

CHAPTER 31

PUBLIC UTILITIES

SUMMARY

Chapter 31 provides for the management and control of the sewer and water utilities serving the Village of Bloomfield, requires all properties within the Village of Bloomfield that were previously included in the Pell Lake Sanitary District and future lands annexed into the Utility District to connect to the municipal sewer and water utilities, provides the mechanism by which sewer and water rates shall be determined, and sets forfeiture amounts for violations of the provisions of Ch. 31.

PUBLIC UTILITIES

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Chapter 31 Board Action

January 30, 2012, Absorption of the Pell Lake Sanitary District
Adoption July 1, 2013, Ordinance No. 2013-O-05
Repeal & Recreate June 2, 2014, Ordinance No. 2014-O-12
Repeal & Recreate August 4, 2014, Ordinance No. 2014-O-16

PUBLIC UTILITIES

31.01 TITLE/PURPOSE.

This Chapter is entitled “Public Utilities.” The purpose of Chapter 31 is to regulate the provision of water and sewer services by the Village of Bloomfield (hereinafter referred to as the “Village”)

31.02 AUTHORITY.

The Village Board has the specific authority, powers, and duties, pursuant to Wis. Stat. §§ 60.79 and 66.0819 to construct, acquire, or lease, or extend and improve, a plant and equipment within or without its corporate limits for the furnishing of water to the municipality or to its inhabitants, and for the collection, treatment, and disposal of sewage, including the lateral, main and intercepting sewers, and all necessary equipment.

31.03 ADOPTION OF ORDINANCE.

The Village Board has, by adoption of this Chapter, confirmed the specific statutory authority set forth above and hereby adopts this ordinance in conformity therewith.

SEWER

31.101 PURPOSE.

The purpose of this section is to establish regulations for the use of public and private sewers and drains, for the installation and connection of building sewers, and for the discharge of waters and wastes into the public sewer system compatible with regulations of the State of Wisconsin Department of Natural Resources; to provide for penalties for violations thereof; to provide for the levying and collection of sewer service charges and penalties; and to provide for a system of charges to new customers to compensate the Village for reserve capacity designed and built into the sewer system.

31.102 DEFINITIONS.

- 1) BOD (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidization of organic matter in five (5) days at 20 degrees Celsius, expressed as milligrams per liter (mg/l). Quantitative determination of BOD shall be made in accordance with procedures set forth in “Standard Methods.”
- 2) BUILDING DRAIN shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet outside the inner face of the building wall.
- 3) COMBINED SEWER shall mean a sewer intended to receive both wastewater and storm or surface water

- 4) COMPATIBLE POLLUTANTS shall mean biochemical oxygen demand, suspended solids, phosphorus, nitrogen, pH, or fecal coliform bacteria, plus additional pollutants identified in the WPDES permit for the publicly owned wastewater treatment facility receiving the pollutants, if such works were designed to treat such additional pollutants, and, in fact, do remove such pollutants to a substantial degree.
- 5) GARBAGE shall mean the residue from the preparation, cooking and dispensing of food, including without limitation, grease, cooking oil, and similar products, and from the handling, storage, and sale of food products and produce.
- 6) GROUND GARBAGE shall mean the residue from the preparation, cooking, and dispensing of food that has been shredded to such a degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one-half (1/2) inch in any dimension.
- 7) HOLDING TANK WASTE shall mean any untreated wastewater from holding tanks such as vessels, chemical toilets, campers, trailers, and vacuum pump tank trucks
- 8) INCOMPATIBLE POLLUTANTS shall mean wastewater with pollutants that will adversely affect or disrupt the quality of wastewater treatment if discharged to a wastewater treatment facility.
- 9) LATERAL shall mean the extension from the building drain to the public sewer or other place of disposal.
- 10) MUNICIPALITY shall mean the Village.
- 11) NATURAL OUTLET shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake, or other body of surface water or groundwater.
- 12) NORMAL DOMESTIC STRENGTH WASTEWATER shall mean wastewater with concentrations of BOD no greater than 200 mg/l, suspended solids no greater than 250 mg/l, and phosphorus no greater than 6 mg/l.
- 13) OPERATION AND MAINTENANCE COSTS shall include all costs associated with the operation and maintenance of the wastewater collection and treatment facilities, as well as the costs associated with periodic equipment replacement necessary for maintaining capacity and performance of wastewater collection and treatment facilities.
- 14) PARTS PER MILLION shall be a weight-to-weight ratio; the parts per million value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water
- 15) PERSON shall mean any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency, or other entity.
- 16) pH shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of the hydrogen-ions, in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .

- 17) PUBLIC SEWER shall mean any publicly owned sewer, storm drain, sanitary sewer, or combined sewer.
- 18) REPLACEMENT COSTS shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the wastewater collection facilities to maintain the capacity and performance for which such facilities were designed and constructed. Operation and maintenance costs shall include replacement costs.
- 19) SANITARY SEWAGE shall mean a combination of liquid and water-carried wastes discharged from toilets and/or sanitary plumbing facilities.
- 20) SANITARY SEWER shall mean a sewer that carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.
- 21) SEWAGE is the spent water of a community. The preferred term is “wastewater.”
- 22) SEWER shall mean a pipe or conduit that carries wastewater or drainage water.
- 23) SEWERAGE SYSTEM shall mean the facilities used for the collection, treatment, and disposal of wastewater.
- 24) SEWER SERVICE CHARGE is a charge levied on users of the wastewater collection and treatment service to recover annual revenues for debt service, Replacement Costs, and Operation and Maintenance expenses of said facilities.
- 25) SLUG shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration of flows during normal operation, and shall adversely affect the collection system and/or performance of the wastewater treatment works.
- 26) STANDARD METHODS shall mean the examination and analytical procedures set forth in the most recent edition of “Standard Methods for the Examination of Water and Wastewater” published jointly by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation.
- 27) STORM DRAIN (or STORM SEWER) shall mean a drain or sewer for conveying water, groundwater, subsurface water, or unpolluted water from any source.
- 28) STORM WATER RUNOFF shall mean that portion of the rainfall that is drained into the sewers.
- 29) SUSPENDED SOLIDS shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in Standard Methods and referred to as nonfilterable residue.
- 30) TREATMENT AUTHORITY shall mean the Village.

- 31) UNPOLLUTED WATER is water of a quality equal to or better than the effluent criteria in effect, or water that would not cause violation of receiving water quality standards and would not be benefitted by discharge to the sanitary sewers and wastewater treatment facilities provided.
- 32) USER CHARGE is a charge levied on users of the wastewater collection and treatment facilities for payment of Operation and Maintenance Costs of said facilities.
- 33) WASTEWATER shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.
- 34) WASTEWATER COLLECTION FACILITIES (or WASTEWATER COLLECTION SYSTEM) shall mean the equipment required to collect and carry away domestic and industrial wastewater.
- 35) WASTEWATER TREATMENT FACILITY shall mean the arrangement of devices and structures for treating wastewater, industrial wastes, and sludge.
- 36) WATERCOURSE shall mean a natural or artificial channel for the passage of water, either continuously or intermittently.
- 37) WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT is a document issued by the Wisconsin State Department of Natural Resources which establishes effluent limitation and monitoring requirements for the regional wastewater treatment facility WPDES Permit and modifications thereof pertain to the Village's Wastewater Treatment Facility.

31.103 USE OF SANITARY SEWERS.

No person(s) shall discharge or cause to be discharged any unpolluted water such as storm water, groundwater, roof runoff, subsurface drainage or cooling water to any sanitary sewer in the Village. Storm water runoff from limited areas which may be polluted at times, may be discharged to the sanitary sewers by permission of the Village Board. No person(s) shall discharge or cause to be discharged any sanitary sewerage, or wastewater into the wastewater collection facilities of the Village unless the property of such person(s) is first physically connected to the Village water system and has ceased discharging waters from a private source into the wastewater collection facilities of the Village.

31.104 USE OF STORM SEWERS.

Storm water, other than that exempted under paragraph 31.103, above, and all other unpolluted drainage, shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Village and other regulatory agencies. Unpolluted cooling water or process waters may be discharged into a storm sewer, combined sewer or natural outlet with the Village's approval.

31.105 PROHIBITIONS AND LIMITATION.

- 1) PROHIBITIONS Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer of the Village:
 - a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, gas or any petroleum product.
 - b) Any waters or wastes containing toxic or poisonous solids, liquids, or gasses in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment or sludge disposal process, constitute a hazard to humans or animals, or create a public nuisance in the receiving waters of the wastewater treatment facility.
 - c) Any waters or wastes having a pH in excess of 9.0.
 - d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in public sewers or other interference with the proper operation of the wastewater collection and treatment facilities, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, paper or cloth diapers, cups, milk containers, etc., either whole or ground by garbage grinders.
 - e) Any other discharge that violates the requirements of the WPDES permit and the modifications thereof.
- 2) SPECIAL ARRANGEMENTS. No statement contained in this Chapter shall be construed as prohibiting any special agreement between the Village and any person whereby an industrial waste of unusual strength or character may be admitted to the wastewater collection and treatment facilities, either before or after pretreatment, provided that there is no impairment of the functioning of the wastewater collection and treatment facilities by reason of the admission of such wastes, and no extra costs are incurred by the Village without recompense by the person, and being further subject to the specific conditions and rates as prescribed by the Village.
- 3) SEPTIC TANK AND HOLDING TANK DISPOSAL. No person in the business of gathering and disposing of septic tank sludge or holding tank sewage shall transfer such material into any disposal area or sewer manhole located within the Village.

31.106 USE OF THE PUBLIC SEWER REQUIRED.

- 1) It shall be unlawful for any person to place, deposit or permit to be deposited upon any public or private property within the Village any human or animal excrement (other than the normal type of fertilizer), garbage or other objectionable waste.
- 2) It shall be unlawful to discharge to any natural outlet within the Village, or in any are under the jurisdiction of the Village, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with an order of the Village and the Plumbing and Drainage Code in force in the Village.

- 3) The owner of each parcel of land adjacent to a sewer main on which there exists a building usable for human habitation, occupancy or employment or for the carrying on of any trade or business on a continuing basis situated within the Village and abutting on any street, alley or right-of-way in which a public sewer is located, or in which the extension of the public sewer may be deemed feasible by the Village is hereby required at the owner's expense to install suitable wastewater facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance, within two hundred seventy (270) days after the date of official notice to do so. Absent any extraordinary conditions, any building which may be connected to the sewer line with a lateral up to 300 feet long shall be declared a feasible connection. If an owner of a parcel as described herein in the Village claims that the house, building, property, or any structure on the parcel, which had previously been inhabited by human beings, or used for the carrying on of any trade or business on a continuing basis is not fit for human habitation, is not inhabited, and is not fit for business or trade use, so as to be exempt from the connection requirement, the owner of said parcel must submit satisfactory proof that no human is currently occupying or living in the structure and that the property is in fact not being used for any trade or business and shall further submit a statement from the building inspector that the structure, house, building or property is currently not fit for human habitation. Failing such proof, the building, house, structure, or property shall be deemed fit for human habitation and/or use of trade or business on a continuing basis and connection will be required as provided in these ordinances. Such proof must be submitted within thirty (30) days of receipt of a notice requiring connection to the village system or such proof shall be deemed insufficient and connection ordered as provided in these ordinances.
- 4) The maintenance and use of outhouses, vault privies, septic systems, holding tanks and other private wastewater collection systems are hereby declared to be a public nuisance and a health hazard. Any such systems not in conformity with the requirements of this ordinance shall be abandoned, caved in and filled, within thirty (30) days of connection to public sanitary sewers as provided in Section 31.106(3), above.
- 5) No person, firm or corporation shall carry on the business of plumbing or installation of plumbing or sewer connections or drain laying or do or perform any such work within the limits of the Village, until he, they or it shall have first obtained the Plumber's License prescribed by the State of Wisconsin, as required by law, and shall exhibit said license to the Village Building Inspector upon request.

31.107 BUILDING SEWERS AND CONNECTIONS.

- 1) Supervision and Inspection. The Village Building Inspector or his designee shall act as inspector under the direction of the Village and shall have control of the supervision and inspection of drainage, drain laying and sewer connections and the authority to enforce all laws, ordinances and rules in relation thereto. Thereinafter, the Village Building Inspector, acting in this capacity, is referred to as the "Inspector".
- 2) Opening Public Sewer Prohibited. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a digging permit from the Inspector.

- 3) Connection Permit Required. No connections shall be made to any of the sewers of the Village from any building, premises, excavation place or property of any kind whatsoever by any drain, tap or sewer intended or designed to, or capable of, discharging any matter, whether fluid or solid, into the sewers of the Village unless a sewer connection permit has first been issued therefor by the Village Building Inspector.
- 4) Application and Fees. The applicant for a sewer connection permit shall file a written application for such permit with the Village Building Inspector for his approval. Before the Inspector issues any such permit or approves any application so filed, he shall collect the standard fee from the applicant to cover inspection costs, and he shall inspect the premises covered by the application.
- 5) Inspection of Connection. The applicant for the building sewer permit shall notify the Village Building Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Inspector.
- 6) Connections. No permit shall be issued to connect with the public sanitary sewer any excavation or open basement. No permit shall be issued to connect any building with the Sanitary Sewer until such building is completely enclosed by rood, the outside wall backfilled to established grade, and all sanitary sewer lines within buildings that will be covered by basement floors have been inspected and approved by the Inspector and after the permanent floor is constructed in the basement. For buildings without basements or for mobile home pads, the permit shall be issued after the footing and the sub-floor or pad has been constructed.
- 7) Owner's Liability. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Village from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.
- 8) Single Connection. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another or on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.
- 9) Old Sewer. Old Building sewers may be used in connection with new buildings only when they are found on examination and test by the Inspector to meet all requirements of this ordinance.
- 10) Sumps and Sump Pumps Required. In all buildings where a foundation drainage system is provided and there is no natural drain for this sub-surface water to drain into, the owner shall provide or build a suitable pit, minimum size fifteen inches (15") diameter by thirty inches (30") deep, to collect all water that may enter the foundation drainage system; also he shall install, operate and maintain a sump pump, cellar drainer or some suitable pump and he shall pump this foundation water to a storm sewer or outside the building to a natural drain, or discharge point at least fifteen (15) feet from the foundation drainage to the sanitary sewer system. It shall be unlawful to willfully allow any sump pit to overflow into the basement floor drain that is connected to the sanitary sewer.

- 11) Connection Location. The connection of the building sewer into the public sewer shall be made at the wye branch. If no suitable wye branch is available, a neat hold may be cut into the public sewer to receive the building sewer with entry in the downstream direction at an angle of approximately forty-five (45) degrees. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat, watertight joint shall be made by field solvent welding a wye saddle to the public sewer. Special fittings may be used for the connection only when approved by the Inspector. If the public sewer is broken or damaged in any manner by making a connection, the owner shall replace all damaged pipe in the public sewer at their expense.
- 12) Slope of Sewer. The size and slope of the building sewer shall be subject to the approval of the Inspector, but in no event shall the diameter be less than that required by the State Plumbing Code. The slope of such pipe shall be not less than one-eighth (1/8) inch per foot.
- 13) Inspection of Disconnected Sewers. Upon disconnection of any system lateral, the person responsible for the disconnection shall cap and seal the lateral and notify the Village of such action. All work relating to the disconnection, except when otherwise permitted by the Village, shall remain uncovered until inspected and approved.
- 14) Capping Required. All mains and laterals shall be capped and sealed during the construction or re-construction of any building or structure to which they are or will be connected unless otherwise permitted by the Village.
- 15) Road Restoration. In restoring any street or public way, the work shall be performed in accord with the requirements of the Village or other governmental body with jurisdiction over such street or other public way. Private roads within the Village shall be restored to the satisfaction of the owner.
- 16) Openings Protected. Every plumber must enclose each opening which he may make in the roads, streets, or public ways, with sufficient barriers. Warning lights shall be used and so placed as to warn persons of any such opening. All necessary precautions shall be taken effectively to guard the public from accident or damage to persons or property from the beginning to the end of the work. Plumbers and owners will be held liable for all damages, including costs incurred by the Village in defending any action brought against them for damages, and for the costs of any appeal thereon that may result from the neglect of servants, agents, or employees of said plumber or damage to persons, livestock, vehicles or property of any kind. Any contractor making such an opening shall deposit such security with the governmental unit or private association having jurisdiction over such street or public way in such amount as is required by such governmental unit or private association and shall furnish satisfactory evidence of public liability insurance coverage as required by such governmental unit or private association but not less than \$250,000 for injury to one person and \$500,000 for one accident, and \$100,000 for property damages.
- 17) Tapping District Sewer Lines. No person, except a licensed plumber, as herein provided, shall be permitted to tap or make any connection with the general sewerage system or any part thereof. Such information as the Inspector, Superintendent, the Village or the Village Engineer may have with regard to the location of sewer junctions or slants will be furnished to plumbers, the Village assuming no risk as to the accuracy of the same.

- 18) Materials and Methods of Construction. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in “Standard Specifications for Sewer and Water Construction in Wisconsin,” the most recent edition, shall apply.
- 19) Building Sewer Grade. Whenever practical, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- 20) Storm and Groundwater Drains. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which is connected directly or indirectly to a sanitary sewer. In addition to any forfeiture imposed hereby, all existing downspouts or groundwater drains, etc., connected directly or indirectly to a sanitary sewer must be disconnected within ten (10) days of the date of an official written notice from the Village, Exceptions to the above shall be made only by the Village.
- 21) Adoption of and Conformance to Plumbing Codes.
- a) The provisions of the State Plumbing Code issued by the State of Wisconsin and all amendments or additions thereto in effect and any specified time are incorporated herein by reference with the same force and effect as though fully set forth herein; provided, however, that in the event of any conflict between the provision of the code and this ordinance, the provision which requires the maximum compliance or is the most restrictive shall govern.
 - b) The connection of the building sewer into the sanitary sewer shall conform to the requirements of the building and plumbing code, or other applicable rules and regulations of the Village or the procedures set forth in the appropriate specifications of the A.S.T.M and W.P.C.F. Manual of Practice No. 9. All such connections shall be made gas tight and water tight. Any deviations from the prescribed procedures and materials must be approved by the Village before installation.
- 22) Barricades: Restoration. All excavations for the building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other property disturbed in the course of the work shall be restored in a manner satisfactory to the Village or the owner, if on private property.

31.108 PROVISION OF SEWER SERVICE TO NEW DEVELOPMENTS.

- 1) Extension of Main. In any particular subdivision, development or other area to which sewer service is to be extended, when said properties within the area to be serviced reach 50% of construction permits pulled, the Village will then extend sewer and/or water mains into the proposed area.

- 2) Cost. Any property owner or owners requesting an extension of water and/or sewer into a particular area shall pay for the entire cost of the extension, subject, however, to the right to pro rate reimbursement from abutting vacant property owners who may later hook in to the main line.
- 3) Connection. Upon completion of a sewer and/or water main extension, property owners shall have nine (9) months to complete hook up to the main. In the event hook up is not reasonable or practicable under the circumstances, it shall be the property owners' responsibility to petition the Village for an extension of time based upon the circumstances.
- 4) Penalties. Any person in violation of the provisions of this section shall be subject to the forfeiture of no less than \$100 and no more than \$1,000 for each day of the violation.

31.109 INDUSTRIAL WASTES.

Discharge of any industrial effluent into the Village collection system is prohibited without a permit for the same issued by the Village. Said permit shall establish a user charge for the industrial user considering factors such as volume, waste load, waste concentration and treatment costs.

31.110 BASIS FOR SEWER CHARGES.

- 1) BASIS. It is hereby determined and declared to be necessary and conducive to the protection of the public health, safety, welfare, and convenience of the Village to levy and collect charges, rentals, or rates of service upon all the lands, lots, and premises served by having connections with the sanitary sewerage system of the Village or served by having connections available with the sanitary sewerage system.
- 2) SET BY COMMISSION. A sewer service charge (user rates shall be determined by the Village with categories as set forth herein. Said sewer service charges shall be amended from time to time by the Village to reflect the correct costs of sewage collection and wastewater treatment.
- 3) CONNECTION FEES. The Village wastewater treatment, sewage collection and pumping system was designed with excess capacity to accommodate future growth. In order to equitably apportion costs between present users and future users, there is hereby established a connection charge to reflect and equitably apportion the Village's system investment in reserve capacity amount present and future customers. Such connection fee shall be determined and paid before a permit is issued by the inspector. The connection fee shall be as follows:
 - Base connection fee of \$7,000
 - Road opening and closing related fees

For purposes of the foregoing formula, the Village shall determine the number of residential unit equivalents (RUE's) attributable to the person requesting sewer connection in accordance with section 3.110. The total connection fee shall be the number of RUE's

multiplied by the connection charge per RUE as set forth above. This section shall apply to all connections by persons who connect to the Village system subsequent to the startup date of the sanitary sewer system.

31.111 SEWER SERVICE CHARGES.

- 1) **USER CHARGES.** Sewer service (user) charges are hereby established by the Village on the basis of RUE's. Users shall pay monthly user fees based on both a flat fee and a metered fee. Initial users shall pay a quarterly user flat fee of \$55.00 for each RUE. The following unit determination shall be used:

UNIT DETERMINATION

Definition: One Unit = One Residential Home = Three People = 192 Gallons Per Day.

| <u>CLASSIFICATION</u> | <u>UNIT OF VALUE*</u> |
|-------------------------------|--|
| 1. Single Family Residence | One Unit |
| 2. Duplex | Two Units |
| 3. Apartments | One Unit Per Apartment |
| 4. General Business | One Unit Per 25 Employees |
| 5. Shopping Center | One Unit Per 4,000 s.f. of Floor Space |
| 6. Supermarket | One Unit Per 4,000 s.f. of Floor Space |
| 7. Motel | One Unit= Bed Space x% of Occupancy |
| A. With Laundry | One Unit= Bed Space x% of Occupancy 6 |
| 8. Bowling Alley with Bar | 0.50 Units Per Alley |
| 9. Service Station or Garage | One Unit |
| 10. Country Club | One Unit Per 25 Members |
| 11. School | |
| A. With Meals Served | One Unit Per 15 Students |
| B. With Meals & Showers | One Unit Per 12 Students |
| 12. Churches | One Unit |
| 13. Tavern | One Unit Per 40 Seats |
| 14. Restaurants | |
| A. Standard Restaurant | One Unit = Seating Capacity 13 |
| B. Drive-in or Short Order | One Unit = Seating Capacity 45 |
| C. Restaurant with One Bar | One Unit = Seating Capacity 10 |
| D. Restaurant with Two Bars | One Unit = Seating Capacity 8 |
| E. Restaurant with Three Bars | One Unit = Seating Capacity 7 |
| 15. Other Cases | To Be Determined by Sanitary |

* No Classification Will Receive Less Than One Unit.

Initial user shall also pay a metered fee. Metered fees shall be based on the water meter readings. The metered fee shall be \$2.75 per 1000 gallons of water used.

- 2) **OPERATION, MAINTENANCE, AND REPLACEMENT FUND ACCOUNTS.** The annual replacement revenues shall be maintained in a separate account by the Village to be used solely for the purpose of purchasing replacement parts and/or equipment.

31.112 BILLING PRACTICE.

- 1) **CALCULATION OF SEWER SERVICE CHARGES.** Sewer service charges that shall be assessed to Village Sewer users shall be computed by the Village according to the rates and formulas presented in Section 6 of these Rules and Regulations.
- 2) **SEWER SERVICE CHARGE BILLING PERIOD.** Sewer service charges shall be billed quarterly.
- 3) **PAYMENT OF SEWER SERVICE CHARGES.** Sewer service charges billed by the Village shall be paid by the last day of the month following the billing date and shall be a debt due the Village and a lien upon the property. Any charges not paid by the due date shall be deemed delinquent and shall be subject to a late payment charge of one percent (1%) of the total sewer charge and may thereafter be collected as provided by law, including, but not limited to, being placed on the next year's tax roll as a special assessment as provided in Section 66.069 Wis. Stats. In such case, the Village shall cause notice to be sent to the delinquent user on October 15 stating the total amount of the delinquency, including late charges; and further, that if the amount is not paid by November 1, a penalty of ten percent (10%) shall be added and that unless the same is paid by November 15, the delinquent amount, plus any penalties, will be levied as a special tax against the property served. Thereafter, the special tax shall bear interest at the rate of one percent (1%) for each month or fraction thereof and an additional one-half of one percent (0.5%) penalty assessment for each month or fraction thereof until payment is made.

A change of ownership or occupancy of the premises found delinquent shall not be cause for reducing or eliminating charges and penalties.

- 4) **REASSIGNMENT OF SEWER USERS.** The Village shall reassign sewer users into appropriate sewer service charge categories if wastewater flow monitoring and sampling programs or other related information indicate a change of categories is necessary.
- 5) **CHARGE FOR TOXIC POLLUTANTS.** Any person discharging toxic pollutants which cause an increase in the cost of treatment or of managing the effluent or sludge from the treatment authority's wastewater treatment facility shall pay for such increased costs as may be determined by the Village in addition to any forfeiture which may be imposed therefor.
- 6) **SERVICE CHARGES.** In the event the owner of a parcel of land situated in the Village shall fail to connect to the sanitary sewer system as required by this Chapter, the Village shall commence charging the owner of such parcel the same quarterly service charge charged to owners of parcel who are connected to the sanitary sewer system. The quarterly service charge shall commence on the connection deadline date by which the owner of the parcel should have connected to the system. Any variances granted extending connection deadlines shall not extend the commencement date for the quarterly service charges.

31.113 AUDIT, NOTIFICATION AND RECORDS.

- 1) **BIENNIAL AUDIT.** The Village shall review annually the wastewater contribution of its sewer users, the operation and maintenance expenses of the wastewater collection and

treatment facilities and the sewer service charge system, if necessary, to accomplish the following:

- a) Maintain a proportionate distribution of operation and maintenance expenses among sewer users based on the wastewater volume and pollutant loadings discharged by the users.
 - b) Generate sufficient revenues to pay the operation and maintenance expenses of the wastewater collection and treatment facilities.
 - c) Apply excess revenues collected from a class of users to the operation and maintenance expenses attributable to the class of users for the next year and adjust the sewer service charge rates accordingly.
- 2) ANNUAL NOTIFICATIONS. The Village shall notify its sewer users annually as to the sewer service charge rates. The notification shall show what portion of the rates are attributable to the operation and maintenance expenses and any debt service costs of the wastewater collection and of treatment by the Town of Bloomfield. The notification shall occur in conjunction with the adoption of a budget for the ensuing year in accordance with Sec. 65.90 Wis. Stat.
- 3) RECORDS. The Village shall maintain records regarding wastewater flows, costs of the wastewater collection and treatment facilities, sampling programs and other information which is necessary to document compliance with 40 CFR 35, Subpart E of the Clean Water Act.

31.114 RIGHT OF ENTRY, SAFETY AND IDENTIFICATION.

- 1) RIGHT OF ENTRY. The Village and other duly authorized employees of the Village, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, or testing, all in accordance with the provisions of these Rules and Regulations and Sec. 66.122, Wisconsin Statutes.
- 2) RIGHT TO ENTER EASEMENTS. The Village or other duly authorized employees of the District, bearing proper credentials and identification, shall be permitted to enter all private properties through which the Village holds an easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewage works lying within said easement, all subject to the terms, if any, of the easement.
- 3) ACQUISITION OF EASEMENTS AND BUILDING SITES. The Village shall have the power to purchase and acquire for the Village all real and personal property which may be necessary for the construction of the sewer system, and for any repair, remodeling, or additions thereto. Whenever any real estate, including any easement therein or use thereof, shall, in the judgment of the Village, be necessary to the sewer system, and whenever, for any cause, an agreement for purchase cannot be made with the owners, the Village shall proceed to acquire title to such real estate, or to obtain such easement or permit to use by the power of eminent domain, as set out in the Wisconsin Statutes, complying fully with such statutes and, where Federal funds are used, with the Uniform Relocation and Real Property Acquisition Act of 1970.

31.115 VIOLATIONS AND PENALTIES.

- 1) **WRITTEN NOTICE OF VIOLATION.** Any person found to be violating any provision of this Ordinance, except Sections 31.110, 31.111 or 31.112, shall be served by the Village with a writing notice stating the nature of the violation and providing a reasonable time of the satisfactory correction thereof. The offender shall, within the period of time state in such notice, permanently cease all violations. Such notice may be in addition to a citation for violation of this ordinance.
- 2) **ACCIDENTAL DISCHARGE.** Any person found to be responsible for accidentally allowing a deleterious discharge into the sewer system which causes damage to the treatment facility and/or receiving body of water shall, in addition to any forfeiture, pay an amount to cover the damage, both values to be established by the Village.
- 3) **PENALTY FOR VIOLATIONS.** Any person, partnership, or corporation, or any officer, agent or employee thereof, who shall violate any of the provisions of this ordinance, except Sections 31.110, 31.111 and 31.112, shall, upon conviction thereof, forfeit not less than \$20.00 nor more than \$500.00 together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the Walworth County Jail for a period not to exceed thirty (30) days. Each day in which any violation continues shall be deemed a separate offense.
- 4) **LIABILITY FOR LOSSES.** Any person violating any provisions of the Rules and Regulations shall become liable to the Village for any expense, loss, or damage occasioned by reason of such violation which the Village may suffer as a result thereof.

The Village must be notified immediately by any person who becomes aware of any violations that occur.

31.116 APPEALS.

Any user, permit applicant, or permit holder affected by any decision, action, or determination, including cease and desist orders, made by the Village interpreting or implementing the provisions of these Rules and Regulations or in any permit issued hereunder, may file with the Village a written request for reconsideration within ten (10) days of the date of such decision, action, or determination, setting forth in detail the facts supporting the user's request for reconsideration. The Village shall schedule a hearing regarding such request for reconsideration and shall give notice to the requesting person at least five (5) days before the hearing. The requesting person shall have the right to present any relevant matters at such hearing. The Village shall render a decision on the request for reconsideration to the requesting person in writing within fifteen (15) days of the hearing.

31.117 VALIDITY.

- 1) **SUPERSEDING PREVIOUS RULES.** These Rules and Regulations governing sewer use, industrial wastewater discharges, sewer services charges, and sewer connections and

construction shall supersede all previous rules and regulations of the Village insofar as they relate to the sanitary sewer system of the District.

- 2) **INVADIATION CLAUSE.** Invalidity of any section, clause, sentence, or provision in the Rules and Regulations shall not affect the validity of any other section, clause, sentence, or provision of these Rules and Regulations which can be given effect without such invalid part or parts.

WATER

31.201 DEFINITIONS.

- 1) **CROSS-CONNECTION** shall mean any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Village water system, and the other, 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 upon the pressure differential between the two systems. Additional Definitions are currently in the document you are looking at listed as 31.303.
- 2) **MUNICIPAL WATER SYSTEM** shall mean community water system owned by a city village, county, etc.
- 3) **NON-COMPLYING** shall mean a well or pump installation which does not comply with s.NR812.08 or NR812.42, Wisconsin Administrative Code, and which has not been granted a variance pursuant to s.NR812.43, Wisconsin Administrative Code.
- 4) **PUMP INSTALLATION** shall mean 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.
- 5) **UNSAFE** shall mean a well or pump installation which installation produces water which is bacteriologically contaminated or exceeds the drinking water standards of s.NR812.06, Wisconsin Administrative Code, or for which a Health Advisory has been issued by the Department of Natural Resources.
- 6) **UNUSED** shall mean a well or pump installation which is not used or does not have a functional pumping system.
- 7) **WELL** shall mean an excavation or opening into the ground made by digging, boring, drilling, driving, or other methods for the purpose of obtaining groundwater for consumption or other use.
- 8) **WELL ABANDONMENT** shall mean the proper filling and sealing of a well according to the provisions of s.NR812.26, Wisconsin Administrative Code.

31.202 MANAGEMENT.

The management, operation, and control of the water system for the Village, is vested in the Village Board. All records minutes and all written proceedings thereof shall be kept by the Village. The Village Treasurer shall keep all the financial records.

31.203 POWERS.

The Village shall have the power to construct water lines for public use and shall have the power to lay water pipes in and through the alleys, streets, and public grounds of the Village and, generally, to all such work as may be found necessary or convenient in the management of the water system. The Village shall have power acting on its own behalf or through its officers, agents, and servants to enter upon any land for the purpose of making examination or supervising the performance of its duties under this Chapter, without liability therefor; and the Village shall have the power to purchase and acquire for the Village real or personal property as may be necessary for construction of the water system, or any repair, remodeling, or additions thereto.

31.205 TITLE TO PROPERTY.

Title to Real Estate and Personal Property. All property, real, personal and mixed, acquired for the construction of the water system, and all plans, specifications, diagrams, papers, books and records connected therewith said water system, and all buildings, machinery, and fixtures pertaining thereto, shall be the property of the Village.

31.206 MANDATORY HOOK-UP.

- 1) **PROPERTIES REQUIRED.** The owner of each parcel of land adjacent to a water main on which there exist a building useable for human habitation or in a block through which such system is extended, shall connect to such system within nine (9) months from date of official notification. Upon failure to do so the Village may cause such connection to be made and bill the property owner for such costs. If such costs are not paid within thirty (30) days, such notice shall be assessed as a special tax lien against the property, pursuant to Section 144.06 Wisconsin Statutes, provided, however, that the owner may within thirty (30) days after the completion of the work file a written application with the Village Clerk stating that he cannot pay such amount in one sum and ask that they be levied in not to exceed to five (5) equal installments and that the amount shall be so collected with interest at the rate of 7% *per annum* from the completion of the work, the unpaid balance being a special tax lien, pursuant to Section 144.06 Wisconsin Statutes.
- 2) **PENALTY.** In lieu of assessing a tax lien pursuant to par. A above, the Village, at its option, may, after ten (10) days written notice to any owner failing to make a connection to the Municipal Water System, may impose a penalty in the amount of \$100 to \$1000 per month for each residential unit equivalent (“RUE”) for the period in which the failure to connect continues, and upon failure to make such payment said charge shall be assessed as a special tax lien against the property, pursuant to Section 144.06 Wisconsin Statutes.

- 3) **POLICY.** Failure to connect to the water system is contrary to the minimum health standards of the Village and fails to assure preservation of the public health, comfort, and safety of the Village.

31.207 EXCAVATIONS.

- 1) **EARTH REMOVED.** In making excavations in streets or highways for laying service pipe or making repairs, the paving and earth removed must be deposited in a manner that will occasion the least inconvenience to the public.
- 2) **BARRICADES REQUIRED.** No person shall leave any such excavation made in any street or highway open at any time without barricades; and during the night, warning lights must be maintained at such excavations.
- 3) **REFILLING.** In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than nine inches in depth, and each layer thoroughly compacted to prevent settling. This work, together with the replacing of sidewalks, ballast and paving, must be done so as to make the street as good, at least, as before it was disturbed, and satisfactory to the Village. No opening of the streets for tapping in the pipes will be permitted when the ground is frozen.

31.208 TAPPING THE MAIN.

- 1) **PERMISSION REQUIRED.** No persons, except those having special permission from the Village, or persons authorized thereby will be permitted, under any circumstances to tap the water mains or distribution pipes. The kind and size of the connection with the pipe shall be that specified in the permit or order from the Village.
- 2) **LOCATION.** Pipes should be tapped on the top half of the pipe, and not six inches (15cm) of the joint, or within 24 inches (60cm) of another connection.

31.209 PERMITS REQUIRED.

After water connections have been introduced into any building or upon any premises, no person includes a licensed plumber shall make any alterations, extensions, or attachments, unless the party ordering such tapping or other work shall exhibit the proper permit for the same from the Village.

31.210 INSTALLATION OF HOUSE LATERALS.

- 1) **STANDARDS.** All waterlines on private property, whether underground or within a structure, will be installed in accordance with State of Wisconsin Administration Code, Chapter H-62, "Design, Construction, Installation, Supervision and Inspection of Plumbing", specifically section H-623.13, "Water Distribution Systems".
- 2) **INSPECTION AND TESTING.** The building's water line shall be inspected upon completion of placement of the pipe and before backfilling and, tested before or after backfilling.

31.211 METERS.

It shall be the duty of the owner of any premises to provide a location for a water meter, and to maintain such locations and passageway thereto, clean and sanitary and free from any obstruction or any conditions of a hazardous nature. No connection for water meters shall be installed in any location not easily accessible, or which is or may be, unclean, unsanitary, or in any manner unsafe to utility employees in the discharge of their duties.

31.212 INSPECTION.

Every user shall permit the Village or its duly authorized agent, at all reasonable hours of the day, to enter their premises or building to examine the pipes, and fixtures and the manner in which the water is used, and they must at all times, frankly and without concealment, answer all question put to them relative to its use.

31.213 UTILITY RESPONSIBILITY.

It is expressly stipulated that no claim shall be made against the Village or its officers or duly authorized representatives by reason of breaking, clogging, stoppage, or freezing of any service pipe; nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary. The right is hereby reserved to cut off the service at any time for the purpose of repairs or any other necessary purpose, any permit granted or regulation to the contrary notwithstanding. Whenever it shall become necessary to shut off the water service within any area of the Village, if practicable, give notice to each and every consumer within the area served by the Municipal Water System of the time when such service will be shut off.

31.214 INSTALLATION COSTS.

- 1) **LATERAL CHARGES.** Service lines and laterals extending from the main to the property line shall be installed at the time of installation of the water main to eliminate the necessary for subsequent street openings. The cost thereof may be levied as a special assessment against the property served by such lateral along with the assessment for the installation of the water mains and shall be classified as "aid to construction."
- 2) **EXTENSIONS.** If a request for an extension to the system is granted after the water main is installed, the cost for such extension, including laterals, will be borne by the party requesting said extension. Said party shall pay a connection fee. Upon inspection and approval by the Village, the extension will be dedicated to the Municipal Water System. All plans and specifications must be approved by the Village before construction begins.

31.215 ABANDONMENT REQUIRED.

All unused, unsafe or non-complying wells on premises served by the Municipal Water System shall be properly abandoned in accordance with this Chapter no later than three (3) months from the date of connection to the Municipal Water System, unless a valid well operation permit has been issued to the well owner by the Village under the terms of Section 5 of this ordinance. All well operation permits issued to the well owner by the Village remain in full force and effect

until their expiration. Upon their expiration the well owner must apply for a well operation permit from the Village under the terms of this Chapter.

31.216 WELL OPERATION PERMIT.

Owners of wells on premises that are or will be served by the Municipal Water System wishing to retain their wells for non-potable uses only shall be entitled to make application for a well operation permit.

- 1) **PERMIT REQUEST.** The request for such a permit shall be made to the Village Clerk.
- 2) **SAMPLES REQUIRED.** Along with the permit request, the owner shall submit to the Village, the results of one safe bacteriological sample establishing that the well's water is safe for human consumption. In areas where the Department of Natural Resources has determined that groundwater aquifers are contaminated with substance other than bacteria, additional chemical tests may be required to evidence safety of the water.
- 3) **ACCESS TO PROPERTY.** The property owner shall allow access to the well to a representative of the Village for purposes of locating the well relative to municipal utilities.
- 4) **WELL OPERATION PERMIT.** Owners of such wells which are determined to be more than fifty (50) feet from the municipal sanitary sewer main who wish to retain their wells for any non-potable use shall make application for a well operation permit for each well not later than ninety (90) days after connecting to the municipal system. All other provisions of Section 5 of this ordinance remain in full force and effect.
- 5) **STANDARDS.** Well and pump installation shall meet or shall be upgraded to meet the Standards of Existing Installation described in s.NR812.42, Wisconsin Administrative Code.
- 6) **CROSS-CONNECTION PROHIBITED.** There shall be no cross-connections between the well's pump installation or distribution piping and the Municipal Water System.
- 7) **DISCHARGE PROHIBITED.** The well water shall not discharge into drain leading directly to a public sewer utility unless property metered and authorized by the sewer utility.
- 8) **OTHER REQUIREMENTS.** The well shall have a functional pumping system and the proposed use of the well water must be justified as reasonable in addition to water provided by the Municipal Water System.
- 9) **TERM OF PERMITS.** Permits shall be good for a period of five (5) years. A well operation permit may be renewed by proof of compliance with the regulations set forth in this Chapter.
- 10) **PERMIT FEES.** Well operation permit fees shall be set by the Village Board and shall be subject to revision by the Village Board from time to time.
- 11) **ABANDONMENT REQUIRED.** Any well not in compliance with this Chapter shall be abandoned.
- 12) **FORMS.** Permit applications and rules shall be made on forms provided by the Clerk.

31.217 ABANDONMENT PROCEDURE.

- 1) **STANDARDS.** All wells abandoned under the jurisdiction of this Chapter shall be done according to the procedures and methods of s.NR812.26, Wisconsin Administrative Code. All debris, pumps, piping, unsealed liners and any other obstructions which may interfere with sealing operations which may interfere with sealing operations shall be removed prior to abandonment.
- 2) **NOTICE AND INSPECTION.** The owner of the well shall notify the Village Clerk in advance of any well abandonment activities. Abandonment of the well may be observed or verified by inspection, and the well owner shall submit a copy of the well abandonment report within ten (10) days of said inspection.
- 3) **REPORT.** An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Clerk and the Department of Natural Resources within thirty (30) days of completion of the well abandonment.

31.218 PENALTIES FOR NON-COMPLYING WELLS.

Any property owner upon whose property there exists a well any provision of this ordinance shall, upon conviction, be punished by forfeiture of not less than \$100 nor more than \$1,000 per day. Each day that the well on said property owner's property remains in violation constitutes a separate offense. In the event that any property owner fails to comply with this Chapter for more than thirty (30) days after the Village mails written notice of the violation by certified mail, the Village may cause the well to be abandoned, and in the event the Village chooses to cause said well to be abandoned, shall assess the cost thereof as a special tax against the property.

31.219 REPAIRS AND MAINTENANCE.

- 1) **MAINTENANCE SERVICES.** All services within the limits of the Village from the street main to the property line and including all controls between the same will be maintained by the Municipal Water Utility without expenses to the property owner except when they are damaged as a result of negligence or carelessness on the part of the property owner, a tenant, or agent of the owner, in which case they will be repaired at the expenses of the property owner. All Municipal Water Services from the point of maintenance by the Village to and throughout the premises must be maintained free of defective conditions, by and at the expense of the owner or occupant of the property.
- 2) **REPAIRS MAINTENANCE REQUIRED.** All users shall keep their own service pipes in good repair and protected from frost at their own risk and expense and shall prevent any unnecessary waste of water.
- 3) **LICENSE REQUIRED.** No plumber, pipe fitter or other person will be permitted to do any plumbing or pipe fitting work in connection with the water in connection with the Municipal Water System without first receiving a license from the State of Wisconsin.

31.220 PENALTY FOR IMPROPER USE.

- 1) **POLLUTION PROHIBITED.** It shall be unlawful for any person to willfully pollute or otherwise injure any water supplied by the water system.
- 2) **CROSS-CONNECTION PROHIBITED.** Cross-connections are not permitted between the water utility system and any other source of water as set forth in Wisconsin Administrative Code NR 111.25 and H-62.14 and this Chapter.
- 3) **WELLS.** All private wells which are unused, unsafe or do not comply with appropriate Wisconsin Administrative Code or this Chapter must be abandoned in compliance with Wisconsin Administrative Code Section NR 112.21.
- 4) **PENALTIES.** Any person who shall violate any of the provisions of this Chapter; or who shall violate any provisions of the Wisconsin Statutes, Wisconsin Administrative Code, or any other materials which are incorporated by reference, shall upon conviction thereof forfeit not less than \$100 nor more than \$1000 and the costs of prosecution. This, however, shall not bar the Village from enforcing the connection duties set forth hereon regarding mandatory hookup.
- 5) **DAMAGE RECOVERY.** The utility shall have the right of recovery from all persons, any expense incurred by said utility for the repair or replacement of any water pipe, curb stop, gate valve, hydrant, or valve box damaged in any manner by any person by the performance of any work under their control, or by any negligent act. Owners or operators of motor vehicles will be held liable for the cost of repair of any hydrant damaged by them and the utility will not be responsible for the damage due the motor vehicle by reason of such accident.

31.221 MUNICIPAL WATER UTILITY RULES.

- 1) **PUBLIC SERVICE COMMISSION RULES.** The standard rules published by the Public Service Commission of Wisconsin (small utility rules), as amended from time to time, shall apply to the Municipal Water Utility and are incorporated herein by reference.
- 2) **OTHER RULES.** All rules of the Department of Industry, Labor and Human Relations and the Department of Natural Resources applicable to the Municipal Water Utility are hereby adopted and incorporated herein by reference.
- 3) **USER RULES AND REGULATIONS.** The rules, regulations and water rates in this Chapter shall be set forth shall be considered a part of the contract with every person, company, or corporation who is connected with the Municipal Water System and every such person, company, or corporation by connection with the Municipal Water System shall be considered as expressing his or their assent to be bound thereby. Whenever any of said rules and regulations, or such others as the Village may hereafter adopt are violated, the service shall be shut off from the building or place of such violation, regardless of the number of parties receiving service through the same connection and shall not be re-established except by order of the Village, and upon payment of all arrears, the expenses and established charges of shutting off and reestablishing service, and such other terms as the Village may determine, and a satisfactory understanding with the party that no further cause for complaint shall

arise. In case of such violation, the Village may declare any payment made for the service by the party or parties committing the violation to be forfeited, and the same shall thereupon be forfeited. The right is reserved to the Village to change said rules regulations, and water rates, from time to time as they may deem advisable; and to make special rates and contracts in all proper cases, subject to the authority of the Wisconsin Public Service Commission.

31.222 RATES AND PAYMENT.

- 1) **RATES.** The rates as provided by the Public Service Commission Findings of Fact, Certification, and Order (“PSC Order”) shall be the rates of the Municipal Water Utility.
- 2) **BILLING.** The property owner is held responsible for all water bills on the premises that he owns. All water bills and notices of any nature, relative to the water service, will be addressed to the owner and delivered to the premises referred to on such bill or notice.
- 3) **FAILURE TO RECEIVE BILL.** Every responsible care will be exercised in the proper delivery of the water bills. Failure to receive a water bill, however, shall not relieve any person of the responsibility for payment of water rates within the prescribed period, nor exempt any person from any penalty imposed for delinquency in the payment thereof.
- 4) **PENALTIES.** A late payment charge of 1 ½% per month will be added to bills not paid within 20 days of issuance and will be applied to the total unpaid balance including unpaid late payment charges.
- 5) **LIEN ON PROPERTY.** All water services, charges and special assessments shall be a lien on a lot, part of a lot, or land on which water services are supplied. All sums which have accrued during the preceding year, and which are unpaid by the first day of October of any year, shall be certified to the Village Clerk to be placed on the tax roll for collection as provided by Wis. Stat. § 66.069(1).