

# TITLE 9

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## Public Utilities

- Chapter 1** Water Utility Regulations and Rates
- Chapter 2** Sewer Utility Regulations and Rates



## Title 9 ▶ Chapter 1

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# Water Utility Regulations and Rates

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## Article A: Rates

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

- (a) For public fire protection service to the City of Amery, the annual charge shall be One Hundred One Thousand Four Hundred Seventy-six Dollars (\$101,476.00) to cover the use of mains and hydrants up to and including the terminal hydrant and connection on each main existing for the 2001 test year.
- (b) For all extensions of fire protection service, there shall be an additional annual charge of One Thousand Dollars (\$1,000.00) per net hydrant added to the system in excess of two hundred eight (208) hydrants.
- (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 purposes of extinguishing fires within the municipal boundary. This service shall also include water used for testing equipment and training personnel. For all other purposes, the metered or other rates set forth, or as may be filed with the Public Service Commission, shall apply.
- (d) The annual public fire-protection charge shall never be less than the base amount.

### **Sec. 9-1-2 Additional Meter Rental Charge — Am-1.**

- (a) 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:

5/8-inch meter -	\$ 6.00 per billing period
3/4-inch meter -	\$ 6.00 per billing period
1-inch meter -	\$ 15.00 per billing period
1-1/4-inch meter -	\$ 25.00 per billing period
1-1/2-inch meter -	\$ 35.00 per billing period
2-inch meter -	\$ 48.00 per billing period

- (b) Initial Meter Installation Charge - \$ 25.00

**Sec. 9-1-3 General Service — Metered — Mg-1.****(a) Quarterly Service Charge:**

5/8-inch meter -	\$ 12.75
3/4-inch meter -	\$ 12.75
1-inch meter -	\$ 26.70
1-1/4-inch meter -	\$ 40.00
1-1/2-inch meter -	\$ 54.00
2-inch meter -	\$ 78.00
3-inch meter -	\$ 156.00
4-inch meter -	\$ 216.00
6-inch meter -	\$ 252.00
8-inch meter -	\$ 330.00
10-inch meter -	\$ 417.00
12-inch meter -	\$ 507.00

**(b) Plus Volume Charge:**

First	3,000	cubic feet used each quarter -	\$ 1.16	per 100 cubic feet
Next	15,000	cubic feet used each quarter -	\$ .85	per 100 cubic feet
Next	42,000	cubic feet used each quarter -	\$ .72	per 100 cubic feet
Over	60,000	cubic feet used each quarter -	\$ .64	per 100 cubic feet

**(c) Billing.** Bills for water service are rendered quarterly and become due and payable upon issuance following the period for which service is rendered. A late payment charge of three percent (3%) will be added to bills not paid within twenty (20) days of issuance. This one-time three percent (3%) 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 eight (8) days, service may be disconnected pursuant to Chapter PSC 185, Wis. Adm. Code.

**(d) Combined Metering.**

(1) Volumetric meter readings will be combined for billing if the utility *for its own convenience* places more than one (1) 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 (1) place.

#### **Sec. 9-1-4 General Water Service — Suburban — Mg-2.**

Customers served outside the corporate limits of the City of Amery shall be billed at the regular rates for service (Schedule Mg-1), plus a surcharge of twenty-five percent (25%).

#### **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 Superintendent 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 Seventy-Two Cents (\$.72) per one hundred (100) cubic feet.

#### **Sec. 9-1-6 Reconnection Charges — R-1.**

	<b>During Normal Business Hours</b>	<b>After Normal Business Hours</b>
Reinstallation of meter, including valving at curb stop	\$ 22.00	\$ 27.00
Valve turned on at curb stop	\$ 17.00	\$ 22.00

**NOTE:** No charge for disconnection.

#### **Sec. 9-1-7 Private Fire-Protection Service — Unmetered — Upf-1.**

- (a) **Service.** 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) **Quarterly Demand Charges for Private Fire-Protection Service.**

Size of Connection	Charge
2-inch	\$ 16.00
3-inch	\$ 30.00
4-inch	\$ 50.00
6-inch	\$ 100.00
8-inch	\$ 161.00
10-inch	\$ 241.00
12-inch	\$ 352.00

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

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

- (a) 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 use in any billing period shall be billed at the applicable volume schedule in Mg-1 and the charge added to the annual seasonal service charge.
- (b) 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 General Water Service — Unmetered — Ug-1.**

- (a) **Service.** 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 Thirty-one and 31/100 Dollars (\$31.31) per billing period. This rate shall be applied to only single-family residential and small commercial customers and approximates the cost of one thousand six hundred (1,600) cubic feet of water per billing period under Schedule Mg-1. If it is determined by the utility that usage is in excess of one thousand six hundred (1,600) cubic feet of water 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. 9-1-10 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 and for the sewer lateral installation costs from the main to the property line.
- (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 and the sewer installation costs from the main to the property line shall be included in the assessment of the appropriate properties.
- (c) The initial water and sewer service laterals, 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 (property line for sewer laterals) by the utility, for which there will be the actual cost charged.

**Sec. 9-1-11 Building and Construction Water Service — Mz-1.**

- (a) For single-family and small commercial buildings apply the unmetered rate (Ug-1) for the size of meter to be installed.
- (b) For large commercial, industrial or multiple apartment buildings a temporary metered installation shall be made and general, metered rates (Mg-1) applied.

**Sec. 9-1-12 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 One and 16/100 Dollars (\$1.16) per one hundred (100) cubic feet of water. A service charge, in addition to the volumetric charge, will be Twenty-five Dollars (\$25.00).
- (d) A deposit for the meter and/or valve will be required. The deposit collected shall be Twenty-five Dollars (\$25.00) 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. 9-1-13 through Sec. 9-1-19      Reserved for Future Use.**

## Article B: Water Utility Operating Rules

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### **Sec. 9-1-20 Compliance with Rules.**

All persons now receiving a water supply from the City of Amery 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, fire protection, 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 right-of-way 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. Duplexes may be served by one lateral, provided:
  - (1) Individual metered service and disconnection is provided; and
  - (2) It is permitted by local ordinance.
- (e) 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.

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- (f) The water utility may withhold approval of any application where 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/her 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. (See Schedule R-1 for applicable rate.)
- (c) If reconnection is requested for the same location by any member of the same household, or if a place of business, by any partner or employee of the same business, it shall be considered as the same customer.

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

An applicant for temporary water service 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 Bw-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 lateral 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 has obtained permission from the water utility.

- (c) Consumers shall not allow contractors, masons or other persons to take unmetered water from their premises without permission from the water utility. Any consumer failing to comply with this provision will have water service discontinued and will be responsible for the cost of the estimated volume of water used.

### **Sec. 9-1-25 Use of Hydrants.**

- (a) In cases where no other supply is available, permission may be granted by the water 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 installed or moved except by an employee of the water 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 BW-1 for deposits and charges. Upon completing use of the hydrant, the customer must notify the utility to that effect.

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

Any person who shall, without authority of the water 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 money 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 Laterals.**

- (a) No water service lateral 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 laterals 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 lateral 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 lateral 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 service laterals 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 Replacement and Repair of Service Laterals.**

- (a) The service lateral 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 water utility. The property owner shall maintain the service lateral from the curb stop to the point of use.
- (b) If an owner fails to repair a leaking or broken service lateral from the curb to the point of metering or use within such time as may appear reasonable to the water utility after notification has been served on the owner by the water utility, the water will be shot off and will not be turned on again until the repairs have been completed.

### **Sec. 9-1-30 Service Piping for Meter Settings.**

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/her expense shall provide a suitable location and the proper connections for the meter. The meter setting and associated plumbing shall comply with the water utility's standard. The water utility should be consulted as to the type and size of meter setting.

### **Sec. 9-1-31 Turning on Water.**

The water cannot be turned on for a consumer except by an authorized employee of the utility. Plumbers may turn the water on to test their work, but upon completion must leave the water turned off.

**Sec. 9-1-32 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 where approval is obtained from the customer shall more than three (3) consecutive estimated bills be rendered where bills 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. 9-1-33 Complaint Meter Tests.**

See Wis. Adm. Code, Chapter PSC 185.77.

**Sec. 9-1-34 Thawing Frozen Services.**

See Wis. Adm. Code, Chapter PSC 185.

**Sec. 9-1-35 Curb Stop Boxes.**

The customer 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 owner's premises.

**Sec. 9-1-36 Installation of Meters.**

Meters will be furnished and placed by the water utility or a water utility-approved contractor 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 water utility. All

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pipng within the building must be supplied by the owner. Where additional meters are desired by the owner, he/she shall pay for all piping.

**Sec. 9-1-37 Repairs to Meters.**

- (a) Meters will be repaired by the water utility and the cost of such repairs caused by ordinary wear and tear will be borne by the water utility.
- (b) Repair of any damage to a meter resulting from the carelessness of the owner of the premises, his/her 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 customer or the owner of the premises.

**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 water 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. See Sec. 196.171, Wis. Stats.

**Sec. 9-1-40 Deposits for Residential Service.**

See Wis. Adm. Code, Ch. PSC 185.36.

**Sec. 9-1-41 Deposits for Nonresidential Service.**

See Wis. Adm. Code, Ch. PSC 185.361

**Sec. 9-1-42 Deferred Payment Agreement.**

See Wis. Adm. Code, Ch. PSC 185.38.

**Sec. 9-1-43 Dispute Procedures.**

See Wis. Admin. Code, Ch. 185.39.

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

- (a) **Disconnection and Refusal of Service.** See Wis. Adm. Code, Chapter PSC 185.  
(b) **Form.** 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 10 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 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 (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 ten (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 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 with us.
3. There are any circumstances you think should be taken into consideration before service is discontinued.
4. 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, 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. 66.0809, Wis. Stats.

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

- (a) When the utility has reasonable evidence that a person is obtaining water, in whole or in part, by means of devices or methods used to stop or interfere with the proper metering of the water utility service being delivered, the water utility reserves the right to estimate and present immediately a bill for unmetered service as a result of such interference and such bill shall be payable subject to a twenty-four (24) hours disconnection of service. If the water utility shall have disconnected the consumer for any such reason, the utility will reconnect the consumer upon the following conditions:
  - (1) The customer 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 customer 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 customer must further agree to comply with reasonable requirements to protect the water utility against further losses.
- (b) Sections 98.26 and 943.20, Wis. Stats., 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 water utility shall be notified in writing at once, so that it may remove the meter and shut off the supply at the curb stop. The owner of the premises shall be liable to prosecution for any damage to the water utility's property.

### **Sec. 9-1-48 Repairs to Mains.**

The water 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, the water utility will give notification, by newspaper publication or otherwise, of the discontinuance of the water supply. No credit will be allowed to consumers for such temporary suspension of the water supply. See PSC 185.88, Wis. Adm. Code.

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

It shall be the duty of the water utility to see that all open ditches for water mains, hydrants, and service laterals are properly guarded to prevent accident to any person or vehicle and at night there shall be displayed amber signal lighting to insure the safety of the public.

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

Contractors must ascertain for themselves the existence and location of all water mains and service laterals. Where removed, cut or damaged during trench construction, contractors must, at their own expense, cause them to be replaced or repaired at once. Contractors must not shut off the water service laterals to any customer 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. No stop valve shall be placed between the hot water tank and the relief valve or on the drain pipe. (See applicable City 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 City 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 on the pressure differential between the two systems.
- (b) **Cross Connections Prohibited.** No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the City 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 Utility and by the Wisconsin Department of Natural Resources in accordance with Section NR 111.25(3), Wis. Adm. Code.
- (c) **Inspections.** It shall be the duty of the water utility to cause inspections to be made of all properties served by the public water system where cross connections with the public

water system is deemed possible. The frequency of inspections and re-inspections based on potential health hazards involved shall be as established by the water utility and as approved by the Wisconsin Department of Natural Resources.

- (d) **Right to Inspect.** Upon presentation of credentials, the representative of the water utility shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the City for cross connections. If entry is refused, such representative shall obtain a special inspection warrant under Sec. 66.0119, Wis. Stats. On request the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.
- (e) **Discontinuation of Service.** The water 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 danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wis. Stats., except as provided in Subsection (f). Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this Section.
- (f) **Immediate Discontinuation.** If it is determined by the water utility that a cross connection or an emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is filed with the City Clerk-Treasurer and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Chapter 68, Wis. Stats., within ten (10) days of such emergency discontinuance.
- (g) **State Code Adopted.** The City adopts by reference the State Plumbing Code of Wisconsin being Chapter H 82, Wis. Adm. Code.
- (h) **Section Not to Supercede Other Ordinances.** This Section does not supercede the State Plumbing Code and any City plumbing ordinances but it supplementary to them.

### **Sec. 9-1-53 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 City against the abutting property, the procedure set forth under Sec. 66.0703, 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 will 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 have been assessed under Subsection (a).

### **Sec. 9-1-54 Water Main Installations in Platted Subdivisions.**

- (a) Application for installation of water mains in regularly platted real estate development subdivisions shall be filed with the City Administrator.
- (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 municipal governing body for approval of the extension as it pertains to public fire-protection service requirements.
- (c) 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 total cost of construction.
- (d) If the Utility or its contractor is to install the water mains, the developer 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 costs 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 than estimated, a refund of the overpayment will be made by the water utility.

### **Sec. 9-1-55 Private Well Abandonment.**

- (a) **Purpose.** The purpose of this Section is to prevent contamination of groundwater and to protect public health, safety and welfare by assuring that unused, unsafe or noncomplying wells, or wells which may serve as conduits for contamination, or wells which may be illegally cross-connected to the municipal water system, are properly abandoned.
- (b) **Applicability.** This Section applies to all wells located on premises served by the City of Amery municipal water system.

(c) **Definitions.**

- (1) **Municipal Water System.** A system for the provision to the public of piped water for human consumption when such system has at least fifteen (15) service connections or regularly serves at least twenty-five (25) year-round residents owned or operated by a city, village, county, town, town sanitary district, utility district or public institution as defined in Sec. 49.10(12)(f)1, Wis. Stats., or a privately owned water utility serving any of the above.
- (2) **Noncomplying.** A well or pump installation which does not comply with the provisions of Ch. NR 812, Wis. Adm. Code, in effect at the time the well was constructed, a contamination source which was installed, the pump was installed, or work was done on either the well or pump installation.
- (3) **Pump Installation.** 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.
- (4) **Unsafe.** A well or pump installation which produces water which is bacteriologically contaminated or contaminated with substances in exceedance of the standards of Chs. NR 109 or 140, Wis. Adm. Code, or for which a Health Advisory has been issued by the Department of Natural Resources.
- (5) **Unused.** A well or pump installation which is not in use or does not have a functional pumping system.
- (6) **Well.** 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.
- (7) **Well Abandonment.** The filling and sealing of a well according to the provisions of Ch. NR 812, Wis. Adm. Code.

(d) **Abandonment Required.** All wells located on premises served by the municipal water system shall be abandoned in accordance with the terms of this Section and Ch. NR 812, Wis. Adm. Code, by no later than one (1) year from the date of connection to the municipal water system, whichever occurs last, unless a well operation permit has been obtained by the well owner from the Common Council.

(e) **Well Operation Permit.** The Common Council may grant a permit to a private well owner to operate a well for a period not to exceed five (5) years providing the conditions of this Section are met. An owner may request renewal of a well operation permit by submitting information verifying that the conditions of this Section are met. The Common Council or its agent may conduct inspections or have water quality tests conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the City Administrator. The following conditions must be met for issuance or renewal of a well operation permit:

- (1) The well and pump installation meet or are upgraded to meet the requirements of Ch. NR 812, Wis. Adm. Code.

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

(f) **Abandonment Procedures.**

- (1) All wells abandoned under the jurisdiction of this Section or rule shall be abandoned according to the procedures and method of Ch. NR 812, Wis. Adm. Code. All debris, pump, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.
- (2) The owner of the well, or the owner's agent, shall notify the City of Amery Water Utility at least forty-eight (48) hours prior to commencement of any well abandonment activities. The abandonment of the well shall be observed by a representative of the City of Amery Water Utility.
- (3) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the City of Amery Water Utility and the Department of Natural Resources within ten (10) days of the completion of the well abandonment.

- (g) **Penalties.** Any well owner violating any provision of this Section shall, upon conviction, be punished by forfeiture pursuant to Section 1-1-7 and the cost of prosecution. Each day of violation is a separate offense. If any person fails to comply with this Section for more than ten (10) days after receiving written notice of the violation, the municipality may impose a penalty and cause the well abandonment to be performed and the expense to be assessed as a special tax against the property.

## Title 9 ▶ Chapter 2

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# Sewer Utility Regulations and Rates

<b>9-2-1</b>	Sewer Utility Regulations
<b>9-2-2</b>	Commercial and Industrial Sewer Service—Metered—Smg-1
<b>9-2-3</b>	General Sewer Service—Unmetered—Sum-1
<b>9-2-4</b>	Sewer Main Installations in Platted Subdivisions—Sx-3

### **Sec. 9-2-1 Sewer Utility Regulations.**

Regulations for service from the City sewer utilities shall be as prescribed in the Public Service Commissions current rate order, on file with the City Administrator.

### **Sec. 9-2-2 Commercial and Industrial Sewer Service—Metered—Smg-1.**

(a) **Rates.** When the sewage from any contributor does not exceed the strength limitations of 300 mg/l for B.O.D. and 300 mg/l for suspended solids, the sewer bill shall be calculated under Schedule Smg-1. Where the waste of any contributor exceeds the above strength, a periodic sampling shall be taken and the sewage analyzed to determine the strength of said waste, which will be billed at the following rates:

- (1) Quarter Service Charge: Same as Schedule Smg-1.
- (2) Plus Volume Charge: Charges shall be comprised as follows:

Volume – \$3.26 per 100 cubic feet.

Bio-Chemical Oxygen Demand (B.O.D.) – 50.6¢ per lb. in excess of 300 mg/l.

Suspended Solids (S.S.) – 57.1¢ per lb. in excess of 300 mg/l.

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

**Sec. 9-2-3 General Sewer Service—Unmetered—Sum-1.**

Service shall be billed at the rate of \$89.16. This rate shall be applied only to single-family residential and small commercial customers and approximates the cost for 1,600 cubic feet per quarter discharged to the sewer system. If it is determined by the utility that the user discharges more than 1,600 cubic feet per quarter to the system, an additional charge of \$3.26 per 1,000 gallons will be made for estimated additional usage.

**Sec. 9-2-4 Sewer Main Installations in Platted Subdivisions—  
Sx-3.**

- (a) Application for installation of sewer mains in regularly platted real estate development subdivisions shall be filed with the City Administrator.
- (b) Upon receipt of the application, the sewer utility will prepare detailed estimates of the cost of extending sewer mains of the size deemed necessary in the subdivision and submit same to the municipal governing body for approval.
- (c) If the developer, or a contractor employed by the developer, is to install the sewer mains (with approval of the Utility), the developer shall be responsible for the total cost of construction.
- (d) If the Utility or its contractor is to install the sewer mains, the developer 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 costs 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 than estimated, a refund of the overpayment will be made by the Sewer Utility.