

Chapter 1

Water Utility Regulations and Rates

9-1-1 PSC Regulations and Rates

9-1-2 Delinquent Water Bills

9-1-3 Cross-Connection Control and Backflow Prevention

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

The rules and regulations prescribed for the water utility of the Village of Muscoda as prescribed by the Wisconsin Public Service Commission are hereby adopted and incorporated by reference.

Sec. 9-1-2 Delinquent Water Bills.

- (a) **Authority.** The Board finds that charges for use of water service supplied by the municipal water utility, including services provided to customers located outside the corporate limits of the Village, are charges for current services rendered within the meaning of Sec. 66.0627, Wis. Stats. Pursuant to that statute, the charges for such services are to be imposed upon the property served. The regulations and rates governing the Muscoda Utilities promulgated by the Wisconsin Public Service Commission are adopted and incorporated herein by reference.
- (b) **Lien for Delinquent Charges.** Any delinquency in the payment of charges for water service shall be a lien upon the property served, after notice to the owner and occupant for such delinquency, as set forth herein.
- (c) **Procedure.**
 - (1) The Utility Committee shall inform the Village or appropriate Township Treasurer before October 10th of each year of all lots or parcels for which water service was supplied in the year preceding October 1st, and for which amounts of water charges are still owed.
 - (2) On October 10th, the Treasurer shall give written notice to the owner and occupant of each parcel stating that an amount is owed for water service; stating the amount still owed, including any penalty assessed pursuant to the Committee's rules; stating that unless that amount is paid by November 1st, an additional penalty of ten percent (10%) of the amount in arrears will be added thereto; and stating that unless the amount in arrears plus penalty are paid by November 10th,

the amount will be levied as a tax on the lot address and for which payment is delinquent. Notice mailed to the lot address shall be notice to the occupant. Notice mailed to the last known address of the lot owner shall be notice to the owner. It shall be the owner's duty to notify the Treasurer of any change in address.

- (3) After November 11th, the Treasurer shall certify to the Village or appropriate Township Clerk a list of all parcels or lots for which payments are in arrears and for which notice has been given, including the amount of arrears with any penalty added thereto. Such delinquent amounts including any penalty shall thereupon become a lien upon the property and shall be collected as provided in Sec. 66.0627, Wis. Stats.
- (d) **Hearing.** If any owner or occupant shall dispute the delinquency in writing to the Village Clerk before November 15th, a hearing on the dispute shall be held before the Utility Committee within sixty (60) days, unless the time for hearing is extended by the Committee. The delinquency shall not become a lien during the pendency of the dispute. Unless modified by the Committee after hearing, the delinquency shall become a lien upon the real estate as set forth herein as of the date of the delinquency.

State Law Reference: Sec. 66.0627, Wis. Stats.

Sec. 9-1-3 Cross—Connection Control and Backflow Prevention.

- (a) **Purpose.** The purpose of this Section is to establish rules and regulations regarding use of the public water system maintained by the Village of Muscoda. The purposes of this Section are:
 - (1) To protect the public health, safety and welfare and to prevent contamination of the public system by providing for the inspection of properties to assure compliance with cross-connection requirements.
 - (2) To provide for the maintenance of a continuing program of cross-connection control, which will systematically and effectively prevent the contamination or pollution of all potable water systems under the direct authority of the Village of Muscoda.
- (b) **Definition.** The following definitions are applicable in this Section:
 - (1) **Back Pressure.** A pressure greater than the supply pressure which may cause backflow.
 - (2) **Backflow.** The unwanted reverse flow of liquids, solids or gasses.
 - (3) **Back Siphonage.** The creation of a backflow as a result of negative pressure.

- (4) **Cross-Connection.** A connection or potential connection between any part of a water supply system, and another environment containing any substance in a manner that, under any circumstances, would allow the substance to enter the water supply system by means of back siphonage or back pressure.
 - (5) **Cross-Connection Control Device.** Any mechanical device which automatically prevents backflow from a contaminated source into a potable water supply system.
 - (6) **Potable Water.** Water that is both:
 - a. Safe for drinking, personal or culinary use.
 - b. Free from impurities present in amounts sufficient to cause disease or harmful physiological effects.
- (c) **Prohibitions.**
- (1) **Cross-Connections Prohibited.** No person shall establish or permit to be established, or maintain or permit to be maintained, any cross-connection.
 - (2) **Control Device Removal Prohibited.** No person shall remove or permit to be removed a cross-connection control device.
 - (3) **Prohibited Interconnections.** No person shall establish an interconnection whereby potable water from a private, auxiliary or emergency water supply, other than the regular public water supply of the Village of Muscoda, 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 Village of Muscoda and the Wisconsin Department of Natural Resources in accordance with Sec. NR 811.09, Wis. Adm. Code.
- (d) **Property Owner's Responsibility.** The property owner shall be responsible for the protection of the potable water supply by the elimination of, or protection from, all cross connections on the property. The property owner, at the property owner's expense, shall install, maintain and test any and all backflow protection devices on the property in compliance with the provisions of this Section. The property owner shall inform the Village of any proposed or modified cross-connection.
- (e) **Inspection.** The Village of Muscoda shall have the power and authority at all reasonable times to inspect all properties served by a connection to the public water system of the Village of Muscoda for cross-connections. The frequency of inspections and re-inspections based on potential health hazards involved shall be established by the Village

of Muscoda and shall be in accordance with NR 811.09, Wis. Adm. Code. If entry is refused, such representative may obtain a special inspection warrant under Sec. 66.0119, Wis. Stats. A copy of any testing conducted on any backflow prevention device shall be provided to the Village of Muscoda. Upon request by a representative of the Village, the owner, lessee or occupant of any property so served shall furnish to the inspection agency any additional pertinent information regarding the piping system or systems on such property if such information is known to such owner, lessee or occupant.

- (f) **Discontinuance of Water Service.** The Village of Muscoda is hereby authorized and directed to discontinue water service to any property wherein any connection violation of this Section exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service may be discontinued only after reasonable notice and opportunity for a hearing pursuant to the provisions of this Section, except as provided in Subsection (g). Water service to such property shall not be restored until the cross-connection(s) has been eliminated or backflow prevention means approved by the Village have been installed in compliance with the provisions of this Section.
- (g) **Emergency Action.** If it is determined by the Village of Muscoda that a cross-connection or an emergency causes imminent danger to the public health, safety or welfare and requires immediate action, service may be immediately discontinued or ordered disconnected. The person aggrieved shall receive notice of the disconnection and shall have the right to appeal the action pursuant to the provisions of this Section.
- (h) **Administrative Code Provisions Adopted.** The provisions of COMM 82.41, Wis. Adm. Code, as amended from time to time, relating to cross-connection control are hereby incorporated by reference as though fully set forth herein.