

TITLE 9

Public Utilities

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Water Utility Regulations and Rates

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Article A: Rates

Sec. 9-1-1 Public Fire Protection Service—F-1.

- (a) For public fire protection service to the Village of Elmwood, the annual charge shall be Sixty Two Thousand Two Hundred Thirteen Dollars (\$62,213.00) to cover the use of mains and hydrants up to and including the terminal hydrant and connection on each main existing for the 2013 test year.
- (b) For all extensions of fire protection service, a charge of eighty cents (80 cents) per lineal foot of main shall be charged per annum on the basis of the length of main put into use between hydrants placed, plus a charge of One Hundred Fifty (\$150.00) net per hydrant added to the system after the base period.
- (c) This service shall include the use of hydrants for fire protection service only and such quantities of water as may be demanded for the purpose of extinguishing fires with the municipal boundary only. This service shall also include water used for testing equipment and training personnel. For all other purposes, the metered or the other rates set forth, or as may be filed with the Public Service Commission, shall apply.
- (d) The above base annual charge of Sixty Two Thousand Two Hundred Thirteen Dollars (\$62,213.00) includes an estimate thirty-one thousand seven hundred forty-six (31,746) feet of transmission and distribution main, four (4) inch and larger, and forty-seven (47) hydrants.
- (e) The annual public fire-protection charge shall never be less than the base amount.

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

(a) Service Charges:

	Monthly
5/8-inch meter -	\$ 5.91
3/4-inch meter -	\$ 5.91
1-inch meter -	\$ 8.76
1-1/4-inch meter -	\$ 10.51
1-1/2-inch meter -	\$ 12.26
2-inch meter -	\$ 17.51
3-inch meter -	\$ 27.97
4-inch meter -	\$ 43.80
6-inch meter -	\$ 76.64
8-inch meter -	\$109.48

Changed 2/1/2013

(b) **Plus Volume Charge (Monthly):**

First 16,600 gallons used each - \$3.23 per 1,000 gallons.

Over 16,600 gallons used each - \$2.53 per 1,000 gallons.

(c) **Billing.** Bills for water service are rendered monthly and become due and payable upon issuance following the period for which service is rendered. A late payment charge of one percent (1%) will be added to bills not paid within twenty (20) days of the bill issuance. This late payment charge will be applied to the total unpaid balance for utility service, including unpaid late payment charges. This late payment charge is applicable to all customers. The utility customer may be given a written notice that the bill is overdue no sooner than twenty (20) days after the bill is issued and unless payment or satisfactory arrangement for payment is made within the next ten (10) days, service may be disconnected pursuant to Ch. PSC 185, Wis. Adm. Code.

(d) **Combined Metering.**

- (1) Volumetric meter reading will be combined for billing if the utility for *its own convenience* places more than one meter on a single water service lateral. Multiple meters placed for the purpose of identifying water not discharged into the sanitary sewer are *not* considered for utility convenience and shall not be combined for billing. Meter readings from individually metered separate service laterals shall *not* be combined for billing purposes.
- (2) Buildings used in the same business, located on the same parcel and served by a single lateral may have the customer's water supply piping installed to a central point so that volume can be metered in one place.

Sec. 9-1-3 General Service---Suburban----Mg-2.

Water customers residing outside the corporate limits of the Village of Elmwood shall be billed at the regular rates for service (Schedule Mg-1) plus a twenty five percent (25%) surcharge.

Sec. 9-1-4 General Water Service---Unmetered----Ug-1.

- (a) **Rate.** Where the utility cannot immediately install its water meter, service may be supplied temporarily on an unmetered basis. Such service shall be billed at the rate of Seventeen Dollars & 20 cents (\$17.20) per billing period. This rate shall be applied only to a single-family residential and small commercial customer and approximates the cost of four thousand (4000) gallons of water per billing period under Mg-1. If it is

determined by the utility that usage is in excess of twelve thousand (12,000) gallons per billing period, an additional charge per Schedule Mg-1 will be made for the estimated additional usage.

- (b) **Billing.** Same as Schedule Mg-1.

Sec. 9-1-5 Public Service—Mpa-1.

- (a) Water service supplied to municipal buildings, schools, sewer treatment plants, etc., shall be metered and the regular metered service rates applied.
- (b) Water used on an intermittent basis for flushing service, street sprinkling, flooding skating rinks, drinking fountains, etc., shall be metered where meters can be set to measure the service. Where it is impossible to measure the service, the Utility shall estimate the volume of water used based on the pressure, size of opening and period of time water is allowed to be drawn. The estimated quantity used shall be billed at the rate of Two and 31/100 Dollars (\$2.31) per one thousand (1,000) gallons.

Sec. 9-1-6 Reconnection Charges—R-1.

	During Normal Business Hours	After Normal Business Hours
Reinstallation of meter, including valving at curb stop	\$ 20.00	\$ 30.00
Valve turned on at curb stop	\$ 15.00	\$ 25.00

Note: No charge for disconnection.

Sec. 9-1-7 Building and Construction Water Service—Mz-1.

- (a) For single-family and small commercial buildings, apply the Unmetered rate, Schedule Ug-1.
- (b) For large commercial, industrial, or multiple apartment buildings, a temporary metered installation shall be made and general, metered rates (Mg-1) applied.

Sec. 9-1-8 Seasonal, Emergency or Temporary Service—Mgt-1.

Seasonal customers* shall be served at the general service rate (Schedule Mg-1), except that each customer served under this rate shall pay an annual seasonal service charge equal to four (4)

times the applicable service charge. Water used in any billing period shall be billed at the applicable volume schedule in Mg-1 and the charge made to the annual seasonal service charge. Further, if service has been disconnected, a charge under Schedule R-1 is applied at the time of reconnection.

*Seasonal customers are general service customers whose use of water is normally for recurring periods of less than a year.

Sec. 9-1-9 Bulk Water—Bw-1.

- (a) All bulk water supplied from the water system through hydrants or other connections shall be metered, or at the direction of the utility, estimated. Utility personnel or utility-approved party shall supervise the delivery of water.
- (b) Bulk water sales are:
 - (1) Water supplied to tank truck or from hydrant for the purpose of extinguishing fires outside the utility's immediate service area;
 - (2) Water supplied by tank truck or from hydrant for purposes other than extinguishing fires such as irrigation or the filling of swimming pools; or
 - (3) Water supplied from hydrants or other temporary connections for general service type applications. (Water supplied for construction purposes — see Schedule Mz-1.)
- (c) A charge for the volume of water used will be billed to the party using the water at Two and 95/100 Dollars (\$2.95) per one thousand (1,000) gallons. A service charge, in addition to the volumetric charge, will be Twenty Dollars (\$20.00).
- (d) A deposit for the meter and/or valve will be required. The deposit collected shall be Twenty Dollars (\$20.00) and will be refunded upon return of the utility's equipment. Damaged or lost equipment will be repaired or replaced at the customer's expense.

Sec. 9-1-10 Private Fire—Protection Service—Unmetered—Upf-1.

- (a) **Use.** This service shall consist of unmetered connections to the main for the purpose of supplying water to private fire protection systems such as automatic sprinkler systems, standpipes, (where same are connected permanently or continuously to the mains) and private hydrants.
- (b) **Charges.** Quarterly demand for private fire-protection service:

Size of Connection	Quarterly Charge
2-inch	\$ 30.00
3-inch	\$ 50.00
4-inch	\$ 80.00
6-inch	\$150.00
8-inch	\$240.00
10-inch	\$360.00

- (c) **Billing.** Same provisions as for general service.

Sec. 9-1-11 Water Lateral Installation Charge—Cz-1.

- (a) Subdivision developers shall be responsible, where the main extension has been approved by the Utility, for the water service lateral installation costs from the main through the curb stop and box.
- (b) When the cost of a Utility main extension is to be collected through assessment by the municipality, the actual average water lateral installation costs from the main through the curb stop and box shall be included in the assessment of the appropriate properties.
- (c) The initial water lateral, not installed as part of a subdivision development or an assessable utility extension, will be installed from the main through the curb stop and box by the utility, for which there will be made a charge as follows:

3/4-inch or 1-inch copper water service	\$ 800.00
Larger sized services	Actual Cost

Sec. 9-1-12 Additional Meter Rental Charge—Am-1.

If a customer requests the installation of an additional meter to receive credit for clear water not discharged into the sanitary sewer system, or if a sewerage service customer who is not a customer of the water utility requests the installation of a meter to determine the volume of sewage discharged into the sanitary sewer system, the utility shall furnish and install this additional meter. This rate shall be applied only to single-family residential and small commercial customers. A rental fee shall be charged for the use of this meter and the following rates shall apply. Billing period same as in Schedule Mg-1:

Initial Meter Installation Charge - \$ 20.00

Sec. 9-1-13 through Sec. 9-1-19 Reserved for Future Use.

Article B: Rules and Regulations

Sec. 9-1-20 Compliance with Rules.

All persons now receiving a water supply from the Village of Elmwood water utility, or who may hereafter make application therefor, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin.

Sec. 9-1-21 Establishment of Service.

- (a) Application for water service shall be made in writing on a form furnished by the water utility. The application will contain the legal description of the property to be served, name of the owner, the exact use to be made of the service, and the size of the supply pipe and meter desired. (Note particularly any special refrigeration and/or air-conditioning water-consuming appliances.
- (b) Service will be furnished only if:
 - (1) Premises have a frontage on a properly platted street or public strip in which a cast iron or other long-life water main has been laid, or where property owner has agreed to and complied with the provisions of the utility's filed main extension rule.
 - (2) Property owner has installed or agrees to install a service pipe from the curb line to the point of use, and laid not less than six (6) feet below the surface of an established or proposed grade, and according to utility's specification, and
 - (3) Premises have adequate piping beyond metering point.
- (c) The owner of a multi-unit dwelling has the option of being served by individual metered water service to each unit. The owner, by selecting this option, is required to provide interior plumbing and meter settings to enable individual metered service to each unit and individual disconnection without affecting service to the other units. Each meter and meter connection will be a separate water utility customer for the purpose of the filed rules and regulations.
- (d) No division of the water service of any lot or parcel of land shall be made for the extension and independent meterage of the supply to an adjoining lot or parcel of land. No division of a water supply service shall be made at the curb for separate supplies therefrom for two (2) or more separate premises having frontage on any street or public service strip whether owned by the same or different parties.
- (e) The Utility may withhold approval of any application wherein full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner.

Sec. 9-1-22 Service Contract.

- (a) The minimum service contract period shall be *one (1) year* unless otherwise specified by special contract or in the applicable rate schedule. Where the Utility service has been

disconnected at the customer's request prior to expiration of his minimum contract period, a reconnection charge shall be made, payable in advance, when the customer requests reconnection of service. (See Schedule R-1 for applicable rate.) The minimum contract period is renewed with each reconnection.

- (b) A reconnection charge shall also be required from consumers whose services are disconnected (shut off at curb stop) because of non-payment of bills when due (not including disconnection for failure to comply with deposit or guarantee rules). (See Schedule R-1 for applicable rate.)
- (c) A consumer shall be considered as the same consumer provided the reconnection is requested for the same location by any member of the same family, or if a place of business, by any partner or employee of the same business.

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

An applicant for temporary water supply on a metered basis shall make and maintain a monetary deposit for each meter installed as security for payment for use of water and for such other charges which may arise from the use of the supply. A charge shall be made for setting the valve and furnishing and setting the meter. See Schedule D-1 for applicable rate.

Sec. 9-1-24 Water for Construction.

- (a) When water is requested for construction purposes, or for filling tanks or other such uses, an application therefor shall be made to the Utility, in writing, upon application provided for that purpose in the Utility's office, giving a statement of the amount of construction work to be done, or the size of the tank to be filled, etc. Payment for the water for construction shall be made in advance at the scheduled rates. The service pipe must be installed inside the building from where the water must be drawn. No connection with the service pipe at the curb shall be made without special permission from the Utility.
- (b) In no case will any employee of the utility turn on water for construction work unless the contractor first presents a permit. Upon completion of the construction work, the contractor must return the original permit to the Utility, together with a statement of the actual amount of construction work performed.
- (c) Consumers shall not allow contractors, masons or other persons to take water from their premises without first showing a permit from the Department. Any consumer failing to comply with this provision will have water service discontinued.

Sec. 9-1-25 Use of Hydrants.

- (a) In cases where no other supply is available, permission may be granted by the Utility to use a hydrant. No hydrant shall be used until it is equipped with a sprinkling valve. In no case shall any valve be moved except by a member of the Utility.

- (b) Before a valve is set, payment must be made for its setting and for the water to be used at the scheduled rates. Where applicable, see Schedule H-1 for deposits and charges. Upon completing use of the hydrant, the customer must notify the Utility to that effect.
- (c) In the use of a hydrant supply, the hydrant valve will be set at the proper opening by the Utility when the sprinkling valve is set, and the flow of water must be regulated by means of the sprinkling valve. If the water is to be used through iron pipe connections, all such pipe installations shall have the swing joint to facilitate quick disconnection from the fire hydrant.

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

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

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

All moneys deposited as security for payment of charges arising from the use of temporary water supply on a metered basis, or for the return of a sprinkling valve wheel or reducer, if the water is used on an unmetered basis, will be refunded to the depositor on the termination of the use of water, the payment of all charges levied against the depositor, and the return of the wheel and reducer.

Sec. 9-1-28 Service Connections (or Water Laterals).

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

- (b) In backfilling the pipe trench, the service pipe must be protected against injury by carefully hand tamping the ground filling, free from hard lumps, rocks, stones, or other injurious material, around and at least six (6) inches over the pipe.
- (c) All water supplies shall be of undiminished size from the street main in to the point of meter placement. Beyond the meter outlet valve the piping shall be sized and proportioned to provide, on all floors, at all times, an equitable distribution of water supply for the greatest probable number of fixtures or appliances operating simultaneously.

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

- (a) Where the original service piping is installed for a new metered customer, where existing service piping is changed for the customer's convenience, or where a new meter is installed for an existing unmetered customer, the owner of the premises at his expense shall provide a suitable location and the proper connections for the meter. The water utility should be consulted as to the type and size of meter setting. Where it is possible to set meters in the basement, or other suitable place within the building, a short nipple shall be inserted after the stop and waste cock, then a union, and then another nipple and coupling of the proper length. The nipple attached to the union and coupling shall be cut to a standard length provided by the plans of the Utility (it may require a horizontal run of eighteen (18) inches in such pipe line) which may later be removed for the insertion of the meter into the supply line.
- (b) No permit will be given to change from metered to flat rate service.

Sec. 9-1-30 Turning on Water.

The water cannot be turned on for a consumer except by a duly authorized employee of the utility. When a plumber has completed a job, he must leave the water turned off. This does not prevent the plumber from testing the work.

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

- (a) Where the utility is unable to read a meter after two (2) successive attempts, the fact will be plainly indicated on the bill, and either an estimated bill will be computed, or the minimum charge applied. The difference shall be adjusted when the meter is again read, that is, the bill for the succeeding quarter will be computed with the gallons or cubic feet in each block of the rate schedule doubled and credit will be given on that bill for the amount of the minimum bill paid the preceding month. Only in unusual cases, or when approval is obtained from the customer shall more than three (3) consecutive estimated bills

- be rendered where billed are rendered monthly and there shall be not more than two (2) consecutive estimated bills where the billing period is two (2) months or more.
- (b) If the meter is damaged (see Surreptitious Use of Water) or fails to operate, the bill will be based on the average use during the past year unless there is some reason why the use is not normal. If the average use cannot be properly employed, the bill will be estimated by some equitable method.

Sec. 9-1-32 Complaint Meter Tests.

See Wis. Adm. Code, Chapter PSC 185.

Sec. 9-1-33 Thawing Frozen Services.

See Wis. Adm. Code, Chapter PSC 185.

Sec. 9-1-34 Curb Stop Boxes.

The consumer shall protect the curb stop box in the terrace and shall keep the same free from dirt and other obstructions. The utility shall not be liable for failure to locate the curb stop box and shut off the water in case of a leak on the consumer's premises.

Sec. 9-1-35 Installation of Meters.

Meters will be furnished and placed by the utility and are not to be disconnected or tampered with by the consumer. All meters shall be so located that they shall be protected from obstructions and permit ready access thereto for reading, inspection, and servicing, such location to be designated or approved by the Utility. All piping within the building must be supplied by the consumer. Where additional meters are desired by the consumer, he shall pay for all piping and an additional amount sufficient to cover the cost of maintenance and depreciation. Where applicable, see Schedule Am-1 for rate.

Sec. 9-1-36 Repairs to Meters.

- (a) Meters will be repaired by the water department and the cost of such repairs caused by ordinary wear and tear will be borne by the utility.

- (b) Repair of any damage to a meter resulting from the carelessness of the owner of the premises, his agent, or tenant, or from the negligence of any one of them to properly secure and protect same, including any damage that may result from allowing a water meter to become frozen or to be injured from the presence of hot water or steam in the meter, shall be paid for by the consumer or the owner of the premises.

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

- (a) Where the property owner requests that a larger service lateral be installed to replace an existing smaller diameter pipe, an allowance of Fifteen Dollars (\$15.00) will be made as a deduction in the cost, providing the new service is to be installed in the same ditch as the existing service pipe.
- (b) The service pipe from the main to and through the curb stop will be maintained and kept in repair and when worn out, replaced at the expense of the utility. The property owner shall maintain the service pipe from the curb stop to the point of use.
- (c) If a consumer fails to repair a leaking or broken service pipe from curb to point of metering or use within such time as may appear reasonable to the Utility after notification has been served on the consumer by the Utility, the water will be shut off and will not be turned on again until the repairs have been completed.

Sec. 9-1-38 Charges for Water Wasted Due to Leaks.

See Wis. Adm. Code, Chapter PSC 185.

Sec. 9-1-39 Inspection of Premises.

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

Sec. 9-1-40 Customer's Deposit.

See Wis. Adm. Code, Chapter PSC 185.

Sec. 9-1-41 Conditions of Deposit.

See Wis. Adm. Code, Chapter PSC 185.

Sec. 9-1-42 Guarantee Contracts.

See Wis. Adm. Code, Chapter 185.

Sec. 9-1-43 Deferred Payment Agreement.

See Wis. Adm. Code, Chapter 185.

Sec. 9-1-44 Disconnection and Refusal of Service.

- (a) **Disconnection.** See Wis. Adm. Code Chapter PSC 185.
- (b) **Disconnection Notice.** The form of disconnection notice to be used is as follows:

DISCONNECTION NOTICE

Dear Customer:

The bill enclosed with this notice includes your current charge for utility service and your previous unpaid balance.

You have 8 days to pay the utility service arrears or your service is subject to disconnection.

If you fail to pay the service arrears, or fail to contact us within the 8 days allowed to make reasonable time payment arrangements, we will proceed with disconnection action.

To avoid the inconvenience of service interruption and an additional charge of (amount) reconnection, **we urge you to pay the full arrears IMMEDIATELY AT ONE OF OUR OFFICES.**

If you have entered into a Deferred Payment Agreement with us and have failed to make the time payment you agreed to, your service will be subject to disconnection unless you pay the amount due within 10 days.

If you have a reason for delaying the payment, call us and explain the situation.

PLEASE CALL THIS TELEPHONE NUMBER, (appropriate telephone number), **IMMEDIATELY IF:**

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

Illness Provision

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

Deferred Payment Agreements

If you are a residential customer, and for some reason, you are unable to pay the full amount of the utility service arrears on your bill, you may contact the Utility to discuss arrangements to pay the arrears over an extended period of time.

This time payment agreement will require:

1. Payment of a reasonable amount at the time the agreement is made.
2. Payment of the remainder of the outstanding balance in monthly installments over a reasonable length of time.
3. Payment of all future utility service bills in full by the due date.

In any situation where you are unable to resolve billing disputes or disputes about the grounds for proposed disconnection through contacts with our utility, you may make an appeal to the Wisconsin Public Service Commission, Madison, Wisconsin.

(UTILITY NAME)

Sec. 9-1-45 Collection of Overdue Bills.

An amount owed by the customer may be levied as a tax as provided in Sec. 66.069, Wis. Stats.

**VILLAGE OF ELMWOOD
DEFERRED PAYMENT AGREEMENT**

Agreement Authority

The Village of Elmwood Ordinance Sec 9-1-44 provides for disconnection of utility service to customers with delinquent accounts. This agreement provides that utility service will not be discontinued if the customer pays a reasonable amount of the outstanding delinquent bill and agrees to pay a reasonable portion of the remaining balance installments until the bill is paid. A deferred payment agreement does not include any further finance charge, other than late fees already assessed to the account balance.

Basis of Agreement

In determining what amounts are reasonable, the utility and the customer shall consider:

- a) Size of the delinquent account
- b) Customer's ability to pay
- c) Customer's payment history
- d) Time that the debt has been outstanding
- e) Reasons why the debt has been outstanding
- f) Any other relevant factors.

Deferred Payment Schedule

In accordance with this agreement the customer whose signature appears below agrees to make installment payments of no less than \$ _____ in _____ intervals beginning _____.

It is agreed, as long as the undersigned does not default on any partial payment as set forth above, that the utility will not discontinue service. Upon default nothing herein shall constitute a waiver of the rights on the part of the utility to collect the unpaid balance or to prevent it from exercising its right to disconnect service on account of such delinquency. In the event service is disconnected on such accounts, it shall be reconnected only upon payment of all past dues charges and reconnection charges.

If you are not satisfied with this Agreement, DO NOT SIGN. If you do sign this Agreement, you give up your right to dispute the amount due under the Agreement except for the utility's failure or refusal to follow the terms of this Agreement.

Customer Signature

Account# _____

Dated: _____

Village Clerk Signature

Dated: _____

VILLAGE OF ELMWOOD
ADMINISTRATIVE POLICY
FOR UTILITY DISCONNECTION

The purpose of this policy is to facilitate Village of Elmwood Ordinance Sec. 9-1-44
"Disconnection and Refusal of Service"

1. The Village Clerk will forward Initial Disconnect Notices by regular mail to the property owner for all accounts in arrears on the closest business day following the 20th of the month, in the month subsequent to the issuance of the billing.
2. Upon issuance of the Initial Disconnect Notice, customers will have ten (10) business days to provide a response to the utility. A response shall be considered the payment of the outstanding balance, the signing of a Deferred Payment Plan or the submission of a written dispute addressed to the Public Works Committee.
3. A Deferred Payment Plan shall be arranged with the customer by the Village Clerk, and provide for a payment schedule which seeks to bring the outstanding balance current within a reasonable time period or three(3) months which ever is less. The Village Clerk shall also advise the customer of a budget plan to address the ongoing service charges in preparation for prompt payment of their next service billing. Prior to the Deferred Payment Plan taking effect, the plan must be signed by the property owner and the Village Clerk. The Deferred Payment Plan must be completed prior to the completion of the time frames set forth in this policy for physical disconnection of the utility (10 days).
4. Upon failure of a customer to respond within ten (10) business days of an Initial Disconnect Notice, the Public Works Director or their Assistant shall issue a Final Disconnect Notice by use of a door hanger card placed on the door of the service address. Said door card shall provide notice to the customer that they have twenty-four (24) hours to personally come to the Village Office to pay their outstanding bill, or arrange a Deferred Payment Plan. Upon failure of a customer to respond to the Final Disconnection Notice by the next business day following the twenty-four (24) hour period, the customer's utility service will be shut off by the Public Works Director or their Assistant. The service will be reconnected following payment of the delinquent account, in addition to the current rate for reconnection.
5. All forms utilized in this administrative policy shall be designed by the Village Clerk, and reviewed and authorized by the Public Works Committee.
6. The Village Clerk and Public Works Director may employ some minor degree of flexibility in terms of time frames set forth in this policy when necessary to adjust for holidays, weekends, etc.

OR YOUR SERVICE IS SUBJECT TO DISCONNECTION.

If you fail to pay the service arrears, or fail to contact us within the 10 days allowed to make reasonable time payment arrangements, we will proceed with disconnection action.

To avoid the inconvenience of service interruption and an additional charge of up to for reconnecting, we urge you to pay the full arrears IMMEDIATELY AT OUR OFFICE.

PLEASE CALL IMMEDIATELY IF:

- 1. You have a question about your utility service arrears.
- 2. You are unable to pay the full amount of the bill and are willing to enter into a time payment agreement.
- 3. There are any circumstances you think should be taken into consideration before service is discontinued.
- 4. Any resident is seriously ill.

SERVICE ADDRESS

you furnish the company with a statement signed by either a licensed Wisconsin physician or a public health official, we will delay disconnection of service for up to 21 days. The statement must identify the medical emergency and specify the period of time during which disconnection will aggravate the existing emergency.

In any situation where you are unable to resolve billing disputes about the grounds for proposed disconnection through contacts with our utility, you may make an appeal to the Wisconsin Public Service Commission Madison, Wisconsin.

DISCONNECTION DATE	AMOUNT DUE	DATE NOTIFIED

Sec. 9-1-46 Surreptitious Use of Water.

- (a) When the utility has reasonable evidence that a consumer is obtaining his supply of water, in whole or in part, by means of devices or methods used to stop or interfere with the proper metering of the utility service being delivered to his equipment, the utility reserves the right to estimate and present immediately a bill for service unmetered as a result of such interference and such bill shall be payable subject to a twenty-four (24) hours disconnection of service. When the utility shall have disconnected the consumer for any such reason, the utility will reconnect the consumer upon the following conditions:
- (1) The consumer will be required to deposit with the utility an amount sufficient to guarantee the payment of the consumer's bills for utility service to the utility.
 - (2) The consumer will be required to pay the utility for any and all damages to its equipment on the consumer's premises due to such stoppage or interference with its metering.
 - (3) The consumer must further agree to comply with reasonable requirements to protect the utility against further losses.
- (b) Sections 98.26 and 943.20, Wisconsin Statutes, as relating to water service, are hereby adopted and made a part of these rules.

Sec. 9-1-47 Vacation of Premises.

When premises are to be vacated, the utility shall be notified in writing at once, so that it may remove the meter and shut off the supply at the curb cock. The owner of the premises shall be liable to prosecution for any damage to the property of the water department by reason of failure to notify the utility of vacancy.

Sec. 9-1-48 Repairs to Mains.

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

Sec. 9-1-49 Duty of Utility with Respect to Safety of the Public.

It shall be the duty of the Utility to see that all open ditches for water mains, hydrants, and service pipes are properly guarded to prevent accident to any person or vehicle and at night there

shall be displayed amber signal light in such manner as will, so far as possible, insure the safety of the public.

Sec. 9-1-50 Handling Water Mains and Service Pipers in Sewer or Other Trenches.

Contractors must ascertain for themselves the existence and location of all service pipes. Where they are removed, cut or damaged in the construction of a sewer, the contractors must at their own expense cause them to be replaced or repaired at once. Contractors must not shut off the water service pipes from any consumer for a period exceeding six (6) hours.

Sec. 9-1-51 Protective Devices.

- (a) **Protective Devices in General.** The owner or occupant of every premise receiving water supply shall apply and maintain suitable means of protection of the premise supply, and all appliances thereof, against damage arising in any manner from the use of the water supply, variation of water pressure, or any interruption of water supply. Particularly, such owner or occupant must protect water-cooled compressors for refrigeration systems by means of high pressure safety cutout devices. There shall likewise be provided means for the prevention of the transmission of water ram or noise of operation of any valve or appliance through the piping of their own or adjacent premises.
- (b) **Relief Valves.** On all "closed systems" (i.e., systems having a check valve, pressure regulator, or reducing valve, water filter or softener) an effective pressure relief valve shall be installed either in the top tapping or the upper side tapping of the hot water tank, or on the hot water distributing pipe connection at the tank. A one-half (1/2) inch drain pipe shall be connected to the relief valve for discharge on the floor or into a sink or open drain through an air gap. No stop valve shall be placed between the hot water tank and the relief valve or on the drain pipe. (See applicable Village plumbing codes).
- (c) **Air Chambers.** An air chamber or approved shock absorber shall be installed at the terminus of each riser, fixture branch, or hydraulic elevator main for the prevention of undue water hammer. The air chamber shall have a diameter not less than that of the pipe it serves and a length not less than fifteen (15) diameters of said supply pipe. Where possible, the air chamber should be provided at its base with a valve and rain cock for water drainage and replenishment of air.

Sec. 9-1-52 Cross Connection Control.

- (a) **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

ORDINANCE NO. 9-1-52

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF ORDINANCE 9-1-52 PROVIDING FOR CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION

Village of Elmwood Water System, Elmwood Wisconsin.

Sec. 9-1-52 Cross Connection Control

(a) Purpose

To protect the health and welfare of users of the public potable water supply of the Village of Elmwood from the possibility of contamination or pollution of the potable water system(s) under the direct authority of the Village of Elmwood Public Work Department.

To promote for the control and/or elimination of existing cross connections (actual or potential) between the customers' 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 Public Works Department.

(b) Definitions

- 1) **Backflow**; The undesirable flow of water or mixtures of water and other liquids, solids gases or other substances under positive or reduced pressure into the Village of Elmwood's potable supply of water from any source.
- 2) **Backflow Prevention**; A means designed to prevent backflow caused by backpressure or backsiphonage; most commonly categorized as air gap, reduced pressure principle backflow assembly, double check valve assembly, pressure vacuum breaker assembly, backsiphonage backflow vacuum breaker (spill resistant pressure vacuum breaker) assembly, pipe applied atmospheric vacuum breaker, flush tank ballcock, laboratory faucet backflow 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.
- 3) **Backpressure**; An elevation of pressure in the downstream piping system (i.e. Pump, elevation of piping, or steam and/or air pressure) above the utility supply pressure, which would cause or tend a reversal of the normal direction of flow.
- 4) **Backsiphonage**; The flow of water or other liquids, mixtures or substances into the utility's potable water system from any source caused by the sudden reduction of pressure in the utility's potable water supply system.
- 5) **Cross 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.

- 6) **Cross Connection Control Manual**; Policies and procedures for cross connection control and backflow prevention for the Village of Elmwood, Wisconsin.
- (c) **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 whereby potable water 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.
- (d) **Responsibility** The Public Works Department shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to backflow of contaminants or pollutants. The utility shall charge fees according to the utility's "*Cross Connection Control Manual*" for maintaining a Comprehensive Cross Connection Control Protection Plan.
- (e) **Owner Responsibility** The property owner shall be responsible for the protection of the customer's 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 Commerce Comm 82.21 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 Commerce Plumbing Code, Comm 82-84 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.

- (f) **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 is deemed possible. Residential properties serviced by the utility shall be surveyed on a ten (10)-year interval. 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 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 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.

- (g) **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 s.66.122, Wisconsin Statutes. The utility shall charge the property owner a fee of \$50.00 per day 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.
- (h) **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 Commerce Plumbing Code Comm 82-84 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.
- (i) **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 fees as approved by the State of Wisconsin Public Service Commission for the reconnection of the water service
- (j) **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 Public Works Committee and shall conform to all existing due process requirements.
- (k) **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.

(l) **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.

(m) **Plumbing Code** The Public Works Committee adopts by reference the Wisconsin Uniform Plumbing Code being Chapter Comm 82-84, Wisconsin Administrative Code. This section does not supercede the Wisconsin Uniform Plumbing Code and/or the Village of Elmwood Plumbing Ordinance, but is supplementary to it.

(n) **Conflicting ordinances** All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

(o) This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 15th day of August, 2011.

William Stewart, Village President

ATTEST:

Amy C. Wayne, Clerk/Treasurer

DATE OF PUBLICATIONS:

Hearing Notice Published:
July 27, 2011 –SUN ARGUS
August 3, 2011 – SUN ARGUS

Hearing Notice Posted: July 25, 2011
Village Auditorium
Elmwood Public Library
Citizen State Bank
T & S Hardware

ORDINANCE PUBLICATION:
August 24, 2011 – SUN ARGUS

Sec. 9-1-53 Private Well Abandonment.

- (a) **Purpose.** The purpose of this Section is to prevent unused or improperly constructed wells from serving as a passage for contaminated surface or near-surface waters or other materials to reach the usable ground water.
- (b) **Coverage.** No private well located on any premises, which is served by the public water system of the Elmwood Municipal Water and Sewer Utility may be operated unless a well operation permit has been granted therefore by the Village Clerk. All other such wells must be properly filled by the owner thereof, within one (1) year of the earlier of:
- (1) Connection to the public system.
 - (2) Date of discovery
 - (3) Date of construction.
- (c) **Well Operation Permits.** Application for a well operation permit shall be made on forms provided by the Village Clerk. A permit will be granted to a well owner to operate a well for a period not to exceed five (5) years if the following requirements are met:
- (1) The well and pump installation meet the requirements of CH. NR 812, Wis. Adm. Code, and a well constructor's report is on file with the Department of Natural Resources, or certification of the acceptability of the well has been granted by the Private Water Supply Section of the Department of Natural Resources;
 - (2) The well has a history of producing safe water and presently produces bacteriologically safe water as evidenced by three (3) samplings two (2) weeks apart;
 - (3) The proposed use of the well can be justified as being necessary in addition to water provided by the public water system; and
 - (4) No physical connection exists between the piping of the public water system and the private well.
 - (5) That a minimum of one safe sample be taken prior to issuing or reissuing the permit to establish that the water is bacteriologically safe.
 - (6) That the well and pump system 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 ten (10) years afterwards.
 - (7) No unapproved cross-connections exist between any private well and pump installations and the municipal water system.
- (d) **Renewal of Permit.** Application for renewal of a well operation permit shall be made on forms provided by the Village Clerk prior to the expiration of any permit or renewal therefore. Renewals, not to exceed five (5) years, will be based on the same factors as the original well operation permit, set out as Subsection (c) above.
- (e) **Abandonment Methods.** Wells to be abandoned shall be filled and sealed according to the procedures outlined in Ch. NR 812, Wis. Adm. Code. The pump and piping must be removed and the well checked for obstructions prior to plugging. Any obstruction or liner must be removed.

- (f) Reports and Inspections. A well abandonment report must be submitted by the well owner to the Department of Natural Resources on forms provided by that agency and available at the office of the Village Clerk. The report shall be submitted immediately upon completion of the filling of the well. The filling must be inspected by a representative of the Public Works Department. If, after inspection, a well is found to be improperly filled, the owner thereof shall be issued a notice to properly abandon such well within ninety (90) days or be subject to the penalty for violation of this section.

- (g) Penalties. Any person, firm or other well owner who violates any provisions of this Section shall, upon conviction, forfeit not less than Twenty-Five Dollars (\$25.00) nor more than Five Hundred Dollars (\$500.00), together with all court costs, assessments and penalties. Each twenty-four (24) hour period during which a violation exists shall be deemed and constitute a separate offense.

Sec. 9-1-54 Water Main Extension Rule.

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

- (a) Where the cost of the extension is to immediately be collected through assessment by the municipality against the abutting property, the procedure set forth under Sec. 66.60, Wis. Stats., will apply, and no additional customer contribution to the utility will be required.
- (b) Where the municipality is unwilling or unable to make a special assessment, the extension will be made on a customer-financed basis as follows:
 - (1) The applicant(s) will advance as a contribution in aid of construction, the total amount equivalent to that which would have been assessed for all property under Subsection (a)
 - (2) Part of the contribution required in Subsection (b)(1) will be refundable. When Additional customers are connected to the extended main within twenty (20) years of the date of completion, contributions, in aid of construction will be collected equal to the amount which would have been assessed under Subsection (a) for the abutting property being served. This amount will be refunded to the original contributor(s). In no case will the contributions received from additional customers exceed the proportionate amount which would have been required under Subsection (a) nor it exceed the total assessable cost of the original extension.
- (c) When a customer connects to a transmission main or connecting loop installed at utility expense within twenty (20) years of the date of completion, there will be a contribution required of an amount equivalent to that which would be assessed under Subsection (a).

Sec. 9-1-55 Water Main Installations in Platted Subdivision.

- (a) Application for installation of water mains in regularly platted real estate development Subdivisions shall be filed with the Village Clerk-Treasurer and shall set forth the following information:
- (1) Name of subdivision.
 - (2) Legal description
 - (3) Map showing streets, lots and sizes or proposed mains and hydrants, and street laterals.
 - (4) Date of approval of subdivision plan by state Department of Development.
 - (5) Date of approval of proposed mains by state Department of Natural Resources.
 - (6) Number of houses presently under construction.
- (b) Upon receipt of the application, the water utility will prepare detailed estimates of the cost of extending water mains and hydrants of the size deemed necessary in the subdivision and submit same to the Village Board for approval of the extension as it pertains to public fire protection service requirements.
- (c) The applicant for water service to be supplied to a subdivision shall be required to advance to the utility, prior to the beginning of the construction, the total estimated cost of the extension. If the final cost exceed estimated costs, an additional billing will be made for the balance of the cost due. This balance is to be paid within thirty (30) days. If final costs are less then estimated, a refund of overpayment will be made by the water utility.
- (d) If the developer, or a contractor employed by the developer, is to install the water mains (with approval of the utility), the developer shall be responsible for the cost of construction.