

## **Title 13**

### **WATER AND SEWERS\***

#### **Chapters:**

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\* Editor's Note: Current water and sewer rate schedules are on file in the city clerk's office.

## Chapter 13.04

### GENERAL PROVISIONS

**Sections:**

- 13.04.010 Title.**
- 13.04.020 Gross revenues designated—Disposition.**

**13.04.010 Title.**

This title shall be know as “an ordinance fixing the water and sewer rates and rules and regulations of the municipal water and sewer utility, Altoona, Wisconsin.” (Prior code § 7.01)

**13.04.020 Gross revenues designated—Disposition.**

All moneys received by the city from its ownership and operation of said utility and of any future additions thereto and betterments thereof including all receipts for sale and availability of water and sewerage service and all other services, products and byproducts of the utility or from any sales of merchandise, supplies or equipment acquired for the utility and not needed to be retained are herein termed the gross revenues of the utility, and said gross revenues shall be apportioned as follows and in the following priority:

- A. Thirteen percent of the annual revenues shall be set aside and placed in the depreciation fund;
- B. A sum sufficient to meet the annual debt service requirements is to be placed in the bond interest and special redemption fund;
- C. The balance shall be placed in the operations and maintenance fund. (Ord. A-16, 1964: Ord. A-3, 1961)

## Chapter 13.08

### DEFINITIONS

#### Sections:

<b>13.08.010</b>	<b>Definitions generally.</b>
<b>13.08.020</b>	<b>Agent.</b>
<b>13.08.030</b>	<b>Council.</b>
<b>13.08.040</b>	<b>Customer or unit of service.</b>
<b>13.08.050</b>	<b>Mains.</b>
<b>13.08.060</b>	<b>Owner.</b>
<b>13.08.070</b>	<b>Premises.</b>
<b>13.08.080</b>	<b>Services.</b>
<b>13.08.090</b>	<b>Water and sewer department.</b>

#### **13.08.010 Definitions generally.**

Whenever the following words, clauses or terms are used in this title, they shall be construed to have the meaning defined in this chapter, unless specifically otherwise stated. (Prior code § 7.02 (part))

#### **13.08.020 Agent.**

“Agent.” In the absence of instructions from the owner of any property or his duly authorized agent to the contrary, the occupant of any premises shall be recognized as the owner's agent, insofar as his relations to the water and sewer department are concerned. (Prior code § 7.02(f))

#### **13.08.030 Council.**

“Council” means the city council of the city of Altoona, Wisconsin. (Prior code § 7.02(b))

#### **13.08.040 Customer or unit of service.**

“Customer” or “unit of service” means and consists of any aggregation of space or area such as a residence, flat, apartment, store, office, etc., and which is equipped with one or more fixtures for rendering service separate and distinct from other users. (Prior code § 7.02(h))

#### **13.08.050 Mains.**

“Mains” means all pipes used for carrying water and sewerage in the streets. (Prior code § 7.02(c))

#### **13.08.060 Owner.**

“Owner” means any person, firm, corporation or association or his or their authorized agent owning property or premises which can be supplied with water or sewer service. (Prior code § 7.02(e))

#### **13.08.070 Premises.**

“Premises” means a single-family dwelling, a two-family dwelling, an apartment house occupied by more than one family, a building occupied for a business or other purpose, or any part of a building, with the land appurtenant thereto, when sold as a separate unit. (Prior code § 7.02(g))

#### **13.08.080 Services.**

“Services” means the pipes extending from the mains to the premises served. (Prior code § 7.02(d))

#### **13.08.090 Water and sewer department.**

“Water and sewer department” means the organization, property and operation of each and every part of the waterworks and sewer system. (Prior code § 7.02(a))

## Chapter 13.12

### WATER AND SEWER MAINS

#### Sections:

- 13.12.010**      **Ownership—Operation by unauthorized persons prohibited.**
- 13.12.020**      **State statutes adopted by reference.**
- 13.12.030**      **Extension--Special application--Additional connections permitted when.**
- 13.12.040**      **Lift station installation.**
- 13.12.060**      **Deferred special assessments.**

#### **13.12.010**      **Ownership—Operation by unauthorized persons prohibited.**

The large pipes or mains which, in general, are laid in streets and alleys and distribute water and sewer service throughout the city are the property of the utility and are maintained by the utility. No person except an authorized employee of the water and sewer department shall be permitted to operate any valves or hydrants in connection with the system, or to tap the said mains for connection purposes, except by permission of the superintendent of the department. Members of the fire department in discharge of their duties will use the hydrants. (Prior code § 7.03(a))

#### **13.12.020**      **State statutes adopted by reference.**

Wis. Stat. §§ 62.16, 62.18, 66.0821, and 66.0703 relating to special assessments for the laying of water and sewer mains, are adopted and made a part of these regulations. (part, Ord. 2B-15, 2015; Prior code § 7.03(b))

#### **13.12.030**      **Extension—Special application—Additional connections permitted when.**

A. In cases where special application has been made for extensions of sewer and water mains in streets where in the opinion of the council the extension should not be ordered and the cost assessed against abutting property owners in accordance with Chapter 62 of the Wisconsin Statutes, the extension will be made only if those seeking the service shall pay the total cost of the extension, said cost of extensions to be paid before work is commenced. Should new customers be connected to the water and sewer extension that was paid for in this manner who were not assessed as abutting property owners for the costs of special extensions, then said new customers who were not so assessed shall be assessed the proportionate cost of the total cost of the extension, and a refund shall be made to the original customers who sought the extensions in sufficient amounts to make the contribution of all equal.

B. Before being allowed to connect to any extension financed as above, each new customer shall be required to deposit with the city treasurer a sum sufficient to cover the proportionate cost as set forth herein. (Ord. A-48 § 1, 1968: prior code § 7.03(c))

#### **13.12.040**      **Lift station installation.**

The city shall install a lift station in the area recently annexed to the city from the town of Washington on an extension of Third Street East, now known as County Trunk A, and the same shall be paid for out of the sewer and water utility fund. (Ord. A-98 § 1 (part), 1974: prior code § 7.03(d)(1))

#### **13.12.060**      **Deferred special assessments.**

In those instances where water and sewer mains are extended by the city, the special assessment, at the council's option, may be deferred until such time as the owner of the property connects to the city main. If such deferment is granted, it shall be in accordance with the terms and conditions as set forth in Section 3.24.100 of this code. (Ord. 1F-82, 1982: Ord. A-98 § 1 (part), 1974: prior code § 7.03(d)(3))

## Chapter 13.16

### METERS

#### Sections:

- 13.16.010** Meter seals—Breaking prohibited—Forfeiture imposed when.
- 13.16.020** Meter seals—Owner responsible for damage when—Liability for repair costs.
- 13.16.030** Reading--Accessibility required--Refusal to permit inspection--Penalty.
- 13.16.040** Testing—Fee—Refund when.
- 13.16.050** Remote reading registers.
- 13.16.060** Secondary meters.

#### **13.16.010** Meter seals—Breaking prohibited—Forfeiture imposed when.

The meter shall be sealed at the register box and all couplings from the pipeline into the house up to and including the ingoing pipe on the meter with a seal designated by the city council, and said seal must not be broken except upon their authority. Residents of property upon which the meter is installed will be held responsible for the intactness of the seals and a forfeiture of one dollar to five dollars will be imposed upon any property owner where the seal or seals may be broken. (Prior code § 7.06(a))

#### **13.16.020** Meter seals—Owner responsible for damage when—Liability for repair costs.

A. The resident of the property upon which the meter is installed will be held responsible for any wilful or malicious damage sustained to the meters and will also be held liable for any damage the meters may sustain through freezing, hot water or backing up through the same and must bear the cost of repairing meters where same become damaged for any of the causes designated herein.

B. Failure to pay said damage when requested to do so will result in a forfeiture of one dollar to fifteen dollars. The actual expense of renewing, repairing or maintaining said meters shall be paid by the property owner and if the same is not paid within thirty days, it shall be placed on the tax roll and as a special tax on the property served and an additional charge of ten percent shall be added for all sums collected in said manner. (Prior code § 7.06(b))

#### **13.16.030** Reading—Accessibility required—Refusal to permit inspection—Penalty.

Meters shall be read by parties designated by the city council and at all times must be accessible for reading. If the party having called once on the resident in person and having once mailed a request for an appointment at a certain time and hour, he shall make such a report on said meter and the charge for water used shall be the minimum amount for the one-half-year service rendered and adjustment shall be made for the consumption registered at the next meter reading. In case any property owner shall refuse admittance on his property for the purpose of inspecting, reading, testing or repairing his meter, his water service shall be turned off at the curblin. (Prior code § 7.06(c))

#### **13.16.040** Testing—Fee—Refund when.

The owner of property may have his water meter tested by depositing with the city treasurer the sum of ten dollars to cover the cost of testing. If on such test the meter should register two percent or over in excess of the amount of water passing through the same, this sum will be refunded to the property owner but should the meter be found to register less than one hundred percent of the water passing through the same, the sum will not be refunded. (Ord. A-142, 1976; prior code § 7.06(d))

#### **13.16.050** Remote reading registers.

The water utility may install remote register water meter attachments as provided in this section, which shall be located outside of the premises and shall provide a reading of water consumption on the premises. The cost of such register installation shall be borne by the utility.

A. A remote register may be installed in any existing single-family or two-family dwelling, as defined in the zoning code. A remote register shall be installed in any such existing single-family or two-family dwelling when a special situation exists which either prevents the actual reading of the water meter by personnel of the utility, or which makes such reading or servicing of the water meter, difficult or unsafe. Such special situations include, but are not limited to, cases where the occupant of the dwelling is frequently absent, resulting in the leaving of an excessive number of meter-reading cards at the premises, and water meter locations which make it difficult or dangerous to read the meter.

B. Any single-family and two-family dwelling, as defined in the zoning code, for which a building permit is issued after the effective date of the ordinance codified in this section dated May 22, 1981, shall have installed a remote register water meter attachment. The property owner, at his or her expense, shall install a thin-wall or equivalent conduit (one-half inch in diameter) extended from a position flush with the exterior wall of the dwelling to a point below the basement ceiling line. The location and manner of such installation shall permit the installation of such a remote register which will be in compliance with subsection C of this section.

C. The remote register water meter attachment shall be located as determined by the utility in an easily accessible place, along a walkway or driveway that is kept cleared throughout the year and as near the water meter as possible. The remote register shall be located forty to sixty inches above ground level. The water utility superintendent or the designee of the superintendent may approve other locations for such remote register for good cause shown.

D. A remote register may be installed in a single-family or two-family dwelling when it is necessary to replace any existing meter now in operation. (Ord. 5A-81, 1981)

#### **13.16.060 Secondary meters.**

A. All new residential buildings constructed after the effective date of the ordinance codified in this section shall have the interior supply plumbing so configured that the supply line to the exterior hose bibs is separated from all other water supply lines and provision made for the installation of a secondary meter measuring the amount of water flowing to the outside of the house. The city shall be allowed to install a secondary meter, and there shall be an installation fee of forty dollars charged by the city for said installation. The secondary meter shall be read quarterly, and a credit shall be given on the sewer charge for that quarter for the amount of water which has passed to the outside of the house. No credit shall be allowed hereunder in the event that the water flowing through said secondary meter ultimately is disposed of in the city sanitary sewer system.

B. At the request of any residential property owner, a secondary meter shall be installed in existing residential properties, provided that the property owner makes all arrangements and pays all expenses for making necessary modifications to interior plumbing to isolate exterior hose bibs from other water supply lines and ready the plumbing system for said meter. The City shall charge the property owner the actual costs for the meter and fittings needed for said installation. Upon installation of a secondary meter under this subsection, the property owner shall be entitled to the credit provided for in subsection A above. (5B-13, 2013)

C. No quarterly meter fee will be charged for secondary meters installed pursuant to this section. (Ord. 6A-92, 1992; Ord. 3C-92 (part), 1992)

## Chapter 13.20

### RATES AND REGULATIONS

#### Sections:

13.20.010	Connection—Required.
13.20.020	Connection—Notice—Contents.
13.20.030	Connection—City action when—Assessment against property.
13.20.040	Privies and cesspools prohibited when.
13.20.050	Connection—Property owner expense.
13.20.060	Connection—Application—Contents.
13.20.070	Service to be laid prior to street improvement--City council authority.
13.20.080	Single service limited to one premises.
13.20.090	Alterations or additions—Notice required.
13.20.100	Discontinuance—Notice—Fee for reinstatement of service.
13.20.110	Maintenance and repair.
13.20.120	Water service shutoff valves—Unauthorized use prohibited.
13.20.130	Stop and waste—Shutoff valve required when.
13.20.140	Private fire protection-Permitted when-Connection testing procedure.
13.20.150	Service connection and shutoff location—Plumbing inspector duty.
13.20.160	State provisions adopted by reference.
13.20.170	Violation.

#### **13.20.010 Connection—Required.**

The owner of any house, building or property used for human occupancy, employment, recreation, or other similar purpose, situated within the jurisdiction of the city, wherein sanitary sewer service and water service is readily available, as determined by the city council, is required at the owner's expense to install suitable facilities therein, and to connect such facilities directly with the public wastewater collection system and water distribution system in accordance with the provisions of this chapter, within ninety days after the date municipal service is deemed available. Such time may be extended upon specific written authorization from the board of health in the event of unfavorable weather conditions, except when an imminent health hazard exists. (Ord. 2D-82 (part), 1982: prior code § 10.04(1))

#### **13.20.020 Connection—Notice—Contents.**

The notice shall direct the owner or his agent to connect the building to such main or mains in the manner required by law. (Ord. 2D-82 (part), 1982: prior code § 10.04(2))

#### **13.20.030 Connection—City action when—Assessment against property.**

If the owner or his agent fails to comply with the notice of connections, the health officer and the city council may cause connection to be made and the expense thereof shall be assessed as a special tax against the property. (Ord. 2D-82 (part), 1982: prior code § 10.04(3))

#### **13.20.040 Privies and cesspools prohibited when.**

After connection of any building used for human habitation to a sewer main, no privy, cesspool or waterless toilet shall be used in connection with such human habitation. (Prior code § 10.04(4))

#### **13.20.050 Connection—Property owner expense.**

The expense of laying water service pipes shall be at the expense of the property owner. In case it may be proved necessary to replace the service pipe with a larger service, this cost shall also be an expense against the property served. (Prior code § 7.04(9))

**13.20.060 Connection—Application—Contents.**

All applications for the installation of services for water and sewer must be made at the office of the city clerk prior to performance of work by the owner or a licensed plumber who will be considered as the authorized agent of the owner. The application shall state the ownership of the premises to be served, the legal description of the property, the street number, size of service and other pertinent data. (Prior code § 7.04(b))

**13.20.070 Service to be laid prior to street improvement—City council authority.**

Services may be laid upon application of owner of premises by a licensed plumber, and the council may cause a service to be laid into every lot or parcel of land before the street is permanently improved. In the latter case, this improvement will be made and cost assessed against the property in accordance with Wis. Stat. §§ 62.16, 62.18, 66.0821, and 66.0703. (part, Ord. 2B-15, 2015; Prior code § 7.04(c))

**13.20.080 Single service limited to one premises.**

Any permit given for water and sewer service shall require that not more than one premises be served by one connection. Whenever a service has to be replaced, or where permanent street improvements are authorized, and conditions contrary to above rule exist, they shall be corrected. (Prior code § 7.04(d))

**13.20.090 Alterations or additions—Notice required.**

No addition or alteration to service already laid shall be changed or added to, or meter moved without notification to the water and sewer department. (Prior code § 7.04(e))

**13.20.100 Discontinuance—Notice—Fee for reinstatement of service.**

If a property becomes vacant and the owner desires to discontinue service thereto he may do so by notice to the director of public works. In case he elects later to use said service again, he shall notify the director of public works to provide service. A fee shall be made against the consumer for turning water on again (the applicable amount listed within the City of Altoona's abbreviated fee schedule found in Chapter 3.08 of the City of Altoona Code). (7E-05, 2005, Prior code § 7.04(f))

**13.20.110 Maintenance and repair.**

A. Water service pipes, from the main up to and including the curb stop, must be maintained by the city. (part Ord 10A-08, 2008). Maintenance of the remaining portion shall be the responsibility of the property owner (part Ord 10B-16)

B. Sewer service pipes, including connection to the main, must be maintained by the property owner. All costs associated with repair or replacement of a sewer service pipe, including restoration, shall be the responsibility of the property owner. (part Ord 10A-08, 2008)

C. A notice by the water and sewer department to the owner or qualified agent of the owner that their service requires repair or replacement shall be honored within fifteen days thereafter, or the water and sewer department may cause said service to be repaired or replaced and charge the cost of such repair or replacement to the owner.

**13.20.120 Water service shutoff valves—Unauthorized use prohibited.**

Each water service shall be controlled by a corporation shutoff at the main, and an approved curb shutoff at or near the curb. These valves are under the sole and absolute control of the water and sewer department, and must not be operated by others without the permission of the department, except that a plumber may for testing purposes turn on the water, but must do so only with consent in each case. (Prior code § 7.04(h))



**13.20.130 Stop and waste—Shutoff valve required when.**

All water service connections shall be provided with an approved stop and waste where it enters the building, for use in draining the systems. All services larger than three-fourths inch must have a shutoff valve on either side of meter. (Prior code § 7.04(i))

**13.20.140 Private fire protection—Permitted when—Connection testing procedure.**

A. The installation of fire extinguisher service connections to supply water to sprinkler systems or private fire hydrants will be permitted only upon application of the owner after detail plans showing sizes and locations of all pipes, valves, hydrants, and sprinkler heads have been filed with and approved by the superintendent. Such fire service connections shall not be tapped or used for general water service.

B. Water used for fire protection service shall not be charged for; rates for service connection being on file in the city clerk's office.

C. Private hydrants and apparatus connected thereto may be tested by owners or insurance inspectors as follows: Notice shall be given the superintendent of the water and sewer department and agreement made as to the hour of the test. Tests are to be made in presence of the superintendent or inspector assigned for such purposes. (Prior code § 7.04(k))

**13.20.150 Service connection and shutoff location—Plumbing inspector duty.**

It shall be the duty of the plumbing inspector to locate by measurement each service connection and each curb shutoff, referring the same to some suitable permanent building or street line. This information shall be entered on the records of the department. (Prior code § 7.05)

**13.20.160 State provisions adopted by reference.**

The rules, rates and regulations of the public service commission of Wisconsin, now on file with the city clerk pertaining to the Altoona water and sewer utility, have been adopted by the city council and are adopted by reference. (Prior code § 7.08)

**13.20.170 Violation.**

A separate offense shall be deemed committed on each day on which a violation occurs or continues provided no forfeiture shall be imposed when connection to the sewer or water main is enforced at the expense of the property owner. (Ord. A-131 (part), 1976: prior code § 10.04 (a))

## Chapter 13.24

### HARMFUL DISCHARGES

#### Sections:

**13.24.010 Discharging harmful substances prohibited--Notice-penalty for violation.**

**13.24.010 Discharging harmful substances prohibited—Notice—Penalty for violation.**

No sewage including industrial waste, shall be discharged into the Altoona sewer system which is deemed deleterious by the Altoona sewage operator to the operation of the sewerage system. If a user of the sewerage system discharges any deleterious substance therein, he shall be required to discontinue the discharge of such substance into the sewerage system. If, after ten days' notice in writing, such user continues to discharge such deleterious substance into the sewerage system, he shall be subject to a forfeiture of not less than two hundred dollars. Each day the violation continues shall be considered a separate violation. (Ord. A-105 § 1, 1974: prior code § 7.09)

## Chapter 13.28

### LAWN SPRINKLING\*

#### Sections:

- 13.28.010**      **Sprinkling ban authorized.**  
**13.28.020**      **Violation—Penalty.**

\*      Prior history: Prior code §§ 15.11(1), (2). Ords. A-12 and 11B-91.

#### **13.28.010**      **Sprinkling ban authorized.**

A. Whenever, in the judgment of the city administrator or the city administrator's designee, an emergency exists due to a shortage of available water supplies for fire-fighting and other municipal purposes, or which may be detrimental to the water system or may cause damages thereto, or which may result in certain areas of the city being deprived of water, the city administrator or designated individual may declare a temporary ban upon the watering or sprinkling of lawns, trees, shrubs or other similar vegetation until adequate water supplies are restored. Such ban may include the regulation or prohibition of all such watering or sprinkling throughout the entire city or within designated parts of the city, the regulation or prohibition of such watering or sprinkling during specified hours or on alternate sides of streets on specified days, or may include other prohibitions or regulations reasonably related to the conservation of water during the emergency.

B. Such ban shall become effective upon giving actual notice thereof to any person, or upon the giving of notice thereof to the official city newspaper and other local news media and the printing, broadcast or transmission thereof by any or all of said news media to the public.

C. Exceptions to such sprinkling ban may be granted, upon application, by the city administrator or designated individual, for properties having newly seeded or sodded lawns or newly planted vegetation, upon a finding that failure to grant such an exception would jeopardize such lawn or vegetation. Appropriate conditions or limitation may be included in the granting of such exception, in keeping with the purpose of this section, and the grantee shall comply with all such conditions and limitations. (Ord. 7B-95 (part), 1995)

#### **13.28.020**      **Violation—Penalty.**

Any person violating any of the provisions of this chapter shall upon conviction be subject to a penalty pursuant to the provision of Chapter 1.08 of this code. (Ord. 7B-95 (part), 1995).

## Chapter 13.32

### SEWERAGE SERVICE CHARGE

#### Sections:

- 13.32.010**      **Definitions.**
- 13.32.020**      **Wastewater service charge.**
- 13.32.030**      **Industrial cost recovery system charges.**

#### **13.32.010**      **Definitions.**

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

1. “Biochemical Oxygen Demand” (BOD<sub>5</sub>) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Celsius, expressed in milligrams per liter, as prescribed in Standard Methods, current edition.
2. “Billable flow” means the water meter readings provided by the municipality obtained by reading the private water meters and including flat rate estimates.
3. “Board of health” means the Eau Claire City-County Health Department or its authorized deputy, agent or representative.
4. “Commercial user” means any place of business which discharges sanitary waste, distinct from industrial wastewater.
5. “Commercial wastewater” means domestic wastewater emanating from a place of business, as distinct from industrial wastewater.
6. “DNR” means the state of Wisconsin Department of Natural Resources.
7. “Debt service charge” means a charge levied on users of a sewage treatment plant for the cost of repaying money borrowed to construct said plant.
8. “Domestic wastewater” means water carried wastes in the amount of approximately one hundred gallons per capita per day containing approximately two hundred fifty mg/l BOD<sub>5</sub> and approximately two hundred fifty mg/l suspended solids, consistent with that emanating from a typical household.
9. “EPA” means the United States Environmental Protection Agency.
10. “Flow-equalization” means any process utilized to equalize discharge over a period of time sufficiently long to eliminate adverse effects on the wastewater collection and treatment system.
11. “Garbage” means solid wastes from the domestic and commercial preparation, cooling, and dispensing of food, and from the handling, storage, and sale of produce.
12. “Industrial user” means any user discharging a waterborne trade or process waste.
13. “Industrial wastewater” means the liquid processing wastes from an industrial manufacturing process, trade, or business including, but not limited to all North American Industry Classification System, Sectors 31-33 (Published by the Office of Management and Budget) manufacturers, as distinct from domestic wastewater. Wastewater having similar properties are classified as “industrial” even if entering a collector sewer from a commercial establishment. (part, Ord. 2B-15, 2015)
14. “Natural outlet” means any outlet into a watercourse, pond, lake or other body or surface of groundwater.
15. “Plumbing supervisor” means the city plumbing inspector or the authorized deputy, agent, or representative of the plumbing inspector.
16. “Pretreatment” means any arrangement of devices and structures utilized to treat wastewater prior to discharge to the public wastewater collection system.
17. “pH” means the negative logarithm of the hydrogen ion concentration in moles per liter of solution.

18. "Properly shredded garbage" means the wastes from the preparation, cooking and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one half inch in dimension.

19. "Public wastewater collection system" means a system of sanitary sewers owned, maintained, operated and controlled by the city.

20. "Replacement costs" means 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.

21. "Residential user" means those places which are connected to the public wastewater collection system, as distinct from industrial or commercial user.

22. "Sanitary sewer" means a pipe or conduit, owned and maintained by the city, which carries wastewater.

23. "Sewage" means wastewater.

24. "Sewer service charge" means a charge levied on users of a sanitary sewer to maintain said sewer in operational condition.

25. "Slug" means any discharge of wastewater which in concentration of any given constituent or in quantity of flow (1) exceeds for any period of operation longer than fifteen minutes more than five times the average twenty-four-hour concentration or flows during normal operation, and (2) flows or concentrations which adversely affect the operation of the wastewater collection or treatment system.

26. "Standard methods" means the examination and analytical procedures set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" as prepared, approved and published jointly by the American Public Health Association, American Water Works Association, and the Water Pollution Control Federation and is in compliance with Federal Regulations 40 CFR 136, "Guidelines Establishing Test Procedures for Analysis of Pollutants."

27. "Storm drain" or "storm sewer" means a sewer which carries storm and surface waters and drainage, but excludes sewage.

28. "Superintendent" means the superintendent of wastewater treatment or the authorized deputy, agent or representative of the superintendent.

29. "Surcharge" means a condition when the public wastewater collection system's hydraulic capacity is exceeded.

30. "Surcharge" as a part of the service charge means any customer discharging wastewater having strength in excess of two hundred fifty mg/l biochemical oxygen demand and two hundred fifty mg/l suspended solids will be required to pay an additional charge to cover the cost of treating such excess strength wastewater.

31. "Surge" means a quantity of flow discharged from any source which causes the public wastewater collection system to become surcharged at any point.

32. "Suspended solid" means a quantity of material removed from wastewater in a laboratory test as described in Standard Methods, latest edition, and defined there as nonfilterable residue.

33. "User charge" means a charge levied on users of a treatment works, for the user's proportionate share of the cost of operation and maintenance (including replacement) of such works under Sections 204(b) (1) (A) and 201 (h) (2) of the Clean Water Act and this chapter.

34. "Users" means those places or establishments which are connected to the public wastewater collection system.

35. "Unaltered water" means waters which are not changed chemically or physically as a result of use.

36. "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.

37. "Wastewater" means a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments.

38. "Wastewater treatment plant" means any arrangement of devices and structures used for treating wastewater.

39. "Winter quarter" as applied to a lot, parcel of land, building or premises, means the months of November, December, and January, the months of December, January and February, or the months of January, February and March, which period is used in computing the water charges upon said lot, parcel of land, building or premises.

40. "WPDES" means the Wisconsin Pollution Discharge Elimination System. (Ord. 12D-84 (part), 1984)

**13.32.020 Wastewater service charge.**

The city shall charge all users of the wastewater collection system and wastewater treatment facility based on actual use or estimates of use. The service charge shall consist of charges for plant operation and maintenance, replacement, debt service, and collection system maintenance, plus a surcharge if applicable.

A. The plant operation and maintenance charge shall be computed by dividing the estimated annual cost for plant operation and maintenance by the billable flow.

B. The replacement charge shall be computed by dividing the estimated annual charge for replacement of equipment by the billable flow.

C. The debt service charge shall be computed by dividing the annual debt service of all outstanding loans for the wastewater treatment plant by the billable flow.

D. The collection system maintenance charge shall be computed by dividing the estimated cost of the collection system maintenance and administrative costs by the billable flow.

E. A surcharge shall be levied on all users for plant operation and maintenance whose wastewater exceed the normal concentrations of domestic wastewater. For purposes of such calculation normal concentrations of domestic wastewater means that which contains a maximum concentration of BOD<sub>5</sub> and suspended solids of two hundred fifty mg/l each. All users shall pay, as a minimum, the same rate per volume as that paid by residential users. An additional charge shall be paid by each user that discharges any toxic pollutants which causes an increase in the cost of managing the effluent or the sludge disposal of the treatment works.

F. Billing intervals shall be established by the city council. Each user shall be notified, at least annually, in conjunction with a regular bill, of the total charge portion attributable to operation and maintenance costs for wastewater treatment service.

G. Charges, per one thousand gallons, in effect at the effective date of this chapter shall be:

1. Plant operation and maintenance = 0.4722

2. Replacement charge = 0.1231

3. Debt service charge = 0.1962

4. Collection system maintenance = 0.160

H. Surcharge. The amount of surcharge for BOD<sub>5</sub> and suspended solids shall be determined as based on the following formula:

$$Cs = (B_c(B) + S_c(s)) Vu$$

In the surcharge formula, the following designations shall have the meaning indicated:

Cs = amount of surcharge, always greater than zero

B = BOD<sub>5</sub> discharged - 250 mg/l

S = Suspended solids discharged - 250 mg/l

B<sub>c</sub> = \$0.06/#BOD<sub>5</sub>

S<sub>c</sub> = \$0.07/#suspended solids

Vu = Wastewater volume for the billing period

I. Audits.

1. The city shall maintain and keep proper books of records and accounts, separate from all other records and accounts, in which shall be made full and correct entries of all transactions relating to the system. The city shall cause an annual audit of such books of record and account for the preceding operating year to be made by a recognized independent certified public accountant, and shall supply such audit report to authorized public officials on request.

2. An audit of the user charge system established hereunder shall be made, biannually, by a recognized independent certified public accountant or city professional staff, to assure the following:
  - a. Proportionate distribution of operation and maintenance costs among users;
  - b. Generation of sufficient revenue from the user charge system to defray total costs of operation and maintenance; and
  - c. Application of excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year, and recommend an adjustment of the rate accordingly.
- J. Pretreatment Standards. The pretreatment standards issued under Section 307(b) of Public Law 92-500 and 40 CFR 403 be and are adopted and incorporated herein and made a part hereof by reference as if fully set forth herein. (Ord. 12D-84 (part), 1984)

**13.32.030 Industrial cost recovery system charges.**

A. System. An industrial cost recovery system will be established in order to comply with the special grant provisions which require the grantee to recover from industrial users of the wastewater treatment facilities that portion of the cost allowable to the treatment of industrial wastes whenever, and, if ever, such industries locate within the city of Altoona.

B. Cost. The total estimated construction costs of the wastewater treatment plant shall be deemed to be fourteen million eight hundred fourteen thousand six hundred thirty dollars.

C. Commencement. The industrial cost recovery period shall commence when the industrial facility is connected to the sanitary sewer system.

D. Payments. Industrial cost recovery payments shall be based on the total industrial discharge in relation to the design loadings of the wastewater treatment plant. Average design loadings for the wastewater treatment plant for the purposes of this chapter shall be as follows:

1. Flow rate: 16,264 million gallons per day;
2. BOD<sub>5</sub>: 13,735 pounds per day;
3. Suspended Solids: 33,735 pounds per day.

E. Additional Capacity. Industries may enter into a written agreement with the city to reserve additional capacity at the wastewater treatment plant, if available, subject to reasonable terms and conditions required by the city.

F. Billings. Industrial cost recovery billings shall be made at least annually to each industry based upon measurements conducted in the preceding twelve months, or upon reserve capacity. Industrial cost recovery billings shall indicate the breakdown of charges by average design loadings.

G. Payments Disbursed. Industrial cost recovery payments which are collected shall be disbursed as follows:

1. Fifty percent of the recovered amount, plus any interest accrued, shall be returned to the U.S. Treasury on an annual basis;
2. A minimum of eighty percent of the retained amounts (forty percent of total) shall be used for the eligible costs of expansion or reconstruction of the treatment works associated with the project. The city shall obtain the written approval of the EPA regional administrator prior to commitment of the retained amounts;
3. The remainder of the retained amounts may be used for any purpose except construction of industrial pretreatment facilities or rebates to contributing industries.

H. Investment. Pending their expenditure the retained amounts for expansion or reconstruction shall be invested:

1. In obligations of the U.S. Government; or
2. In obligations guaranteed as principal and interest by the U.S. Government or any agency thereof; or
3. By deposit in accounts fully guaranteed as to principal and interest by the U.S. Government or any agency thereof.

I. New Industry. Any industry which connects to the treatment facility after the commencement of the recovery period under subsection D shall initiate recovery payments established hereunder as of the date of connection and shall continue payments for the remainder of the industrial cost recovery period or until the industry ceases to use the treatment facility.

J. Discontinuance. If an industrial user discontinues use of the wastewater treatment plant, its payment for industrial cost recovery shall cease as of the date of discontinuance.

K. Lump Sum Payment Allowed. An industrial user may fulfill its industrial cost recovery obligation by making a lump sum payment for its entire share of the cost of construction of the wastewater treatment plant. A lump sum payment shall not relieve an industrial user from the obligation to make additional future payments should its wastewater flow or load increase. Discounts from the total industrial cost recovery charge shall not be given to industrial users making such advance payments.

L. No Interest. Industrial cost recovery charges to industries shall not include interest except for late payment charges.

M. Charge. Recovered amounts based on the estimated construction costs shall be based on the average discharge per day as follows:

- \$0.91 per gallon per day;
- \$175.66 per pound of BOD<sub>5</sub> per day; and
- \$87.83 per pound of suspended solids.

(Ord. 12D-84 (part), 1984)



## Chapter 13.36

### SEWER REGULATIONS

#### Sections:

<b>13.36.010</b>	<b>Administrative code definitions.</b>
<b>13.36.020</b>	<b>Definitions.</b>
<b>13.36.030</b>	<b>Plumbing code.</b>
<b>13.36.040</b>	<b>Plumbing supervisor.</b>
<b>13.36.050</b>	<b>Applications—Permit—Reports.</b>
<b>13.36.060</b>	<b>Permit—Fees.</b>
<b>13.36.070</b>	<b>Plumbing inspection.</b>
<b>13.36.080</b>	<b>Connection to sanitary sewer.</b>
<b>13.36.090</b>	<b>Private sewage disposal.</b>
<b>13.36.100</b>	<b>Building sewers and connections.</b>
<b>13.36.110</b>	<b>Use of sanitary sewers.</b>
<b>13.36.120</b>	<b>Damage to system or plant.</b>
<b>13.36.130</b>	<b>Powers and authority of plumbing supervisor and superintendent.</b>
<b>13.36.140</b>	<b>Violation—Penalty.</b>
<b>13.36.150</b>	<b>Responsibility for correcting blockages in sanitary sewer laterals.</b>

#### **13.36.010 Administrative code definitions.**

The definitions contained in Section H62.02 of the Wisconsin Administrative Code are adopted by reference to the extent that they do not conflict with specific definitions contained below. (Ord. 12D-84 (part), 1984)

#### **13.36.020 Definitions.**

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

1. “Biochemical Oxygen Demand” (BODs) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty degrees Celsius, expressed in milligrams per liter, as prescribed in Standard Methods, current edition.
2. “Board of health” means the Eau Claire City-County Health Department or its authorized deputy, agent or representative.
3. “Commercial wastewaters” means domestic wastewater emanating from a place of business as distinct from industrial wastewater.
4. “DNR” means the state of Wisconsin Department of Natural Resources.
5. “Domestic wastewater” means water-carried wastes in the amount of approximately one hundred gallons per capita per day containing approximately two hundred fifty mg/l BOD<sub>5</sub> and approximately two hundred fifty mg/l suspended solids, consistent with that emanating from a typical household.
6. “EPA” means the United States Environmental Protection Agency.
7. “Flow-equalization” means any process utilized to equalize discharge over a period of time sufficiently long to eliminate adverse effects on the wastewater collection and treatment system.
8. “Garbage” means solid wastes from the domestic and commercial preparation, cooling, and dispensing of food, and from the handling, storage, and sale of produce.
9. “Industrial wastewater” means the liquid processing wastes from an industrial manufacturing process, trade, or business including, but not limited to, all North American Industry Classification System, Sectors 31-33 (published by the Office of Management and Budget) manufacturers, as distinct from domestic wastewater. Wastewater having similar properties are classified as “industrial” even if entering a collector sewer from a commercial establishment. (Ord. 2B-15, 2015)

10. "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body or surface of groundwater.
11. "Plumbing supervisor" means the city plumbing inspector or his authorized deputy, agent, or representative.
12. "Pre-treatment" means any arrangement of devices and structures utilized to treat wastewater prior to discharge to the public wastewater collection system.
13. "pH" means the negative logarithm of the hydrogen ion concentration in moles per liter of solution.
14. "Properly shredded garbage" means the wastes from the preparation, cooking, and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in dimension.
15. "Public wastewater collection system" means a system of sanitary sewers owned, maintained, operated and controlled by the city.
16. "Sanitary sewer" means a pipe or conduit, owned and maintained by the city, which carries wastewater.
17. "Sewage" means wastewater.
18. "Slug" means any discharge of wastewater which in concentration of any given constituent or in quantity of flow (1) exceeds for any period of duration longer than fifteen minutes more than five times the average twenty-four-hour concentration or flows during normal operation, and (2) flows or concentrations which adversely affect the operation of the wastewater collection or treatment system.
19. "Standard Methods" means the examination and analytical procedures set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater" as prepared, approved and published jointly by the American Public Health Association, American Water Works Association, and the Water Pollution Control Federation and is in compliance with Federal Regulations 40 CFR 136, "Guidelines Establishing Test Procedures for Analysis of Pollutants."
20. "Storm drain" or "storm sewer" means a sewer which carries storm and surface waters and drainage, but excludes sewage.
21. "Superintendent" means the superintendent of wastewater treatment or his authorized deputy, agent or representative.
22. "Surge" means a quantity of flow discharged from any source which causes the public wastewater collection system to become surcharged at any point.
23. "Surcharge" means a condition when the public wastewater collection system's hydraulic capacity is exceeded.
24. "Suspended solids" means a quantity of material removed from wastewater in a laboratory test as described in Standard Methods, latest edition, and defined there as non-filterable residue.
25. "Users" means those places or establishments which are connected to the public wastewater collection system.
26. "Unaltered water" means waters which are not changed chemically or physically as a result of use.
27. "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently.
28. "Wastewater" means a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments.
29. "Wastewater treatment plant" means any arrangement of devices and structures used for treating wastewater.
30. "WPDES" means the Wisconsin Pollution Discharge Elimination System. (Ord. 12D-84 (part), 1984)

### **13.36.030 Plumbing code.**

Adoption by Reference. The provisions and regulations contained in Wis. Stat. Ch. 145, "Plumbing and Fire Protection Systems and Swimming Pool Plan Review," and in the Wisconsin State

Plumbing Code, Wisconsin Administrative Code Chapter H62, adopted by the state Department of Health and Social Services are adopted by reference and shall extend to and govern all plumbing in the city. (Ord. 2B-15, 2015; Ord. 12D- 84 (part), 1984)

**13.36.040 Plumbing supervisor.**

The city council shall appoint a plumbing supervisor pursuant to Wisconsin Statutes. Such plumbing supervisor shall be a citizen of the United States and shall be a licensed plumber. The plumbing supervisor shall serve during good behavior and satisfactory service. The plumbing supervisor shall not engage in the business of plumbing or be interested directly or indirectly with any person or in any firm or corporation engaged in such business. The plumbing supervisor, under the direction of the superintendent of inspections, shall have control of the supervision and inspection of plumbing within the city and shall faithfully enforce all laws, ordinances and rules in relation thereto. The plumbing supervisor shall determine that the construction, reconstruction and alteration of all plumbing hereafter installed in all of the buildings in the city shall conform with the laws and ordinances and the rules and regulations of the state Department of Health and Social Services and make all inspections required. (Ord. 12D-84 (part), 1984)

**13.36.050 Applications—Permit—Reports.**

The plumbing supervisor shall prepare suitable forms for applications and permits required, maintain a proper daily record of all of the transactions of his office and file a monthly report covering the same with the superintendent of inspections. Applications for permits shall state the property owner's name and address. The application also shall state fully all the purposes for which the service is to be used, and such other particulars which are essential to the enforcement of this chapter and are required by the plumbing supervisor. (Ord. 12D-84 (part), 1984)

**13.36.060 Permit—Fees.**

A. No plumbing shall be done in the city, except in case of repairing leaks or stoppages, without a prior permit having been issued by the plumbing supervisor and the payment of the proper fees as hereinafter provided. Before the plumbing supervisor issues such permit, the supervisor shall approve the application so filed and issue to the applicant a statement showing the fees to be paid for such permit. Such statement shall be filed with the city treasurer and the fee paid to the treasurer who shall issue a receipt therefor. Upon presentation to the plumbing supervisor of the receipt of the city treasurer, showing the payment of all permit fees, the permit shall be issued for the work set forth in the application.

B. The schedule of fees to be paid shall be as follows: The fee schedule in effect at any time shall be the latest schedule passed by resolution of the city council. The permit fees under this code shall be listed publicly in the clerk-treasurer's office.

C. No person shall interfere in any way with the work of the plumbing supervisor, or permit any plumbing to be used until it has been inspected and approved by said supervisor, unless special permission therefor is given by the city council. (Ord. 12D-84 (part), 1984)

**13.36.070 Plumbing inspection.**

The plumber in charge or the owner shall make such arrangements as will enable the plumbing supervisor to readily reach all parts of the building and to easily inspect the plumbing work. The plumber shall notify the plumbing supervisor when work is ready for final inspection. The plumbing supervisor shall apply a sticker or tag to approved installations. Whenever it is determined that the plumbing in any building is contrary to the ordinances of the city, or is of faulty construction and liable to breed disease or sickness, or is a menace to health, the plumbing supervisor shall direct such changes as are necessary to put the same in proper sanitary condition and shall fix a reasonable time for doing the same. Any person refusing to comply therewith shall be guilty of a violation of this chapter. Each day or part thereof that such violation continues shall constitute a separate offense. The plumbing supervisor shall have the power and authority at all reasonable times for any proper purpose to enter upon any private or public premises

and make inspection thereof, and to require the production of a permit by any person or persons doing plumbing work. Any person who resists or obstructs any lawful exercise of authority by the plumbing supervisor shall be subject to the penalty provided in this chapter. (Ord. 12D-84 (part), 1984)

**13.36.080 Connection to sanitary sewer.**

A. The owner of any house, building or property used for human occupancy, employment, recreation, or other similar purpose, situated within the jurisdiction of the city, wherein sanitary sewer service is readily available, as determined by the city engineer, is required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the public wastewater collection system in accordance with the provisions of this chapter, within ninety days after the date sanitary sewer is deemed available. Such time may be extended upon specific written authorization from the board of health in the event of unfavorable weather conditions, except when an imminent health hazard exists.

B. It shall be unlawful for any person to place, deposit or permit to be deposited any wastewater on the ground surface of any public or private property within the jurisdiction of the city except as authorized by the DNR or other governmental agency having jurisdiction thereof of the health department.

C. It shall be unlawful to discharge any wastewater to any natural outlet except as authorized by the DNR.

D. Except as provided in the "private sewage disposal" section, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, other facility intended or used for the disposal of wastewater. (Ord. 12D-84 (part), 1984)

**13.36.090 Private sewage disposal.**

A. Where a sanitary sewer is not available, the building sewer shall be connected to a private sewage system complying with the provisions of this section and chapter H62, Wisconsin Administrative Code.

B. A permit for a private sewage system shall not become effective until the installation is completed and approved by the plumbing supervisor.

C. At such time as a sanitary sewer becomes available to a property served by a private sewage system, as provided above, a direct connection shall be made to the sanitary sewer in compliance with this chapter and any septic tanks, cesspools and similar private sewage facilities shall be abandoned in accordance with Section H62.20, Wisconsin Administrative Code, within sixty days of said connections unless special permission is granted by the board of health for a time extension due to the inclement weather conditions.

D. The owner shall operate and maintain the private sewage system in accordance with Chapter H62, Wisconsin Administrative Code, at no expense to the city. (Ord. 12D-84 (part), 1984)

**13.36.100 Building sewers and connections.**

A. There shall be two classes of building sewer permits:

1. For establishments producing only domestic wastewaters including residences, institutions, public facilities, and commercial establishments; and
2. For service to establishments producing industrial wastewater.

In either case, the owner or owner's representative shall make application on a special form furnished by the plumbing supervisor. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the plumbing supervisor.

B. All cost and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall by application indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

C. A separate and independent building sewer shall be provided for each building having plumbing facilities in accordance with Chapter H62, Wisconsin Administrative Code.

D. Existing building sewers may be used in connection with new buildings only when they are found, on examination and test, to the satisfaction of the plumbing supervisor, to meet all requirements of this chapter.

E. 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, wastewater carried by such a building drain shall be lifted and discharged to the building sewer by facilities conforming to Chapter H62, Wisconsin Administrative Code.

F. No person shall make, permit or maintain the connection of roof downspouts, exterior foundation drains, area-way drains, basement sump pumps or other sources of surface runoff or ground water to a building sewer or building drain which in turn is connected directly or indirectly to a sanitary sewer, unless the DNR or other governmental agency having jurisdiction thereof, by official action, does not permit the discharge of such surface runoff or ground water into an available storm sewer.

G. The city engineer, in conjunction with the plumbing supervisor, shall keep a record of all connections, and shall make maps showing location of same, and the position of all building sewers, connections, junctions, and other necessary data.

H. Whenever it is necessary to disturb a building sewer in actual use, the same shall not be obstructed or disconnected without special permission of the plumbing supervisor. It shall be unlawful to make any new connections with, or extensions to, any existing building sewer without permission of the plumbing supervisor.

I. In all cases where the course of any building sewer is obstructed by pipes, conduits, or other obstruction, the question of passing over or under such obstruction or of the raising or lowering thereof so as to permit the construction and installation of the building sewer, or the alteration or removal of the obstruction, shall be determined by the plumbing supervisor.

J. No person shall permit any earth, sand or other solid material to enter into any sanitary sewer during the progress of any work in laying building sewers, making alterations, extensions or repairs to the same, or in connecting such building sewers with the sanitary sewers of the city. (Ord. 12D-84 (part), 1984)

### **13.36.110 Use of sanitary sewers.**

A. No person shall discharge or cause or permit to be discharged any stormwater, surface water, ground water, roof runoff, subsurface drainage, or any other unaltered water to any sanitary sewer, unless the DNR or other governmental agency having jurisdiction thereof, by official action, does not permit the discharge of such surface runoff or ground water into an available storm sewer.

B. The city may refuse to accept any or all industrial wastewaters from an industry or combination of industries as necessary to insure adequate wastewater treatment and proper operation of the public wastewater collection system:

1. Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive fluid or solid;
2. 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 wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant;

3. Fluids or solids having corrosive property capable of causing damage or creating a hazard to structures, equipment or personnel of the wastewater treatment plant;

4. Unground garbage, fluids or solid substances in such quantities or of such size or configuration as to cause obstruction to the flow in sanitary sewers, or other interference with the proper operation of the wastewater treatment plant such as, but not limited to, disposable diapers, sanitary napkins, pads, packaging, ashes, cinders, clay, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, and milk containers, which are either whole or ground by garbage grinders.

C. No person shall discharge or cause to be discharged into the public wastewater collection system the following specifically described substances, materials, fluids, or solids which may harm

sanitary sewers, wastewater treatment processes and equipment, have an adverse effect on the receiving stream, or otherwise endanger life, limb, public property, or 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 opinion as to the acceptability of these wastes, the superintendent shall 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 wastewater treatment plant process, capacity of the wastewater treatment plant, and any other pertinent factors. The substances prohibited are:

1. Any fluid having a temperature higher than 150°F. (65.5 C.) at the discharge point to the public wastewater collection system;
  2. a. Any liquid containing fats, wax, grease, or oils of animal or vegetable origin, whether emulsified or not, in excess of one hundred mg/l or containing substances which may solidify or become viscous at temperatures between 32°F (0°C) and 150°F (65.5°C),  
b. Any liquid containing fats, wax, grease, or oils, of petroleum or mineral origin, whether emulsified or not, in excess of one hundred mg/l, measured on an average daily basis, or containing substances which may solidify or become viscous at temperatures between 32°F (0°C) and 1500 F (65.5°C);
  3. Any garbage that has not been properly shredded, or solid material having any dimension greater than one-half inch. The installation and operation of any residential garbage grinder equipped with a motor of three-fourths horsepower or greater shall be subject to the review and approval of the plumbing supervisor;
  4. Any fluid or solid containing chromium, copper, zinc, cyanide and similar objectionable or toxic substances which exceed the pretreatment limitations established for such materials by EPA;
  5. Any fluid or solid containing phenols or other taste- producing or odor-producing substances, in such concentrations exceeding limits which may be established by the superintendent as necessary, or exceeding limits 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 0.5 mg/l on a grab sample basis;
  6. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by state or federal regulations;
  7. Any liquid having a pH lower than 6.0 or in excess of 9.0 at the point of entry to the system;
  8. Materials which exert or cause:
    - a. Concentrations of inert suspended solids such as, but not limited to, Fullers earth, clays, lime slurries, and lime residues, or of dissolved solids, which are detrimental to the treatment processes,
    - b. Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions,
    - c. BOD<sub>5</sub>, chemical oxygen demand or chlorine requirements in quantities in excess of that found in domestic sewage,
    - d. Unusual volume of flow or concentration of wastes constituting slugs or surges;
  9. Fluids or solids containing substances which are not treatable by the wastewater treatment processes employed.
- D. If any wastewater is discharged, or is proposed to be discharged to the public wastewater collection system which contains the substances or possesses the characteristics enumerated in subsections C or D, or which, in the judgment of the superintendent, may affect the wastewater treatment works' ability to meet the WPDES permit requirements, or which otherwise creates a hazard to life or constitutes a public nuisance, the superintendent may in writing require any or all of the following:
1. Rejection of the wastes;
  2. Pretreatment to an acceptable condition prior to discharge to the sanitary sewer;
  3. Flow equalization of the rate of discharge;
  4. Payment to cover the added cost of handling and treating the wastes.
- If the superintendent requires the pretreatment or equalization of waste flows, plans and

specifications in connection therewith shall be submitted by the user to the city engineer for review and approval prior to construction.

E. Grease and oil separators and sand interceptors shall be provided by restaurants, car washes, and service stations or when, in the opinion of the superintendent, they are necessary for the proper handling of liquids containing grease in excessive amounts, flammable fluids, sand, or other harmful ingredients, except that such interceptors and separators shall not be required for private living quarters or dwelling units. All separators and interceptors shall be of a type and capacity approved by the superintendent and shall be located as to be readily and easily accessible for cleaning and inspection. The owner thereof shall clean and maintain the separators and interceptors as required to eliminate the discharge of any grease, oil, sand, or flammable fluids to the sanitary sewer. The owner shall maintain a record for review by the superintendent, of all maintenance and inspection of the system and shall assist the superintendent, as required, in evaluating the system.

F. Where pretreatment or flow-equalizing facilities are provided they shall be maintained continuously in satisfactory condition and effectively operated by the owner at his expense. The owner shall maintain a record for review by the superintendent, of all maintenance and inspection of the system and shall assist the superintendent, as may be required in evaluating the system.

G. The owner of any industry discharging industrial wastewater in excess of ten thousand gallons but less than fifty thousand gallons per average work day on a monthly basis, or which, in the judgment of the superintendent, discharges a toxic material, or which, in the judgment of the superintendent, has a significant impact, either singularly or in combination with other contributing industries, on the wastewater treatment plant or the quality of its effluent in a degree sufficient to require sampling only, or as required by Section H62.04(4) (1), Wisconsin Administrative Code, shall install or utilize a suitable sampling manhole in accordance with such section. An existing manhole may be utilized for sampling purposes if, upon examination by the superintendent, it is found to comply with the sampling requirement, is located a point immediately prior to the sanitary sewer, and is readily accessible. The manhole shall be maintained by the owner so as to be safe and accessible at all times. If any such manhole is required to be located within any public right-of-way, an encroachment shall be granted pursuant to Wis. Stat. § 66.0425, subject to all terms and conditions contained therein. The manhole shall be installed within twelve months from the effective date of this chapter, December 13, 1984, or in the case of a new facility, prior to the initial discharge of wastewater from the facility. Such time limit may be extended by the city if the city determines that installation would be facilitated thereby or if the installation cannot be made due to Acts of God, strikes, delays due to contractors, suppliers, or subcontractors or other circumstances or conditions beyond the control of the industry. If the industrial wastewater discharge of an industry increases so as to bring it under the requirements of this subsection, the manhole shall be installed within twelve months from the date that such increased discharge was predicted or was predictable, but no later than twelve months from the date of the actual increased discharge.

If there is more than one point of industrial wastewater discharge from an industry to a sanitary sewer, the superintendent may authorize, if practicable, the installation of one or more sampling manholes at an appropriate location or locations which will provide accurate information from which the quantity or quality of the industrial wastewater from the industry can be reasonably determined. (Ord. 2B-15, 2015)

H. As a basis for user charges and discharge control, the owner of any industry discharging industrial wastewater greater than fifty thousand gallons per average work day on a monthly basis, or which in the judgment of the superintendent, discharges a toxic material, or a material which has a significant impact either singularly or in combination with other contributing industries on the wastewater treatment plant or the quality of its effluent, shall install one or more sampling stations to monitor all wastewater discharged.

The sampling station shall consist of a manhole on the discharge line from the industry with a continuous volume measuring device and housing continuous volume recording instruments and an automatic flow proportional composite sampler housed at a different location. The sampler shall automatically, in proportion to volume, continuously collect representative samples of wastewater discharge.

If any such sampling station, or portion thereof, is required to be located within any public right-of-way, an encroachment shall be granted pursuant to Wis. Stat. § 66.0425, subject to all terms and conditions contained therein.

If there is more than one point of industrial wastewater discharge from an industry to a sanitary sewer, the superintendent may authorize, if practicable, the installation of one or more sampling stations at an appropriate location or locations which will provide an accurate composite sample from such wastewater discharge points.

The owner shall record volume and operate the automatic sampler on such occasions and in the manner as deemed necessary by the superintendent to determine a representative discharge. Prior to installation, detailed construction plans and specifications shall be submitted to the superintendent for review and approval. The owner shall design, construct, operate and maintain the sampling station. The sampling station shall be maintained by the owner so as to be safe and accessible at all times. The frequency of sampling and testing of the wastewater shall be determined by the superintendent. If a relationship can be established between production and wastewater discharge quantity or quality, or both, the superintendent may allow this information to be submitted in lieu of the sampling station information.

The owner shall design, construct, operate and maintain the sampling station at the owner's expense. The owner shall record, sample, test and analyze the wastewater at the owner's expense and report the results monthly to the city. If requested by the industry, the city will test and analyze the wastewater at the owner's expense. The cost thereof shall be based on the current prevailing hourly wage rate and established charges and shall include the additional amount of ten percent of such costs to cover costs of administration.

The city may request a split sample from the industry. If a split sample is requested, any testing done by the city will be at the city's expense. A split sample shall not relieve the industry from its required testing and analysis.

The special control manhole and required equipment shall be installed and in operation within twelve months from the effective date of this chapter, December 13, 1984, or in the case of a new facility, prior to the initial discharge of wastewater from the facility. Such time limit may be extended by the city if the city determines that installation would be facilitated thereby or if the installation cannot be made due to Acts of God, strikes, delays due to contractors, suppliers or subcontractors or other circumstances or conditions beyond the control of the industry. If the industrial wastewater discharge of an industry increases so as to bring it under the requirements of this subsection, the sampling station shall be installed within twelve months from the date that such increased discharge was predicted or was predictable, but no later than twelve months from the date of the actual increased discharge. (Ord. 2B-15, 2015)

I. All measurements, tests, and analyses of the characteristics of fluids and solids to which reference is made in this section shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," (American Public Health Association), or "Methods for Chemical Analysis of Water and Wastes" (EPA) or "Annual Book of Standards, Part 23, Water, Atmospheric Analysis" (American Society of Testing Materials), or as required by Chapter NR 219, Wisconsin Administrative Code. The control manhole or sampling station shall be deemed to be the most representative location in the wastewater flow system of the premises. (Ord. 12D-84 (part), 1984)

### **13.36.120      Damage to system or plant.**

No person shall maliciously, wilfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the wastewater collection system or wastewater treatment plant. (Ord. 12D-84 (part), 1984)

### **13.36.130      Powers and authority of plumbing supervisor and superintendent.**

A. The plumbing supervisor and superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this



chapter. The plumbing supervisor and superintendent or their representatives shall have no authority to inquire into any industrial or commercial processes, including metallurgical, chemical, oil, refining, ceramic, paper, or other similar processes, beyond that information having a direct bearing as determined by the supervisor and superintendent, on the kind and source of discharge to the sanitary sewers or wastewater treatment facilities. All such information so obtained shall be maintained as confidential information except as otherwise authorized by the industry involved.

B. While performing the necessary work on private properties referred to in subsection A, the plumbing supervisor and superintendent or duly authorized employees of the city shall observe all safety rules applicable to the premises established by the company. The company shall provide any required special safety equipment for the temporary use and protection of city inspectors during inspections. The company shall be held harmless for injury or death to the city 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 other fault of the company or the failure of the company to maintain a safe place as required by law.

C. For purposes of enforcing this chapter, the plumbing supervisor and superintendent and other duly authorized employees of the city bearing proper credentials and identification shall be permitted to enter all private properties for the purposes such as, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the wastewater collection system. All entry and subsequent work, if any, shall be done in full accord with the terms of this chapter. (Ord. 12D-84 (part), 1984)

#### **13.36.140 Violation—Penalty.**

Any person violating any of the provisions of this chapter shall upon conviction be subject to a penalty pursuant to the provisions of Chapter 1.08 of this code. (Ord. 11B-91 (part), 1991; Ord. 12D-84 (part), 1984)

#### **13.36.150 Responsibility for correcting blockages in sanitary sewer laterals.**

A. For purposes of this section, the term “lateral” refers to sanitary sewer pipes connecting premises with mains.

B. It shall be the responsibility of the owners of premises to keep all sewer laterals unobstructed and in good working order. The owners of premises shall be responsible for the cost of removal of all obstructions or blockages in all portions of laterals, including portions of the laterals located under city-owned right-of-way.

C. In the event an owner can prove to the city that a blockage in a lateral was caused by material entering the lateral from the main, the city may reimburse the owner for the cost of removing the blockage. In order for this exception to apply, the owner must have the problem inspected by city officials and obtain prior approval from city officials before the blockage is removed. (Ord. 11A-86, 1986)

## Chapter 13.38

### PRIVATE WELL PERMIT AND ABANDONMENT

#### Sections:

<b>13.38.010</b>	<b>Purpose.</b>
<b>13.38.020</b>	<b>Applicability.</b>
<b>13.38.030</b>	<b>Definitions.</b>
<b>13.38.040</b>	<b>Abandonment Required.</b>
<b>13.38.050</b>	<b>Well Operation Permit.</b>
<b>13.38.060</b>	<b>Abandonment Procedures.</b>
<b>13.38.070</b>	<b>Penalties.</b>

#### **13.38.010 Purpose.**

The purpose of this Subsection is to prevent contamination of ground water and to protect public health, safety and welfare by assuring that unused, unsafe or non-complying wells, or wells which may serve as conduits for contamination, or wells which may be illegally cross-connected to the municipal water system, are properly abandoned.

#### **13.38.020 Applicability.**

This Subsection applies to all wells within the City limits of the City of Altoona.

#### **13.38.030 Definitions.**

The following definitions shall be used in this Subsection:

1. Noncomplying: (a) A well or pump installation which does not comply with the provisions of Ch. NR 812.42 Wis. Admin. Code, and which has not been granted a variance thereunder. (b) All wells, regardless of depth, fall under this definition of noncomplying.
2. Pump Installation: The pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adaptors, pressure tanks, pits, sampling faucets and well seals or caps.
3. Unsafe: A well or pump installation which produces water which is bacteriologically contaminated or exceeds the drinking water standards of Chs. NR 812.06, Wis. Admin. Code, or for which a Health Advisory has been issued by the Wisconsin Department of Natural Resources (DNR).
4. Unused: A well or pump installation which is not in use or does not have a functional pumping system.
5. Well: An excavation or opening into the ground made by digging, boring, drilling, driving, or other methods for the purpose of obtaining ground water for consumption or other use.
6. Well Abandonment: The filling and sealing of a well according to the provisions of Ch. NR 812.26 Wis. Admin. Code.

#### **13.38.040 Abandonment Required.**

All wells located on premises served by the Altoona Water Utility shall be abandoned in accordance with the terms of this Ordinance and Ch. NR 812 Wis. Admin. Code no later than one year from the date of connection to the Altoona Water Utility, unless a well operation permit has been obtained by the well owner from the City. (part Ord 8D-14, 2014)

#### **13.38.050 Well Operation Permit.**

Owners of wells subject to this Section shall make application to the City for a Well Operation Permit. The City may grant a permit to a private well owner to operate a well for a period not to exceed 2 years providing the conditions of this section are met. An owner may request renewal of a well operation permit by reapplying for a permit and by submitting information verifying that the conditions of this

section are met. The City, or its agent, may conduct inspections or have water quality tests conducted, at the applicant's expense, to obtain or verify information necessary for the consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the City. The following conditions must be met for issuance or renewal of a well operation permit:

A. The well and pump installation meet or are upgraded to meet the requirements of Ch. NR 812.42 Wis. Admin. Code;

B. The well construction and pump installation have a history of producing bacteriologically safe water as evidenced by one sampling taken prior to the issuance of each permit and each renewal thereof. In areas where the DNR has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to establish the safety of the water. Laboratory analysis by a certified laboratory shall be completed every year and submitted with the permit application. No exception to this condition may be made for unsafe wells, unless the DNR and the City of Altoona Director of Public Works or his/her designee approve, in writing, the continued use of the well;

C. There are no cross-connections between the private well, pump installation and distribution pipes and the municipal water system; and

D. The proposed use of the private well and pump installation can be justified as being necessary in addition to water provided by the water utility.

E. The well water shall not discharge into a drain leading directly or indirectly into the Altoona sanitary sewerage system, unless properly authorized and permitted by the City.

F. The well shall have a functioning pumping system.

G. A permit fee as well as a renewal fee shall be charged, with such a charge to be determined by the City of Altoona's abbreviated fee schedule found in Chapter 3.08 of the City of Altoona Code.

H. The well and pump system shall be evaluated by a licensed well driller or pump installer and certified to comply with Ch. NR 812 subch. IV. prior to issuing the initial permit and no less than every 10 years afterwards. (part Ord. 8D-14, 2014)

#### **13.38.060 Abandonment Procedures.**

A. All wells abandoned under the jurisdiction of this Ordinance shall be abandoned according to the procedures and methods of Ch. NR 812 Wis. Admin. Code. All debris, pumps, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.

B. The owner of the well, or the owner's agent, shall notify the City Clerk at least 48 hours prior to commencement of any well abandonment activities. The abandonment of the well shall be monitored by the Altoona Director of Public Works or his/her designee.

C. An abandonment report form, supplied by the DNR, shall be submitted by the well owner to the Clerk and to the DNR within 30 days after completion of the well abandonment.

#### **13.38.070 Penalties.**

In addition to the penalties prescribed in Chapter 1.08, if any person fails to comply with this Ordinance for more than 10 days after receiving written notice of violation, the City may impose a penalty and cause the well abandonment to be performed and the expense to be assessed against the real estate as a special charge. (Ord. 1D-05, 2005).

## Chapter 13.39

### GROUNDWATER MONITORING WELLS AND BOREHOLE REQUIREMENTS

#### Sections:

<b>13.39.010</b>	<b>Purpose.</b>
<b>13.39.020</b>	<b>Applicability.</b>
<b>13.39.030</b>	<b>Definitions.</b>
<b>13.39.040</b>	<b>Code Adopted.</b>
<b>13.39.050</b>	<b>Records.</b>
<b>13.39.060</b>	<b>Wells and Boreholes Affecting City Property.</b>

#### **13.39.010 Purpose.**

The purpose of this Subsection is to prevent contamination of groundwater and to protect public health, safety and welfare by assuring that unused, unsafe or non-complying groundwater monitoring wells or boreholes are properly designed, located, constructed, used and abandoned.

#### **13.39.020 Applicability.**

This Subsection applies to all groundwater monitoring wells and boreholes located within the City of Altoona, regardless of whether the premises upon which such well is located is served by the Altoona Water Utility.

#### **13.39.030 Definitions.**

The definitions set forth in Ch. NR 141 of the Wis. Admin. Code, including all modifications and amendments thereto, are adopted and incorporated herein by reference.

#### **13.39.040 Code Adopted.**

The requirements of Ch. NR 141 of the Wis. Admin. Code, including all modifications and amendments thereto, are adopted and incorporated herein by reference.

#### **13.39.050 Records.**

Copies of all documents filed with or received from the Wisconsin Department of Natural Resources (DNR) pursuant to NR 141 shall be provided to the City within 10 days of filing with or receipt from the DNR.

#### **13.39.060 Wells and Boreholes Affecting City Property.**

A. No groundwater monitoring well or borehole may be installed, used or maintained on any City property or within any City right-of-way or City easement without the express written permission of the Director of Public Works or his/her City Designee, in addition to any permit required by NR 141 or other state or federal laws.

B. With respect to all wells or boreholes constructed, used or maintained on City property, City right-of-way or City easements, the City reserves the right:

1. To require immediate closure and repair of the well or borehole should the well or borehole pose a threat, in the sole discretion of the Director of Public Works or his/her City designee, to City health or welfare or City development, maintenance or repair.

2. To require all wells and boreholes installed in the City right-of-way to be flush mounted.

3. To impose a charge for use of City property, right-of-way or easement, such charge to be determined by the City of Altoona's abbreviated fee schedule found in Ch. 3.08 of the City of Altoona Code.

4. To receive results of all tests, including the sampling and analysis of soil or groundwater, generated from such wells or boreholes, upon written request from the Director of Public Works or his/her City designee. Written requests from the City must receive a response within ten (10) days.

5. To use such tests wells or boreholes for the purpose of obtaining independent samples for testing by the City.

6. To abandon and close such wells boreholes if the owner thereof fails to do so upon request by the Director of Public Works or his/her City designee, and to assess the expense thereof, which includes any and all costs related to closure, such costs shall be assessed against the real estate as a special charge.

7. To impose such other conditions as the City may deem appropriate and necessary.

8. To require the owner and the contractor to indemnify the City from liability for claims and damages arising out of the installation, use or maintenance of the wells or boreholes.

9. To require the owner and the contractor to supply such performance bonds and insurance as the Director of Public Works or his/her City designee may deem appropriate to ensure compliance with this Ordinance.

C. Applicant shall comply with Wis. Admin. Code NR 141 regarding monitoring well or borehole abandonment.

D. Applicant shall perform surface restoration.

1. Existing Hard Surface. All abandoned wells or boreholes within the City right-of-way where a hard surface such as asphalt or concrete pavement exists shall be sealed to match the existing surrounding surface. The well opening must be re-drilled at the original borehole diameter to a minimum depth of two (2') feet below finish surface. The re-drilled borehole (or uppermost 2 feet of new borehole) shall be filled with filter pack sand or No. 2 crushed base course and compacted in six-inch lifts to a minimum of ninety-eight percent (98%) Standard Proctor (ASTM D698) up to pavement subgrade elevation. Pavement shall be installed in accordance with industry standards to match the thickness and type of the surrounding finish surface.

2. Existing Soft Surface. All abandoned wells or boreholes within the City right-of-way where a soft surface such as turf, gravel, or sand exists shall be sealed to match the existing surrounding surface. The well opening must be re-drilled at the original borehole diameter to a minimum depth of two feet (2') below finish surface. The re-drilled borehole (or uppermost 2 feet of new borehole) shall be filled with suitable fill material compacted to ninety-five percent (95%) Standard Proctor to subgrade elevation. Finish material of the same type and consistency as the surrounding soft surface shall be installed in accordance with industry standards. (Ord. 1E-05, 2005).

## Chapter 13.40

### CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION

#### Sections:

13.40.010	Purpose
13.40.020	Definitions.
13.40.030	Cross Connection Prohibited
13.40.040	Responsibility
13.40.050	Owner Responsibility
13.40.060	Inspections
13.40.070	Right of Entry
13.40.080	Authority to Discontinue Service
13.40.090	Reconnection of Service
13.40.100	Emergency Discontinuance of Service
13.40.110	Additional Protection
13.40.120	Public Water Supplies
13.40.130	Plumbing Code
13.40.140	Conflicting Ordinances
13.40.150	Violation
13.40.160	Violation–Penalty

#### REPEALED AND REPLACED 8/28/14

##### 13.40.010 Purpose

To protect the health and welfare of users of the public potable water supply of the City of Altoona from the possibility of contamination or pollution of the potable water system(s) under the direct authority of the City of Altoona.

To promote for the control and/or elimination of existing cross connections (actual or potential) between the customer's potable water system(s) and other environment(s) containing substance(s) which may contaminate or pollute the water supply.

To provide for the maintenance of a continuing Comprehensive Program of Cross Connection Control which will systematically and effectively prevent the contamination or pollution of all potable water system(s) under the direct authority of the Altoona Water System.

##### 13.40.020 Definitions.

A. 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 Altoona Water System potable supply of water from any source.

B. 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 preventer, backflow preventer for carbonated beverage machine, vacuum breaker wall hydrants, (freeze resistant automatic draining type), chemical dispensing machine, hose connection vacuum breaker, hose connection backflow preventer, backflow preventer with intermediate atmospheric vent and barometric loop.

C. 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.

D. 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.

E. Cross Connection: Any physical connection or arrangement between two 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 systems.

F. Cross Connection Control Manual: Policies and procedures for cross connection control and backflow prevention for Altoona, Wisconsin.

#### **13.40.030 Cross Connection Prohibited**

No person shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established to the Altoona Water System from a private, auxiliary or emergency water supply (other than the public water supply of the utility) unless such private, auxiliary or emergency water supply and the method of connection and use of such supply have been approved by the utility and the Wisconsin Department of Natural Resources.

#### **13.40.040 Responsibility**

The Altoona water utility shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to backflow of contaminants or pollutants.

#### **13.40.050 Owner Responsibility**

The property owner of any private potable water system shall be responsible for the protection of their potable water system. The responsibilities include the elimination of or protection from all cross connections on their premises. The owner shall, at their own expense, install, maintain and test any and all backflow preventers on their premises in compliance with the Department of Safety and Professional Services Code SPS 382.21 requirements and the utility's "*Cross Connection Control Manual*". The property owner shall have corrected any malfunction revealed by periodic testing of any backflow preventer on their premises. The property owner shall inform the utility of any proposed or modified cross connections and also any existing cross connections that are not protected by an approved backflow prevention means.

The property owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type in the by-pass. Property owners who cannot shut down operation for testing of the backflow prevention assembly must supply additional assemblies necessary to allow testing and maintenance to take place. In the event the property owner installs potable water using fixtures, equipment or appurtenances upstream of a backflow preventer, such must have its own approved backflow prevention means.

The property owner is required to follow the protection practices described in the American Water Works Association publication AWWA M-14 titled "*Recommended Backflow Prevention and Cross Connection Control*", United States Environmental Protection Agency publication titled "*Cross Connection Control Manual*", Wisconsin Department of Safety and Professional Services, SPS 382-384 and the utility's "*Cross Connection Control Manual*", unless the utility requires or authorizes other means of protecting the potable water supply system. These requirements or authorizations will be at the discretion of the utility.

#### **13.40.060 Inspections**

It shall be the duty of the utility to cause surveys to be made of all properties serviced by the utility where cross connections with the public water system are deemed possible. The customer shall be responsible for paying the fee for such inspection and will be billed for such services by the City of the City's agent. Residential properties serviced by the utility shall be surveyed on an interval not exceeding

10 years. The utility may, but is not required to, perform the cross connection survey of the customer's property. All non-residential properties serviced by the utility shall be surveyed on an interval not exceeding 2 years. The frequency of required surveys and resurveys, based upon the potential health hazards, may be shortened by the utility. If, in the opinion of the utility, the utility or the City's agent is not able to perform the survey, the property owner must, at their own expense, have the water system piping surveyed for cross connections by a person who has been properly trained in accordance with the American Society of Sanitary Engineers (ASSE) Standard number 5120 as a Cross Connection Control Surveyor. The Utility shall charge fees as set forth in Section 3.08 Fees, Addendum "A", and approved by the State of Wisconsin Public Service Commission for on-premises follow-up visits by utility personnel for re-inspection due to customer noncompliance and for after hours inspections or re-inspections.

#### **13.40.070 Right of Entry**

Upon presentation of credentials, representatives of the utility shall have the right to request entry at any reasonable time to examine property served by a connection to the public potable water system of the utility for cross connections. If entry is refused, such representatives shall obtain a special inspection warrant under Wis. Stat. § 66.0119. The utility shall charge the property owner a fee as set forth in Section 3.08 Fees, Addendum "A", for refusal to allow entry to examine any property. Upon request, the owner, lessee or occupant of any property served shall furnish to the inspection agency any pertinent information regarding the piping system on such property.

#### **13.40.080 Authority to Discontinue Service**

The utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists and to take such other precautionary measures deemed necessary to eliminate any damage or contamination of the potable water system. Water service shall be discontinued if the means of backflow prevention required by the utility is not installed, tested, maintained and/or repaired in compliance with this ordinance, the Department of Safety and Professional Services Code SPS 382-384 and the utility's "*Cross Connection Control Manual*", or if it is found that the means of backflow prevention required by this ordinance has been removed or bypassed. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in subsection (9) of this section.

#### **13.40.090 Reconnection of Service**

Water service to any property disconnected under provisions of this ordinance shall not be restored until the cross connection(s) has been eliminated or a backflow prevention means approved by the utility has been installed in compliance with the provisions of this section. The Utility shall charge fee as approved by the State of Wisconsin Public Service Commission for the reconnection of the water service as set forth in Section 3.08 Fees, Addendum "A".

#### **13.40.100 Emergency Discontinuance of Service**

If it is determined by the utility that a cross connection or an emergency endangers public health safety or welfare and requires immediate action, service may be immediately discontinued. The owner, lessee or occupant shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes within 10 days of such emergency discontinuance. Such hearing shall be before the Altoona City Council and shall conform to all existing due process requirements.

#### **13.40.110 Additional Protection**

In the case of premises having (a) cross connections that cannot be permanently corrected or controlled, or (b) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for surveying purposes, making it impractical or impossible to ascertain whether or not dangerous cross connections exist, the public water supply system shall be protected in the service line. In the case of any premises where there is any material dangerous to health that is handled in such a



manner that, in the opinion of the utility, could create an actual or potential hazard to the public water supply system, an approved air gap separation or an approved reduced pressure principle backflow assembly shall protect the public water supply system. Examples of premises where these conditions will exist include premises with auxiliary water supplies either interconnected or not interconnected with the public water supply system, premises where inspection is restricted, hospitals, mortuaries, clinics, laboratories, piers, docks, and other water front facilities, sewage treatment plants, sewage lift stations, food and beverage, processing plants, chemical plants using a water process, metal processing plants or nuclear reactors, car washing facilities and premises with reclaimed water systems. In the case of any presence of toxic substances, the utility may require an approved air gap or reduced pressure principle backflow assembly at the service connection to protect the public water supply system. This requirement will be at the discretion of the utility.

**13.40.120 Public Water Supplies**

This section does not supercede the State of Wisconsin Department of Natural Resources Administrative Code NR 810, but is supplementary to it.

**13.40.130 Plumbing Code**

The Altoona Water Utility adopts by reference the Wisconsin Safety and Professional Services being Chapter SPS 382-384, Wisconsin Administrative Code. This section does not supercede the Wisconsin Uniform Plumbing Code and/or the Altoona Plumbing Ordinance, but is supplementary to it.

**13.40.140 Conflicting Ordinances**

All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

**13.40.150 Violation**

A separate offense shall be deemed committed on each day on which a violation occurs or continues.

**13.40.160 Violation–Penalty**

Any person who violates any of the provisions of this chapter shall forfeit a penalty in accordance with Section 1.08 for each and every offense, and in default of payment thereof, shall be committed to the county jail of Eau Claire County until such forfeiture and costs are paid, not exceeding ten days, unless said forfeiture and costs and expenses of prosecution are sooner paid. (Ord 8D-14, 2014)

## **Chapter 13.42**

### **NOTIFICATION TO FIRE DEPARTMENT**

#### **Sections:**

#### **13.42.010 Notification to fire department.**

#### **13.42.010 Notification to fire department.**

The water and sewer department shall immediately notify the fire department in writing of any interruptions of water service to any fire hydrant(s). Said notification shall include a detailed description of the location of the hydrant(s) and the times and dates it will be out of service. When such hydrant(s) are put back into service, the water and sewer department shall give written notice to the fire department of the time and date the hydrant(s) will be placed back in service. When an interruption in service is anticipated in advance, the water and sewer department shall give advance notice to the fire department of the location, times and dates of the interruption of service. (Ord. 12B-87 (part), 1987)