty (30) days after the completion of the work file a written opinion with the Village Clerk stating that he/she cannot pay such amount in one (1) sum and ask that there be levied in not to exceed five (5) equal installments and that the amount shall be so collected with interest at the rate of six percent (6%) per annum from the completion of the work, the unpaid balance being a special tax lien pursuant to the Wisconsin Statutes.
- (b) In lieu of the above in Subsection (a), the Village Board, at its own option, may impose a penalty for the period that the violation continues, after ten (10) days' written notice to any owner failing to make a connection to the sewer system in an amount of Thirty Dollars (\$30.00) per month for each residential unit equivalent payable quarterly, for the period in which the failure to connect continues, and upon failure to make such payment said charge shall be assessed as a special tax lien pursuant to the Wisconsin Statutes.

- (c) This Chapter ordains that the failure to connect to the sewer system is contrary to the minimum health standards of the Village of Hatley and fails to assure preservation of public health, comfort, safety of said Village.

Sec. 9-2-7 Maintenance of Services.

- (a) The Sewer Utility shall maintain sewer service within the limits of the Village of Hatley from the street main to the property line and including all controls between the same, without expenses to the property owner, except when they are damaged as a result of negligence or carelessness on the part of the property owner, a tenant, or an agent of the owner, in which case they will be repaired at the expense of the property owner or occupant of the property.
- (b) When any sewer service is to be relaid and there are two (2) or more buildings on such service, each building shall be disconnected from such service and a new sewer service shall be installed for each building.

Sec. 9-2-8 Penalty for Improper Use; Prohibited Wastes.

- (a) It shall be unlawful for any person to willfully injure the sewer system, or any building, machinery, or fixture of the Village of Hatley, or to bore or otherwise cause to leak any tunnel, aqueduct, reservoir, pipe or other thing used in the system for holding, conveying, or collecting sewage.
- (b) It shall be unlawful for any person to introduce sewage into the system which shows an excess of BOD or suspended solids concentration of over 200 mh/1(normal domestic sewage); surcharge shall be imposed and shall be based on the excess of BOD or suspended solids at a rate of 70 cents per pound. The Village reserves the right to test the sewage at any point within the connection system of the user or consumer. A user may not use dilution as a means to achieve a lower concentration BOD or suspended solids. Users discharging toxic pollutants shall pay for any increased operations and maintenance (O & M) or replacement costs caused by the toxic pollutants.
- (c) No user shall discharge or cause to be discharged any of the following described liquids or solid wastes to any sanitary sewer:
 - (1) Any storm water, surface water, ground water, roof run-off or surface drainage.
 - (2) Any gasoline, benzene, naptha, fuel oil, or other flammable or explosive liquid, solid or gas.
 - (3) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or sticky substance capable of causing obstruction of the flow in sewers or other interference with the proper operation of the sewage works.

- (4) Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constituting a hazard to humans and animals or create any hazard in the receiving treatment facility.
- (5) Any water or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such material at the sewage treatment plant.
- (6) Any noxious or malodorous gas or substance capable of creating a public nuisance.
- (7) Any garbage that has not been properly shredded.
- (8) Any liquid or vapor having a temperature higher than 150° Fahrenheit.
- (9) Any water or wastes which may contain more than one hundred (100) parts per million by weight of fat, oil, or grease.
- (10) Any water or wastes having pH lower than 5.5 or higher than 9.0 having any corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the Sewer Utility.

Sec. 9-2-9 Damage Recovery.

In addition to any other penalty provided by this Chapter or other pertinent ordinance or law, the Village of Hatley shall have the right of recovery from any responsible persons of any expense incurred by the Village and/or its Sewer Utility for penalties imposed on the Village and/or its Sewer Utility due to a violation of this Chapter or other ordinance or law, correction of conditions impairing the proper operation of the sewer system and the repair or replacement of any sewer pipe or other property of the sewer system damaged in any manner by any negligent or intended act or omission by such person or by others under their control or supervision.

Sec. 9-2-10 Penalties.

Any person who shall violate any of the provisions of this Chapter or rules or regulations of the Village of Hatley and/or its Sewer Utility; or who shall connect a service pipe without first having obtained a permit therefor; or who shall violate any provision of the Wisconsin Statutes, Wisconsin Administrative Code, or any other materials or requirements which are incorporated by reference, shall upon conviction thereof be subject to a forfeiture and additional penalties as prescribed in Section 1-1-6, and the costs of prosecution. This, however, shall not bar the Village of Hatley and/or its Sewer Utility from enforcing the mandatory connection requirements set forth in Section 9-2-6.

Sec. 9-2-11 Septic Tanks Prohibited.

The maintenance and use of septic tanks and other private sewage disposal systems within the area of the Village of Hatley serviced by its sewer system are hereby declared to be a public nuisance and a health hazard. From and after August 1, 1993, the use of septic tanks or any

private sewage disposal system within the area of the Village of Hatley serviced by the sewerage system shall be prohibited.

Sec. 9-2-12 Vacating of Premises and Discontinuance of Service.

Whenever premises served by the Sewer Utility are to be vacated, or whenever any person desires to discontinue service from the system, the system shall be notified in writing. The owner of the premises shall be liable for any damages to the property or such damage which may be discovered having occurred to the property of the system other than through the fault of the system or its employees, representatives, or agents.

Sec. 9-2-13 Charges Are a Lien on Property.

All sewer services, charges, and special assessments shall be a lien on a lot, part of a lot, or land on which sewer services are supplied. All sums which have accrued during the preceding year and which are unpaid by the first day of November of any year shall be certified by the Village Clerk to be placed on the taxroll for collection as provided by the Wisconsin Statutes.

Sec. 9-2-14 Unit of Service Definition.

- (a) A "unit of service" shall consist of any residential, commercial, industrial or charitable aggregation of space or area occupied for a distinct purpose such as a residence, apartment, flat, store, office, industrial plant, church or school. Each unit of service shall be regarded as one (1) consumer. Suites in houses, or apartments with complete housekeeping functions (such as cooking), shall be classified as an apartment house; thus houses and apartments having suites of one (1), two (2) or more rooms with toilet facilities, but without a kitchen for cooking, are classified as rooming houses.
- (b) When a consumer's premises has several buildings, for which services are eligible and such buildings are used in the same business and connected by the user, the Village of Hatley shall set a separate rate for such complex.

Sec. 9-2-15 Adoption of Other Rules.

There is hereby adopted all the rules and regulations of the State Plumbing and Building Codes and the building rules of the Wisconsin Department of Safety and Professional Services and the Wisconsin Department of Natural Resources, insofar as the same are applicable to the Village of Hatley. All extensions of the system shall comply with the administrative rules of the Wisconsin Department of Natural Resources.