

CHAPTER 15

PLUMBING

15.01 PURPOSE.

The purpose of this Plumbing Code is to provide minimum regulations, provisions and requirements in the Village of Allouez to insure safety to persons and property safe design, and good workmanlike methods of construction in any building constructed, enlarged, altered, repaired, moved or demolished, to regulate the equipment maintenance, condition, use, occupancy and safety of all buildings in the Village of Allouez, and to promote the public health, safety and general welfare.

15.02 SCOPE.

The Plumbing code shall apply to new structures and to alterations and additions to existing structures within the Village of Allouez.

15.03 PLUMBING INSPECTOR.

A. Qualifications.

There is hereby created the office of Plumbing Inspector. The person chosen to fill the office of Plumbing Inspector shall be skilled in the designing, planning installation, superintending and inspection of plumbing and building drainage work, and who shall be certified by the State of Wisconsin in accordance with Comm 5 of the Wisconsin Administrative Code.

B. Duties and Authority.

The Plumbing Inspector shall have control of the supervision and inspection of plumbing and drainage work within or in connection with all buildings within the Village of Allouez. He shall make or cause to be made all inspections of house sewers from main sewer, or other disposal terminal to the buildings, and shall faithfully enforce all laws, ordinances and rules in relation thereto. It shall be the duty of the Plumbing Inspector to see that the construction, reconstruction and alteration of all plumbing, drainage and plumbing ventilation hereafter installed in all of the buildings in the Village shall conform with the laws and ordinances of the State of Wisconsin and the rules and regulations laid down by the State Division of Health and the Village of Allouez and that the work is done by licensed plumbers as provided by law and this chapter, and to make all inspections required thereby and in the manner therein set forth. He shall have the right to enter any building during reasonable hours in the discharge of his duties. He may exercise in the best interests of the general public such supervision over all plumbing and drainage installations as may be necessary to adequately enforce and administer the provisions of this chapter and state law and codes to make plumbing safe and sanitary and to promote public welfare in all classes of buildings, private and public.

C. Records.

The Plumbing Inspector shall take applications and issue permits to qualified applicants. He shall prepare suitable records for the permits issued. He shall keep in his office a proper record

of all transactions and submit to the Village Board a monthly and annual report of such transactions.

15.04 SUPERVISION OF SEWER AND WATER SERVICES.

All sewer service laterals and water service pipes, except that portion of the water service lateral installed or repaired by the Village Water Department from the water main to the curb stop, shall be under the supervision of the Plumbing Inspector and no service pipe shall be laid and no opening into or connection with a sewer service lateral, public sewer, or water main shall be made, including the relaying, replacing, or repairing of the same except under his direction or the direction of his authorized representative.

15.05 INSPECTIONS.

A. Inspections shall be made as provided for in the State Plumbing Code and this chapter and shall include:

- (1) Inspection of the entire house sewer, and drain from the main sewer or other disposal terminal to the building, including connections at point of discharge, and the water service from curb box into building.
- (2) The house drain within the building and branches thereof, under test as prescribed, which inspection shall be made before any part of the drain has been covered.
- (3) The soil, waste and vent pipe known as roughing in, which shall be inspected under test before it is enclosed or covered.
- (4) Final inspection of the plumbing installation after fixtures, appurtenances and appliances have been tested and completed, and the installation is ready for use. When practical, the final inspection shall be made with the water supply serving the plumbing system turned on for such test purposes.

B. The Plumbing Inspector shall furnish the owner or the plumber with a certificate of such inspection indicating whether the installation has been approved or disapproved and giving the reasons therefore in writing.

15.06 NOTICE OF INSPECTION.

Whenever any work is ready for inspection, the Plumbing Inspector shall be notified by the plumber in charge specifying the location by street number or land description. Unless especially permitted by the Plumbing Inspector, all work, either plumbing, water supply piping, house sewers or drainage shall be left uncovered until examined and approved by him. The plumber in charge shall make such arrangements as will enable the Inspector to reach all parts of the building readily, and shall have present the proper apparatus and appliances for making the tests, and shall furnish all materials and perform all labor in making such tests as required for proper inspection. When inspection is desired, the request shall be made by phone, in person, or in writing during office hours.

15.07 PERMITS AND FEES.

A. Permit Required.

No plumbing shall be done in the Village without a permit being first issued therefore by the Plumbing Inspector and the paying of the proper fee. Such permits may be issued only to persons licensed to do plumbing under the laws of Wisconsin, except that any person owning and occupying a single-family residence or constructing a single-family residence for his occupancy may do plumbing therein without license, although such person shall secure a permit and work shall fully conform with all requirements as to workmanship, design and materials, and provided further, that any person assisting such owner shall be a licensed master plumber. An owner obtaining a permit for work in a new residence shall not be granted a plumbing permit for work in another residence within a period of 5 years. Any plumbing shall conform to all provisions of the state law and codes and ordinances of the Village.

B. Application for Permit.

Any person desiring to do plumbing shall, before beginning active work, file with the Plumbing Inspector upon an application blank furnished by the Village, a description of the property and the nature of the work to be done. A plan or sketch showing location and manner of installing said work shall be furnished upon request of the Inspector. Plumbing plans and specifications for all buildings or structures requiring approval of the State Department of Industry, Labor and Human Relations shall be presented to the Plumbing Inspector before a permit is granted.

C. Schedule of Fees.

No permit shall be valid until the appropriate fee has been paid, as outlined in Section 8.11 A. For installation without a permit, double the permit fee when the permit is obtained.

Payment of any fee under this subsection shall not relieve any person of any penalties that may be imposed for violation of this chapter.

D. Sealing Unused Services.

No permit for plumbing in a new or relocated building shall be issued until the Plumbing Inspector is satisfied that all unused sewer and water services to the premises are sealed, nor until a sanitary sewer permit and building permit have been issued.

E. Violators of Regulations.

No plumbing or sewer permit shall be granted to anyone who has failed to comply with this chapter. No permit shall be issued to any person or to any master plumber against whom an order issued by the Plumbing Inspector is pending. No permit shall be issued to any person who has been in the past found violating or has willfully violated this chapter. Bad faith or unreasonable delay in the performance of any work covered by this chapter or failure to respond promptly to official communications shall be deemed sufficient reason for withholding permits, and the master plumber

shall be held responsible for the violations of these regulations by himself or any of this employees.

F. Expiration of Permits.

All permits are good for a continuous performance of the work named thereon. Permits will automatically expire when work ceases for a period of 60 days without good and reasonable cause for same, but otherwise will expire on completion of work for which it was issued.

G. Terminating Permit; Stopping Work.

The Plumbing Inspector may cancel the permit on any job for violation of the Plumbing Code or other ordinances and may stop work in any case where installation is not being made in compliance with this chapter.

15.08 STATE CODE ADOPTED.

The Wisconsin State Plumbing code, adopted by the State Division of Health, Chapters H 61, H 62 and H 63 of the Wisconsin Administrative Code and Chapter 145, Wisconsin Statutes, are hereby adopted as part of this chapter. The provisions thereof and of this chapter shall govern all plumbing, private sewage disposal, and drainage work and no plumbing, private sewage disposal, or drainage work shall be done except in accordance with said codes and this chapter.

15.09 DEFINITIONS.

Terms used in this chapter mean as follows:

(1) **Plumbing.**

- (a) All piping, fixtures, appliances and appurtenances in connection with the water supply and drainage systems within a building and to a point from 3 to 5 feet outside of the building.
- (b) The construction and connection of any drain or waste pipe carrying domestic sewage from a point within 3 feet outside of the foundation walls of any building with the service lateral at the curb or other disposal terminal, including private domestic sewage treatment and disposal systems and the alteration of any such system, drain or waste pipe, except minor repairs to faucets, valves, pipes, appliances and removing of stoppages.
- (c) The water service piping from a point within 3 to 5 feet outside of the foundation walls of any building to the mains in the street, alley, or other terminal and the connecting of domestic hot water storage tanks, water softeners, and water heaters with the water supply system.
- (d) The water pressure system other than municipal systems as provided in Chapter 144, Wisconsin Statutes.
- (e) A plumbing and drainage system so designated and vent piping so installed as to keep the air within the system in free circulation and movement, and to prevent with a margin

of safety unequal air pressures of such force as might blow, siphon or affect trap seals or retard the discharge from plumbing fixtures, or permit sewer air to escape.

- (2) **Sanitary sewer service lateral.** That part of the sanitary drainage system extending from the property line to the connection with the main sewer.
- (3) **House sanitary sewer.** That part of the sanitary drainage system extending from the sewer service lateral or other disposal terminal to within 3 to 5 feet outside the building designed to convey sanitary sewage to the house sanitary sewer.
- (4) **House sanitary drain.** All underground piping inside the building and to a point 3 to 5 feet outside the building designed to convey sanitary sewage to the house sanitary sewer.
- (5) **House storm drain.** All underground piping inside the building and to a point 3 to 5 feet outside of the building designed to convey the discharge of all roof leaders, refrigerator drains and all other clear water drains to the house storm sewer.
- (6) **Storm sewer service lateral.** That part of the storm water drainage system extending from the curb to the main in the street.
- (7) **Plumbers.** Master and journeyman plumbers are any persons licensed by the State Division of Health.
- (8) **Apprentice.** A person other than a master or journeyman plumber, registered as such with the State Division of Health in compliance with the rules and regulations governing apprentices.
- (9) **Backwater.** The unwanted reverse flow of liquids, solids or gases.
- (10) **Backwater Valve.** A device designed to automatically prevent the reverse flow of wastewater in a drain system. Usually, referred to as a Palmer Valve designed to protect the entire house drain system.
- (11) **Check Valve.** A device designed to automatically prevent the reverse flow of wastewater for a single fixture or drain.
- (12) **Basement.** That portion of a dwelling below the first floor or ground floor with its entire floor below grade.

15.10 STREET OPENINGS.

Openings in any street, alley, or public place shall be governed by Chapter 3 of this Village Code and by any specifications or policies on street openings adopted by the Village.

15.11 INFORMATION AND RECORDS.

- A. The Village Engineer shall keep a record in a book, card file, or plat for the purpose of showing the size and location of public sewers and the position of the branches, junctions, laterals and appurtenances.

- B. Information concerning the location of wye branches in the public sewer, or of sewer service laterals, shall be furnished by the Village Engineer. All reasonable care will be taken to insure the correctness of such information, but such correctness will not be guaranteed. When, in accordance with the measurement furnished, the junction is not found in the public sewer within a distance of 3 feet from the flow side of the measurement furnished, permission shall be given by the Plumbing Inspector to the plumber applying therefore to make a new connection. All such connections shall be made in a manner directed by the Plumbing Inspector. No connection with any sewer or any part thereof shall be covered without permission of the Plumbing Inspector, but such inspection and approval shall not in any case constitute a guarantee against imperfection by either the Plumbing Inspector or the Village.
- C. The Plumbing Inspector shall keep a record in a book or card file of all sewer connections, showing location of lot, name of owner, name of installer, and location of connection.
- D. A sewer service lateral, building or house sewer, shall, where depth of main sewer permits, be installed at a minimum depth in residence districts of 7 feet below the established sidewalk grade and in commercial or industrial districts at a minimum depth of 9 feet below the established sidewalk grade. Measurements shall be from the top of the sidewalk to the invert flow line of the sewer. The grade of a sidewalk where established may be obtained in the office of the Village Engineer on request.

15.12 CONNECTION TO WATER AND SEWER SERVICE.

- A. All buildings used or intended to be used for human habitation and located adjacent to a sewer or water main, or located in a block through or adjacent to which a sewer or water main passes or extends, shall be connected with such water or sewer main in the prescribed and accepted manner.
- B. The owner of any building shall, not later than 10 days after service of a written notice upon him, cause such building to be connected to the sewer or water main in the prescribed and accepted manner, and shall, thereafter, abandon any existing source of water or any existing sewerage system.
- C. Such notice shall be given by the Village in the same manner a summons is served or by registered mail addressed to the owner, return receipt requested. The notice shall state the connection or connections required, the approximate position of the nearest water or sewer main, and the fact that the owner has 10 days to comply with the notice.
- D. If any owner fails to comply with such notice, the Village may cause such connection or connections to be made and assess the cost thereof against the real estate as a special tax.

15.13 SANITARY SEWER AND WATER SERVICE LATERALS.

It is the policy of the Village of Allouez to require the installation of sewer and water lines from the mains in the street to the adjacent property lines, at the cost of said properties, in advance of the construction of curbs and gutters, and/or in advance of the improvement of such streets through paving of any kind. These sewer and water

lines shall be installed to provide service to each platted lot as well as all possible building lots that could be created on unplatted parcels of land.

15.14 HOUSE SEWERS AND HOUSE DRAINS.

- A. House drains and sub-drains under 12 inches inside diameter shall be constructed of asphaltum-coated cast iron, or copper, except that the Plumbing Inspector may grant permission for the use of other materials for specific reasons upon written request. Written request shall be made to the Plumbing Inspector for approval of materials to be used for building drains and sub-drains, and for wastes and vents where acid and chemical wastes are to be conveyed.
- B. All house sanitary sewers shall be constructed of cast iron, vitrified clay, or asbestos cement pipe.
- C. Every soil or waste stack shall be provided with a cleanout. This cleanout shall be 28 inches to 30 inches above the basement or lowest floor.
- D. The size of underground waste pipes serving kitchen sinks or other greasy wastes shall not be less than 4 inches.
- E. All sewer service lateral and building sewers shall be bedded in clear stone to the center line of the pipe. Bedding materials shall be washed gravel with the sand removed, or crushed and screened stone with general fines removed. The size of the bedding stone shall be such that 100% shall pass a one-half inch sieve.
- F. Underground building drains shall be laid on original or firm ground or thoroughly compacted material. Voids between such firm foundation and the bottom of the pipe, along its entire length shall be filled with bedding stone as specified for building sewers.
- G. When laterals exceed 75 feet in length, cleanout shall be provided.

15.15 WASTES AND VENTS.

- A. Grease traps or separators shall be installed wherever kitchen or other greasy wastes from pot or dish washing sinks are discharged into a building drain or sewer. They shall be installed in such places as hotels, restaurants, butcher shops, bakeries, club houses, hospitals, church and school kitchens and similar places.
- B. Kitchen sink or other greasy wastes from fixtures at different elevations shall not discharge into the same waste pipe or waste stack unless that portion of the waste pipe or stack receiving and carrying the discharge of more than one such fixture is 3 inches or larger in diameter. It is recommended that wherever possible the waste pipes be extended individually to the basement and the increase in pipe size be made below the first floor and above the basement floor of the building.
- C. Waste pipes or stacks receiving kitchen sink or other greasy wastes shall not receive the discharge of other fixtures except as

provided by H 62.22 (16), Wisconsin Administrative Code. Where kitchen sink or other greasy wastes connect to soil stacks, they shall be connected below the water closet discharge.

- D. All vent terminals shall extend at least 8 inches above the roof at the center line of the pipe, but not more than 12 inches above the roof. The joint where a vent terminal passes through the roof shall be made water tight by the use of copper or lead flashings. The top of the flashing shall extend over the top of the vent and turn down into the vent.
- E. Where the only vent serving a fixture or fixtures is a wet vent, the unit discharge into such wet vent shall be limited to one fixture unit for a 1/2 inch vent or two fixture units for a 2-inch vent pipe.
- F. Wherever possible, all changes in direction from vertical to horizontal on any vent shall be made above the overflow rim of the fixture. Where a vent is connected to a horizontal soil or waste pipe and is not a wet vent, such vent shall, where impossible to rise vertically, rise at not less than 22.5 degrees until the bottom of the horizontal vent is above the horizontal soil or waste pipe which it serves. The horizontal vent shall have a slope of not less than 1/4 inch per foot, shall be installed with drainage fittings and shall be provided with a cleanout 28 inches to 30 inches above the floor.

15.16 BACK-WATER VALVE.

- A. Basement floor drains in all new construction in areas designated as "FLOOD PLAIN", shall be protected with a backwater valve or with sanitary sump with pumping equipment in accordance with DOC 82.30(10). Backwater valves, when fully open, shall have a capacity not less than that of the pipes in which installed, and shall be located so as to be readily accessible for cleaning.
- B. Basement fixtures except lavatories, sinks and automatic washer drains with stand pipes of 30" or more above basement floor level, shall be protected by an approved type automatic backwater valve. If fixtures excepted from the requirement for an automatic backwater valve are subject to backwater, a backwater valve of the "check valve" type shall be installed.
- C. After the effective date of this ordinance, no person shall sell any real estate containing a building, and no person shall occupy a building, which does not have backwater protection as provided in Subsections A and B, immediately above.

15.17 WATER SUPPLY SYSTEMS.

A. Size.

The water service or building supply pipe to any building shall be of sufficient size to provide an ample flow of water under maximum use to all fixtures and points of service. Size shall be determined by standards set forth by Wisconsin Division of Health.

B. Material.

The underground water service pipe from the main or a private water supply system to any building, and its joints and connections, shall be of such material and design as shall be allowed and permitted by Sections Comm 84.30 and Comm 84.40, Wisconsin Administrative Code.

C. Valve Controls.

Service controls shall include a valve shut-off at the main, a curb stop or valve at the curb or privately owned pump, and a valve or stop inside the foundation wall of each building, and where a meter is installed, a valve on both sides of the meter. Service of 1 1/2" or over shall have a by-pass around the meter. On services of less than 1 1/2" there shall be no fittings installed on the supply side of the meter which could be used to by-pass such meter.

D. Relief Valves.

All equipment for heating and storage of hot water for domestic or commercial purposes, when installed, repaired, replaced, relocated or reconnected shall be equipped with an emergency protective device to prevent excessive pressure and excessive temperature. The valve shall be a combined temperature and pressure relief valve of the test lever and extended thermometer type in accordance with the latest American Standard ASA 22.1.22-1958 and listed by the A.G.A. The minimum size shall be 3/4" for both inlet and outlet. The discharge pipe shall be full size of relief valve outlet and shall terminate in an open fixture or not more than 10" from the floor as close as possible to a drain properly connected to the building drain or building sewer.

E. Separate Water Service.

When a water supply system is intended to serve more than one building owned by or intended for sale to different individuals or groups of individuals, the plans for such water supply system or systems shall be submitted to the Plumbing Inspector and Water Department for approval, and the entire work must conform with these regulations.

F. Cross Connections Prohibited.

No private water system shall be connected directly or indirectly to any private water main or pipe that in turn is connected to any publicly owned water main or pipe.

G. Service Connection.

The water main shall be tapped at the expense of the Village and all pipes and fittings up to curb line and including the curb box and necessary connections for a 1" service will be furnished, installed and maintained at the expense of the Village, but upon payment of service lateral assessment at a fixed fee for a 1" service and on a time and material basis for services larger than 1". These fixed assessments may be changed from time to time, and such assessments must be on file with the Village of Allouez Water Department and the Wisconsin Public Service Commission. Any other provision of this ordinance notwithstanding, the cost of any connection or installation made within an existing improved street, regardless of the size of the connection, shall be charged to the property owner on a time and materials basis.

H. Repairs to Services.

The service pipe from the main to the shut-off valve or curb stop will be maintained and kept in repair at the expense of the Water Department. The consumer or property owner shall repair and maintain the service pipe from the shut-off line to the point of use and shall pay all costs for and resulting from water which has passed through the meter and has been wasted by leakage of defective pipes and fixtures.

I. Installation of Meters.

Water meters will be furnished, placed and installed by the Water Department. All meters shall be so located that they shall be free from obstructions and allow easy access thereto for reading and inspection, such location to be designated by the Village. All water meters shall be installed inside the basement at a height of 14 inches, or more, above the floor and at a distance of 4 feet, or less, from an exterior wall. The meter shall be mounted in a horizontal position as prescribed by the Water Department.

J. Changes by Inspector.

The Plumbing Inspector may direct any necessary changes to be made to bring any water supply work up to prescribed standards. Failure to do so when so directed shall be sufficient cause for action to revoke a master or journeyman plumber's license as provided in Section 145.10, Wisconsin Statutes.

K. Control of Water Service.

Except for duly authorized Water Department personnel, and persons, firms and corporations working under the direct supervision of the Allouez Public Works Director, no person shall, and no person, firm or corporation shall allow or permit any employee, representative or other person under his or its supervision, control or direction to:

- (1) Turn water on or off at any water service curb stop.
- (2) Perform any work on a water service lateral or tap any water main or open any street without first obtaining permits and supervision as provided in this chapter.
- (3) Use water for construction purposes without first filing a construction water application at the Water Department Office.
- (4) Break, tamper with, or remove any meter seal.
- (5) Remove, relocate, disconnect, or alter any water meter or remote meter register head.
- (6) Open, use water from, or tamper with any fire hydrant or use any fire hydrant for a purpose other than fire containment, except that authorized Village employees may use such hydrants for the cleaning and flushing of sewers.

15.18 DISCHARGING OF DRAINS AND SEWERS.

No person shall discharge domestic sewage, industrial wastes or septic tank effluent onto the surface of the ground, into any drainage ditch, or into the river or any stream, or into any storm sewer or drain, or permit the same to be so discharged. Sections 141.01, 146.13, 146.14, Wisconsin Statutes are adopted by reference as part of this section.

15.19 CLEAR WATERS.

A. No Discharge to Sanitary Sewer.

No person shall cause, allow or permit any roof drain, surface drain, sub-soil drain, drain from any mechanical device, gutter, ditch, pipe, conduit, sump pump, or any other object or thing used for the purpose of collecting, conducting, transporting, diverting, draining, or discharging clear waters from any part of the premises owned or occupied by said person, to discharge, drain or be connected into a sanitary sewer.

B. Nuisance.

The discharge into a sanitary sewer from any roof drain, surface drain, sub-soil drain, drain from any mechanical device, gutter, ditch, pipe, conduit, sump pump, or any other object or thing used for the purpose of collecting, conducting, transporting, diverting, draining, or discharging clear water from any part of any premises is hereby declared to be a public nuisance and a hazard to the health, safety, and well-being of the people of the Village, and to the protection of property.

C. Sump Pumps.

Every building which shall be constructed or erected after October 19, 1981, except unattached garages, toolhouses and storage buildings and buildings resting on frost walls of less than five feet in depth and not requiring perimeter foundation drainage, shall have a sump pump. The discharge pipe shall not be reduced in size from the discharge opening left by the manufacturer. The discharge pipe from the pump opening to the outside of the building or to the storm sewer lateral, as the case may be, shall be rigidly secured.

D. Storm Sewers.

Every building constructed or erected after October 19, 1981, and its premises, shall have a lateral installed and connected from each sump pump and drain to the storm sewer, where and when storm sewer is available. Effective March 1, 1995, every building constructed or erected before October 20, 1981, and its premises, having a basement with perimeter drain tile or a pipe, hose, or other outlet discharging to the surrounding surface, shall have a lateral installed and connected from each sump pump and drain to the storm sewer, prior to the sale of such building where and when storm sewer is available. If water from the sump pump or drain is causing one or more of the following conditions to or of the private property of another, or to or of public property (including streets and rights-of-way), the Director of Public Works may require immediate connection to the storm sewer when and where accessible:

1. Physical damage (either surface, subsurface or supra surface);

2. An interference with a lawful use and/or enjoyment by the owner or by the public;
3. A substantial diminution in value;
4. A danger to the health, safety or welfare of a lawful user or to the public;
5. A danger or hazardous condition; or
6. A significant nuisance.

E. Other Discharges.

Where property is not serviced by a storm sewer all clear waters shall be discharged either into an underground conduit leading to a drainage ditch, gutter or dry well, or onto the ground at least one foot from the building and above permanent grade in such a manner as not to create a nuisance.

F. Prohibitions.

No person shall cause, allow or permit drainage of any clear water:

- (1) Across any sidewalk or other public area;
- (2) on or into any public street or alley from November 1 to March 31, inclusive;
- (3) on or into any public street or alley from April 1 to October 31, inclusive, without first obtaining a written permit so to do from the Village Board;
- (4) in violation of paragraphs A., B., D., or E. of this ordinance.

G. Definitions.

- (1) **Clear water** is meant to include but not be limited to water from roof drains, surface drains, foundation water drains, cistern overflows, refrigerator cooling waters and water from air conditioning equipment.
- (2) **Person** means every natural person, firm, association, partnership and corporation who and which has any interest in the premises involved, either as owner or tenant.

H. Penalties.

Any person violating any of the provisions of this section shall, upon conviction for the first violation thereof, forfeit a sum of not less than \$50.00 nor more than \$200.00 together with the costs of prosecution, and for the second and each subsequent violation the sum of not less than \$100.00 nor more than \$200.00 for each violation, together with the costs of prosecution. A separate offense shall be deemed committed each day during or on which a violation occurs or continues, and a prosecution of this ordinance shall not affect any other rights of the Village or any citizens, in law or in equity, under this ordinance or otherwise.

I. Exemption for Sump Pumps.

Any other provision of this ordinance notwithstanding, the Village Board may exempt a property from being required to have a sump pump under Section 15.19 C. And a connection from a sump pump to a lateral for the storm sewer under Section 15.19 D., upon the property owner presenting satisfactory and credible proof of the following:

- (1) That an existing sump pump has not been activated, or there has been no sump installed in the sump pit, during the preceding 2-year period; and
- (2) That there is no sump pump installed; or, that there has been no accumulation of water in the sump pit, or no accumulation of water in the sump pit of such an amount that required it to be discharged or removed from the pit, during the preceding 2-year period; and
- (3) That a reliable soil testing service has examined and tested the soil condition of the property, and has determined and issued a written report that surface and sub-surface waters in, on or upon the property are not then causing, or likely to cause in the future, any damage to any improvements then on or planned for the property or to any abutting public property (including streets and rights-of-way), or any danger to the health, safety or welfare of a user of the property or a member of the public.
- (4) That the Building Inspector has examined the property and has furnished a written report of his or her findings, and a recommendation regarding the need for a sump pump and connection.

J. Exemption is Not Representation.

The granting of an exemption under Section 15.19 I. Does not constitute any representation by the Village that the property exempted does not need a sump pit, a sump pump or a storm water lateral; and the Village reserves the right to revoke any exemption granted upon 60 days' prior written notice to the property owner.

K. Indemnity for Exemption.

By requesting an exemption under Section 15.19 I., the requesting property owner, for himself and/or herself, and all of his, her and their successors and assigns, does waive all then present and all future claims for damages against the Village for granting the exemption and not requiring the installation and maintaining of a sump pit, sump pump and/or storm sewer lateral, and agrees to indemnify and hold harmless the Village from all claims of third parties, including defense costs, arising out of the granting and as a result of the said exemption.

15.20 PRIVATE SANITARY WASTE TREATMENT.

In order to protect the health, welfare and safety of the people of the Village and because sanitary sewer service is available to all parcels of land in the Village or such service is planned for, no plumbing

permit shall be issued for any building where sewage disposal by septic tank-soil percolation system is proposed.

Upon written request to the Village Board, exception to the above septic tank use prohibition may be granted in the case of unavailability for some time of the public sanitary sewers and/or extreme hardship. If the exception is granted, the plumbing permit shall be issued and the necessary disposal facilities shall be installed in accordance with Chapter H-65 of the State Administrative Code or applicable County Sanitary Codes, whichever is more restrictive.

15.21 INSANITARY INSTALLATIONS.

When directed by the Village Board or appropriate Village official or upon written and signed complaint of any person to the Village that work covered by this chapter is contrary to the ordinances of the Village or is a menace to health, the Plumbing Inspector shall investigate the cause for complaint on the premises. He shall report his findings in writing to the Village Board or Village Administrator suggesting such changes and corrections as are necessary to put the same in proper sanitary condition. The Plumbing Inspector may also make such report at his own discretion or upon written and signed complaint made to him. The Village thereupon shall direct such changes and corrections to be made as deemed necessary, and fix a time for having same done.

15.22 VACANT PROPERTIES AND RELOCATED BUILDINGS.

- A. All rentable properties upon becoming vacant may be inspected by the Plumbing Inspector or other Village official and their sanitary condition determined. If the plumbing or any work covered by this chapter is in an unsanitary condition or a menace to health or safety, the inspector shall report to the Village Board or Village Administrator and the premises shall be repaired and put in a sanitary condition before a new occupant takes possession.
- B. The plumbing in buildings moved from one lot or location to another shall be inspected by the Plumbing Inspector and when found necessary tested in a manner satisfactory to the Plumbing Inspector at the expense of the owner. If plumbing is found unsafe or unsanitary it shall be repaired or remodeled and made to reasonably comply with this chapter.

15.23 UNUSED SEWER AND WATER SERVICES.

- A. All sewer and water laterals or building sewers and water services installed and immediately used shall be securely sealed so as to be water tight. This shall be done by the use of proper fittings and materials manufactured for that purpose and in a manner approved by the Plumbing Inspector.
- B. Before any building connected to sewer or water mains is razed or moved to another location, a permit shall be obtained by a master plumber from the Plumbing Inspector to disconnect and seal all sewer and water services serving the premises. The plumber shall disconnect such services at the property line or as near thereto as practicable and seal them as specified for new, unused

services. Disconnecting and sealing thereof shall be approved by the Plumbing Inspector before the work is covered.

- C. All water wells which are temporarily or permanently abandoned shall be sealed by a Wisconsin registered well constructor or pump installer within one (1) year of discontinuance of use after first obtaining a permit from the Village Director of Public Works. The well shall be sealed and report filed with the Village of Allouez and the Private Water Supply Section, Lake Michigan District Office of the Wisconsin Department of Natural Resources in compliance with NR812.26 Wisconsin Administrative Code which is hereby adopted by reference as part of this section.

15.24 SEWER STOPPAGES.

Sewer customers within the Village of Allouez are responsible for keeping their sanitary sewer line clear from the house or building to the sewer main.

In case of sewer trouble a sewer customer shall report to the Village of Allouez to insure that main sewer is open and flowing. If the trouble is in the customer's sanitary line and if the customer cannot clear the line, he should engage a plumber. If the plumber is unable to clear the line, the customer must engage an excavator. The excavator, together with the plumber, shall expose the sewer at the point of stoppage. The Plumbing Inspector or his representative should be notified to inspect the sewer conditions as excavation proceeds.

If grease, rags, other foreign matter or tree roots cause the trouble, or if no stoppage is found under the public right-of-way, the customer must pay the excavator and plumber the costs of the time and material expended.

The village will make necessary repairs, at no cost to the customer, if broken pipe or other structural failure under the street right-of-way causes the stoppage. However, if similar trouble occurs under the customer's property, he must arrange to repair the break at his own expense.

15.25 PARKING LOTS AND SURFACE DRAINS.

All parking lots shall be provided with adequate yard drainage. Where a storm sewer is available, the lot shall be provided with interior yard drainage and shall be connected to the storm sewer. In all cases drainage shall be to a terminal designed and approved by the Village Engineer and the Plumbing Inspector. The size of the conduit serving a parking lot shall be determined by the area to be drained. The conduit for areas less than 5000 sq. feet shall be cast iron pipe from the yard drain or catch basin to the service lateral or, where no lateral has been installed, to the village sewer main or other designated terminal.

Areas over 5000 sq. feet may be served by pipe of standards conforming to the village specifications for storm drainage. Catch basins and grate areas shall be to the standard specifications as used by the Village for street storm sewers.

15.26 SANITARY SEWER CONNECTION FEE.

- A. All landowners shall pay to the Village of Allouez, at or before the time of connection, a fee which shall be calculated by

multiplying the rate set forth at Section 8.11 A.(5) of this Code, by the number of linear feet of that part of the property which abuts any Village roadway, easement or land in which any part of the Village's sanitary sewer systems shall lie. Such rate shall be determined on the basis of the average current cost of materials, construction, laying and connecting laterals and sewer pipes from a sanitary main, interceptor or lateral to the lot line, or to the building to be serviced, or both.

- B. This connection fee shall not be applicable in the event that the property has been assessed, or an assessment has previously been paid, for a sanitary sewer main.
- C. In the event that the connection fee is not paid at or before the time of connection, the Clerk-Treasurer shall place the fee on the tax rolls as a special assessment, whereupon it shall be a lien against the lot or parcel served.

15.27 RULES, REGULATIONS AND CHARGES, WATER POLLUTION CONTROL.

A. Purposes and Scope.

The Village of Allouez in cooperation with the Green Bay Metropolitan Sewerage District has provided facilities for collection, transmission and treatment of sewage to promote the health, safety and convenience of its people and to safeguard the water resources common to all. In such facilities, provisions of design, construction and operation have been made to accommodate certain types and quantities of commercial and industrial wastes in excess of, and in addition to, normal sewage. The Village Board has determined that it is the obligation of the producers of domestic, commercial and industrial wastes to defray the cost of normal, and extraordinary, services rendered by the Village of Allouez in the collection, transmission, and treatment of such wastes in an equitable manner and, insofar as it is practicable, in proportion to the benefits derived from such services. It has been also determined that proper protection and operation of the collection and treatment facilities may require either the exclusion, pretreatment or controlled discharge, at point of origin, of certain types or quantities of domestic, commercial and industrial wastes.

B. Definition of Terms.

- (1) **Approving Authority** shall mean the Village Board of the Village of Allouez.
- (2) **Biochemical Oxygen Demand (BOD)** shall mean the quantity of oxygen, expressed in parts per million by weight, utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five days at a temperature of 20 degrees centigrade. The laboratory determinations shall be made in accordance with procedures set forth in "Standard Methods" of subparagraph (16) of this section.
- (3) **Industrial Waste** shall mean any solid, liquid or gaseous substance discharged, permitted to flow or escaping from any industrial, manufacturing, commercial or business establishment or process or from the development, recovery or processing of any natural resources.

- (4) **Normal Concentration** shall mean:
- (a) A five day, 20 degree centigrade, BOD of not more than 200 parts per million.
 - (b) A suspended solid content of not more than 200 parts per million.
 - (c) Phosphorus content of not more than 12 parts per million.
- (5) **Normal Sewage** shall mean sanitary sewage or other wastes in which BOD or suspended solids concentrations do not exceed normal concentrations.
- (6) **Parts Per Million** shall mean a weight-to-weight ratio; the parts-per-million value multiplied by the factor 8.345 shall be equivalent to pounds per million gallons of water.
- (7) **Person** shall mean any person, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.
- (8) **Phosphorus** shall mean elemental phosphorus determined by and in accordance with the procedures set forth in "Standard Methods" of subparagraph (16) of this section.
- (9) **Public Sewer** shall mean a sewer provided by or subject to the jurisdiction of the Village of Allouez or Green Bay Metropolitan Sewerage District.
- (10) **Ph** shall mean the logarithm (Base 10) of the reciprocal of the hydrogenion concentration expressed in moles per liter. It shall be determined by one of the procedures outlined in "Standard Methods" of subparagraph (16) of this section.
- (11) **Sanitary Sewage** is hereby defined as the waste from water closets, urinals, lavatories, sinks, bath tubs, showers, household laundries, cellar floor drains, garage floor drains, bars, soda fountains, refrigerator drips and drinking fountains.
- (12) **Sanitary Sewer** shall mean a sewer that conveys sewage, and into which storm, surface, and ground waters or unpolluted industrial wastes are not admitted.
- (13) **Sewage** shall mean a sewer that conveys sewage, and into which storm, surface, and ground waters or unpolluted industrial wastes are not admitted.
- (14) **Sewage System** and **Sewer System** shall be interchangeable and shall mean all facilities for collecting, pumping, treating and disposing of sewage.
- (15) **Slug** shall mean a sudden increase in sewage discharge that may tend to overload the receiving sewer.
- (16) **Standard Methods** shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes" published jointly by the American Public

Health Association, The American Water Works Association, and the Federation of Sewage and Industrial Wastes Association.

- (17) **Suspended Solids** shall mean solids that either float on the surface of or in suspension in water, sewage, or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in "Standard Methods" of subparagraph (16) of this section.
- (18) **Storm Water** shall mean all forms of natural precipitation.
- (19) **Clear Water** shall mean all water which conforms to the natural analytical quality of water and not having been polluted or contaminated by use.
- (20) **District** shall mean the Metropolitan Sewer District, Fox River Sewer District, Southeast Sewer District, and any successor district to any of them.
- (21) **G.B.M.S.D.** shall mean the Green Bay Metropolitan Sewerage District.
- (22) **Total Kjeldahl Nitrogen (TKN)** shall mean the sum of free ammonia and organic nitrogen compounds as determined by standard laboratory procedures in accordance with 40CRF, Part 136, as the same shall be amended from time to time. TKN is a measurable quantity which will be used as a basis for filling ammonia treatment costs.

C. Sewer Service Charges.

- (1) Normal Sewer Service Charge.

There is hereby levied and assessed upon each lot, parcel of land, building or premises having a connection directly or indirectly with the public sewer system, a sewer service charge based upon the quantity of water used, as measured by the Village of Allouez Water Department. If any person discharging sewage into the public sewer system procures any part, or all of his water from sources other than the Village Water Department, all or part of which is discharged into the public sewers, the person shall install and maintain at his expense, water meters of a type approved by the Water Department, or sewage meters approved by the Approving Authority for the purpose of determining the volume of sewage discharged to the sewage system. Such sewer service charge will be as outlined in Section 8.11 B.

- (2) Rate Setting Policy.

It shall be the policy of the Village of Allouez to obtain sufficient revenues to pay the debt, the debt service, and the cost of the operation and maintenance of the sewerage facilities, and to provide a reserve fund for replacement costs, through a system of sewer service charges as defined in this ordinance. The system shall assure that each user of the sewerage system pays his, her or its proportionate share of such costs. On a biennial basis, the Village will review the waste water contribution of its users, and shall adjust its user charges, and make such changes in the user

charge system, as may be necessary to generate sufficient revenue to pay the total operation, maintenance, debt service and replacement costs, including any increased costs caused by the discharge of toxic pollutants.

User fees shall be expressed on the basis of flow to recover the costs for all parameters of standard domestic waste water including BOD, suspended solids, phosphorus, TKN, infiltration and inflow, volume and customer service.

Operation and maintenance costs shall be the total of all of the costs associated with the operation and maintenance of the waste water collection treatment facilities, including debt service. Replacement costs shall be the total of expenditures required for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. Operation and maintenance costs shall be deemed to include replacement costs. A separate and distinct fund shall be established and used exclusively for payment of replacement costs.

D. Regulations of Sewage Discharges.

- (1) The regulations as established by the Green Bay Metropolitan Sewerage District are hereby adopted and made a part hereof as though written herein.
- (2) Pre-Treatment. Where required or when, in the opinion of the Approving Authority, constituents that are harmful to the sewage system processes or operation of the pollution control works are present in the wastes discharged to the sewer system, the person shall provide at his expense such preliminary treatment or processing facilities as may be necessary to render his wastes acceptable for admission to the public sewers.
- (3) Submission of Plans. Plans, specifications and other pertinent information relating to proposed preliminary treatment or processing facilities shall be submitted for approval to the Village Plumbing Inspector and the Approving Authority prior to the start of their construction.
- (4) Slugs and Equalized Discharge. No person shall allow the discharge of slugs of water or wastes to the public sewers which may be harmful to the operation of the pollution control works. Where, in the opinion of the Approving Authority, slugging does occur, each person producing such a discharge into the public sewers shall construct and maintain at his own expense, a storage reservoir of sufficient capacity with flow control equipment to insure an equalized discharge over a 24-hour period.
- (5) Food Establishments to Provide Grease and Oil Treatment.
 - a. Grease, oil, and sand traps and interceptors shall be provided when required by appropriate Wisconsin Administrative Codes or when the Village determines they are necessary for the proper handling of liquid wastes, sand or other harmful ingredients,

and so notifies the discharger. All restaurants and all plumbing installations for occupancies, other than dwelling units, where grease, fats, oils or similar waste products of cooking or food are introduced into the drain system shall comply with Comm 82.34 (5) Wisconsin Administrative Code or as amended by installing and maintaining a grease interceptor as approved by the building inspector. All interceptors and traps shall be of a type and capacity approved by state and local plumbing codes, and shall be located as to be ready and accessible for cleaning and inspection.

- b. Grease, oil, and sand traps and interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers.
- c. Where installed, all grease and oil interceptors and sand traps shall be maintained by the discharger, at his expense, in continuously efficient operation at all times. The grease and oil interceptors or sand traps may be inspected by the building inspector, and a report prepared describing the conditions found on each inspection. The owner shall routinely pump the grease trap to maintain it clean and shall provide the pumping records including receipts to the building inspector and Public Works Director quarterly. If not provided by the owner it shall be deemed a violation of this ordinance.
- d. Any person who is the owner of any building or land wherein there is a violation of the provisions of this Section shall cause the violation to be corrected within a maximum of 5 days after being notified in writing by the building inspector, whose duty it shall be to enforce this Section.
- e. Any costs to clean sanitary sewers of grease, grease removal from lift station wet wells, and use of degreaser in wet wells shall be charged to the premises causing the problem if proper grease interceptors are not installed and properly maintained. Sewer service costs that are not timely paid shall be entered in the tax roll as a special charge against said lot or parcel of land pursuant to the provisions of 66.0627, Wis. Stats. for collection and settlement under Chapter 74, Wis. Stats.
- f. Any violations of this section may be punished by a fine not to exceed \$1,000.00 and costs per day.

E. Control and Measurement of Admissible Industrial Wastes.

- (1) Submission of Basic Data. Within 90 days after passage of this ordinance, each person discharging other than a "normal" sewage to a public sewer shall prepare and file with the Approving Authority a report that shall include pertinent data relating to the quantity and characteristics of their wastes in accordance with Wisconsin D.N.R. Permit No. WI-0020991, Part II, Section D-Paragraph 7.

Similarly, each person desiring to make a new connection to the public sewers for the purpose of discharging industrial wastes shall prepare and file with the Approving Authority, a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged in accordance with said Permit No. WI-0020991.

- (2) Control Manholes. All persons discharging industrial wastes in excess of normal concentrations into a public sewer or when directed by the Approving Authority shall construct and maintain needed control manholes to facilitate observation, measurement and sampling of his wastes. Control manholes shall be located and built in a manner approved by the Approving Authority. If measuring devices are to be permanently installed, they shall be of a type approved by the Approving Authority.

Control manholes, and related equipment, shall be installed at the expense of the person discharging the waste, and shall be maintained by him in safe condition, accessible and in proper operating condition at all times.

- (3) Provision for Waste Metering. In the event that a person discharging industrial wastes into the public sewers produces evidence satisfactory to the Approving Authority that more than 20% of the total annual volume of water used for all purposes does not reach the public sewer, the person may request the Approving Authority for authority to install an appropriate metering device, and the service charges shall be determined by the volume determined to be discharged in the sanitary sewer.

- (4) Metering of Industrial Waste. Devices for metering the volume of industrial waste discharge may be required by the Approving Authority if those volumes cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of industrial waste shall be owned and maintained by the Village of Allouez. The fees for reading these metering devices are outlined in Section 8.11 C, and shall be the responsibility of the user. Following approval and installation, such meters may not be removed without the consent of the Approving Authority.

- (5) Compliance. After April 1, 1975, each person who discharges industrial wastes into a public sewer shall have comply with this ordinance.

- (6) Extension of Time. When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule

imposed, a request for an extension may be presented to the Approving Authority who may grant an extension.

- (7) Waste Sampling. Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration. The determination shall be made as often as deemed necessary by the Approving Authority. If any said testing by the Village shall show a changed degree of pollutional load in the sewage or waste being discharged, such new test results shall be used in computing the subsequent billings, but no reduction shall be made unless at least a full day of operation of the person's plant has undergone the test. Any person may request the Village of Allouez to make new tests, such tests to be at the expense of the person discharging the waste and such tests to be a minimum of 24-hours duration. Such tests shall be allowed or conducted solely at the discretion of the Approving Authority. If the Approving Authority is satisfied that such test was made when the plant was operating under normal conditions, the results of these tests shall be used in computing the subsequent billing in the manner previously prescribed.
- (8) Analysis. Laboratory test procedures used in the examination of industrial wastes shall be those set forth in Chapter NR 219-Wisconsin Administrative Code and shall be made by the Village of Allouez at the cost of the person.
- (9) Metering of Nonindustrial Waste. Metering devices shall not be allowed for persons who are not discharging industrial waste, as that term is defined in Section 15.27 B(3).

F. Billing Practices.

- (1) Billing Periods. Sewer services charges provided for in the ordinance shall be included as separate items on the regular bill for water service and shall be payable in accordance with the existing rules and regulations of the Village of Allouez Water Department, commencing with all bills due and payable on and after January 1, 1980.
- (2) Payment. Sewer services charges shall be payable at the office of the Village of Allouez Water Department or at any other officially designated location at the same time that the water bills become due, and payments for water service shall not be accepted without full payment of the sewer service charges.

G. Penalties.

- (1) Delinquency. Bills for sewer service charges levied and assessed in accordance with this ordinance shall become due and payable within 15 days from and after the date of the bill.
- (2) Legal Basis. Each sewer service charge levied by or pursuant to this ordinance shall constitute a lien upon the corresponding premises served by the sewer system as provided for in Section 66.076 (7), Wisconsin Statutes.
- (3) Violations. Any person, firm or corporation violating any of the provisions of the ordinance or who shall tamper with

metering or sampling shall be liable to the Village of Allouez for any expense, loss or damage occasioned by such violation and upon conviction or any violation of this ordinance shall be fined not less than \$100.00 nor more than \$2,500.00 per violation, plus damages.

Each day a condition is allowed to exist which is contrary to all or any part of this ordinance shall constitute a new violation.

- (4) Ownership and Occupancy. Change of ownership or occupancy of premises delinquent under provisions of this ordinance shall not be cause for reducing or eliminating charges due and penalties.

H. Invalidation Clause.

If any section, clause, sentence or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, clause, sentence or provision of this ordinance which can be given effect without such invalidated part or parts.

- I. The provision of Section 15.27 shall be in addition to any and all other sewer and drain regulations of this Code of General Ordinances and the Green Bay Metropolitan Sewerage District and shall take precedence over those with which it may conflict.

15.29 SUMMER WATER USE REGULATIONS.

A. Sprinkling Ban.

Between June 15th and September 15th of each year no person individually or as agent or employee for any firm, association or corporation, shall utilize water for the watering or sprinkling of lawns, gardens, shrubbery or other plant life between the hours of 7:00 o'clock A.M. and 7:00 o'clock P.M., with the exception of greenhouses and nurseries.

B. Water Use on Alternating Basis.

Between June 15th and September 15th of each year no person, individually or as agent or employee for any firm, association or corporation, shall utilize water for sprinkling purposes between the hours of 7:00 o'clock P.M. and 7:00 o'clock A.M., the following day except as follows: Water may be utilized during such hours on an alternating basis: even numbered addressed properties to use water from 7:00 o'clock P.M. to 12:00 midnight on the even numbered days of the month, and from 12:00 midnight of such night to 7:00 o'clock A.M., the following morning; and odd numbered addressed properties to use water from 7:00 o'clock P.M. to 12:00 midnight on odd numbered days of the month, and from 12:00 midnight to 7:00 o'clock A.M., the following morning.

- C. Penalty. Any person, firm or corporation who shall use water in violation of the foregoing regulations and restrictions shall forfeit not less than \$10.00 nor more than \$200.00 for each violation hereof. Each calendar day in which a violation occurs shall be deemed a separate violation of this ordinance.

- D. This ordinance shall be effective on the date of its publication, and continue to be effective between June 15th and September 15th of each year until repealed.

15.30 CROSS CONNECTION CONTROL.

A. Purpose.

To provide a program for protecting the Public Water System from contamination due to backflow of contaminants through the water service connection into the public water system.

B. Definition.

A cross connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Village of Allouez water system, and the other, water from a private source, water of unknown or questionable safety, or steam, gas, 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.

C. Regulation.

No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the Village of Allouez may enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Allouez Water Department and by the Wisconsin Department of Natural Resources in accordance with Section NR 111.25(3), Wisconsin Administrative Code.

D. Inspections.

It shall be the duty of the Allouez Water Department to cause inspections to be made of all properties served by the public water system where cross connections with the public water system is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be established by the Allouez Water Department and as approved by the Wisconsin Department of Natural Resources.

E. Right of Entry.

Upon presentation of credentials, the representative of the Allouez Water Department shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the Village of Allouez for cross connections. If entry is refused, such representative shall obtain a special inspection warrant under Section 66.122, Wisconsin Statutes. On request the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.

F. Discontinuance.

The Allouez Water Department is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this ordinance exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in Section 6. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this ordinance.

G. Procedure.

If it is determined by the Allouez Water Department that a cross connection or an emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is filed with the Clerk-Treasurer of the Village of Allouez and delivered to the customer's premises, service may be immediately discontinued. The customer shall have the opportunity for a hearing under Chapter 68, Wisconsin Statutes, within 10 days of such emergency discontinuance.

H. Adoption.

The Village of Allouez adopts by reference the State Plumbing Code of Wisconsin, being Chapter H 62, Wisconsin Administrative Code.

I. Supplement to State Plumbing Code.

This ordinance does not supersede the State Plumbing Code and the Village of Allouez plumbing ordinance, but is supplementary to them.

J. Effective Date.

This ordinance shall take effect and be in force from and after the 1st day of June, 1981.

15.31 WELL ABANDONMENT.

A. Purpose.

The purpose of the well abandonment section is to prevent contamination of groundwater and to protect public health, safety and welfare by assuring that unused, unsafe or noncomplying wells, or wells which may serve as conduits for contamination, or wells which may be illegally cross connected to the Village of Allouez municipal water system, are properly abandoned.

B. Scope.

This ordinance applies to all wells located on premises served by the Village of Allouez municipal water system.

C. Definitions.

- (1) **Noncomplying** means a well or pump installation which does not comply with the provisions of Chapter NR 112, Wisconsin Administrative Code, in effect at the time the well was constructed, a contamination source was installed, the pump was installed or work was done on either the well or pump installation.
- (2) **Pump installation** means the pump and related equipment used for withdrawing water from a well, including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.
- (3) **Unsafe** means a well or pump installation which produces water which is bacteriologically contaminated or contaminated with substances in excess of the standards of Chapters NR 109 or 140, Wisconsin Administrative Code, or for which a Health Advisory has been issued by the Department of Natural Resources.
- (4) **Unused** means a well or pump installation which is not in use or does not have a functional pumping system.
- (5) **Well** means an excavation or opening into the ground made by digging, boring, drilling, driving, or other methods for the purpose of obtaining groundwater for human consumption.
- (6) **Well abandonment** means the filling and sealing of a well according to the provision of Chapter NR 112, Wisconsin Administrative Code.

D. Abandonment Required.

All wells located on the premises served by the municipal water system shall be abandoned in accordance with the terms of this ordinance and Ch. NR 112, Wisconsin Administrative Code, no later than 1 year from the date of connection of the premises to the Village of Allouez municipal water system, unless a well operation permit has been obtained by the well owner from the Village of Allouez.

E. Well Operation Permit.

The Village of Allouez may grant a permit to a private well owner to operate a well for a period not to exceed 5 years providing the conditions of this section are met. An owner may request renewal of a well operation permit by submitting information verifying that the conditions of this section are met. The Village of Allouez, or its agent, may conduct inspections or have water quality tests conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the Clerk-Treasurer. The following conditions must be met for issuance or renewal of a well operation permit:

- (1) The well and pump installation meet or are upgraded to meet the requirements of Ch. NR 112, Wisconsin Administrative Code;

- (2) The well construction and pump installation have a history of producing bacteriologically safe water as evidenced by at least two samplings taken a minimum of two weeks apart. No exception to this condition may be made for unsafe wells, unless the Department of Natural Resources approves, in writing, the continued use of the well;
- (3) There are no cross connections between the well and pump installation and the Village of Allouez municipal water systems; and
- (4) The proposed use of the well and pump installation can be justified as being necessary in addition to water provided by the Village of Allouez municipal water system.

F. Abandonment Procedures.

- (1) All wells abandoned under the jurisdiction of this ordinance or rule shall be abandoned according to the procedures and methods of Ch. NR 112, Wisconsin Administrative Code. All debris, pump, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.
- (2) The owner of the well, or the owner's agent, shall notify the Clerk-Treasurer at least 48 hours prior to commencement of any well abandonment activities. The abandonment of the well shall be observed by the Village of Allouez or its agent.
- (3) An abandonment report form supplied by the Department of Natural Resources shall be submitted by the well owner to the Clerk-Treasurer and the Department of Natural Resources within ten days of the completion of the well abandonment.

G. Penalties.

Any well owner violating any provision of this ordinance shall, upon conviction, be punished by forfeiture of not less than \$100.00 nor more than \$500.00 and the costs of prosecution. Each day of violation is a separate offense. If any person fails to comply with this ordinance for more than ten days after receiving written notice of the violation, the municipality may impose a penalty and cause the well abandonment to be performed and the expense to be assessed as a special tax against the property.