

## TITLE 9

### Public Utilities

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### CHAPTER 1

#### Water Utility Regulations and Rates

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## ARTICLE A

### Rates

#### **SEC. 9-1-1 PUBLIC FIRE PROTECTION SERVICE--F-1.**

- (a) For public fire protection service to the City of Park Falls, the annual charge shall be Fifty-eight Thousand Six Hundred Sixty-one Dollars (\$58,661.00) to cover the use of mains and hydrants up to and including the terminal hydrant and connection on each main existing for the 1989 test year.
- (b) For all extensions of fire protection service, a charge of Fifty-three Cents (53¢) per lineal foot of main shall be charged per annum on the basis of the length of main put into use between hydrants placed, plus a charge of Seventy-one Dollars (\$71.00) net per hydrant added to the system after the base period.
- (c) This service shall include the use of hydrants for fire protection service only and such quantities of water as may be demanded for the purposes of extinguishing fires within the municipal boundary only. 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 above base annual charge of Fifty-eight Thousand Six Hundred Sixty-one Dollars (\$58,661.00) includes an estimated one hundred twenty-five thousand thirty-one (\$125,031) feet of distribution main, four (4) inch and larger, and one hundred thirty-eight (138) hydrants.

#### **SEC. 9-1-2 PUBLIC FIRE PROTECTION SERVICE--SUBURBAN--F-2.**

- (a) Water used for extinguishing fires outside the immediate service area of the utility may consist of three (3) types of service:
  - (1) Water supplied to tank trucks from utility hydrants;
  - (2) Water supplied directly from hydrants located within the corporate limits, or on its borders, by means of hose lines; or,
  - (3) Water supplied to tank trucks from any other utility water source.
- (b) A record of the measured or estimated volume of water used shall be submitted to the water utility after each use for fire protection outside the utility's immediate service area. If measuring or estimating is impossible, the water utility superintendent shall be furnished such data as size of orifice used, pressure and time water was permitted to flow, in order to determine volume used.
- (c) A charge for the volume of water used, for each fire either through a tank supply or from hydrants, will be billed to the township or fire department using water at Thirty Cents (30¢) per one thousand (1,000) gallons. A service charge, in addition to the water charge, shall be Ten Dollars (\$10.00) per hydrant used.

#### **SEC. 9-1-3 PRIVATE FIRE PROTECTION SERVICE--UNMETERED--UPF-1.**

No change in the quarterly demand charge for private fire protection service.

Note: Credits for metered general service branches from private fire protection connections shall be thirty percent (30%) of the authorized general service charges per Schedule Mg-1.

**SEC. 9-1-4 GENERAL SERVICE--METERED--MG-1.**

(a) **Service Charge:** Quarterly

5/8-inch meter -	\$ 6.00
3/4-inch meter -	\$ 6.00
1-inch meter -	\$ 10.00
1-1/2-inch meter -	\$ 16.00
2-inch meter -	\$ 24.00
3-inch meter -	\$ 37.00
4-inch meter-	\$ 55.00
6-inch meter -	\$ 95.00

(b) **Volume Change:**

First 40,000	gallons used each quarter - \$ .80 per 1,000 gallons.
Next 660,000	gallons used each quarter - \$ .65 per 1,000 gallons.
Over 700,000	gallons used each quarter - \$ .50 per 1,000 gallons.

(c) **Billing.** Bills for water service are rendered quarterly and become due and payable on the first of the month following the period for which service is rendered. A late payment charge of one and one-half percent (1-1/2%) but not less than thirty cents (30¢) will be added to bills not paid within twenty (20) days of issuance. This late payment charge will be applied to the total unpaid balance for utility service, including unpaid late payment charges. This late payment charge is applicable to all customers. The utility customer may be given a written notice that the bill is overdue no sooner than twenty (20) days after the bill is issued and unless payment or satisfactory arrangement for payment is made within the next eight (8) days, service may be disconnected pursuant to Chapter PSC 185, Wis. Adm. Code. A Five Dollar (\$5.00) charge will be made for processing checks that have been returned for insufficient funds.

(d) **Combined Metering.** When a consumer's premises has several buildings, each supplied with service and metered separately, the full service charge will be billed for each meter separately and the readings will not be cumulated. If these buildings are all used in the same business and are connected by the consumer, they can be metered on one place. If the utility, for its own convenience, installs more than one meter, the readings will be cumulated for billing.

**SEC. 9-1-5 GENERAL SERVICE--SUBURBAN--MG-2.**

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

**SEC. 9-1-6 TEMPORARY METERED SUPPLY, METER AND DEPOSITS--D-1.**

- (a) Service charge for setting the valve and furnishing and setting the meter -- Ten Dollars (\$10.00).
- (b) Deposit for valve and meter -- Ten Dollars (\$10.00).
- (c) Water usage shall be billed at present rates.
- (d) Refunds of deposits will be made upon return of the utility equipment. Damaged or lost equipment will be repaired or replaced at customer expense.

**SEC. 9-1-7 GENERAL WATER SERVICE--UNMETERED--UG-1.**

- (a) **Rate.** Where the utility cannot immediately install its water meter, service may be supplied temporarily on an unmetered basis. Such service shall be billed at the rate of Sixteen and 40/100 Dollars (\$16.40) each quarter. This rate shall be applied only to single-family residential and small commercial customers and approximates the cost of thirteen thousand (13,000) gallons of water per quarter under Mg-1. If it is determined by the utility that usage is in excess of thirteen thousand (13,000) gallons per quarter, an additional charge per Mg-1 will be made for the estimated additional usage.
- (b) **Billing.** Same as Schedule Mg-1.

**SEC. 9-1-8 PUBLIC SERVICE--MPA-1.**

- (a) Water service supplied to municipal buildings, schools, 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 Sixty-five Cents (65¢) per thousand (1,000) gallons.

**SEC. 9-1-9 RECONNECTION CHARGES--R-1.**

	<u>During Normal Business Hours</u>	<u>After Normal Business Hours</u>
Reinstallation of meter, including valving at curb stop	\$15.00	\$30.00
Valve turned on at curb stop	\$10.00	\$25.00

**SEC. 9-1-10 WATER LATERAL INSTALLATION CHARGE--CZ1.**

- (a) The initial water service lateral will be installed from the main through the curb stop and box by the utility, for which there will be made a charge as follows:

3/4-inch or 1-inch copper water service	\$ 425.00
Larger sized services	Actual cost

- (b) The above charge and additional cost will be subject to the following conditions.
- (1) The above amount is to be charged for the installation of a water service lateral in an unimproved street.
  - (2) The charge for installation of a water service lateral in an improved street will be the above fee plus the average cost to open and close permanent paving.
  - (3) If water and sewer laterals are laid in the same trench, the installation cost will be divided between both services proportionally.

**SEC. 9-1-11 HYDRANT CHARGES--H-1.**

- (a) In cases where no other supply is available, hydrants may be used. The following charges shall apply.
- (1) Service charge for setting or moving sprinkler valve -- Ten Dollars (\$10.00).
  - (2) Hydrant wrench deposit -- Ten Dollars (\$10.00).
  - (3) Reducer (if necessary) deposit -- Ten Dollars (\$10.00).
- (b) In addition, the projected water usage shall be paid for in advance at the scheduled rates. The minimum charge for water usage shall be Ten Dollars (\$10.00).
- (c) Refunds of deposits will be made upon return of the utility equipment. Damaged or lost equipment will be repaired or replaced at customer expense.

**SEC. 9-1-12 BULK WATER--B-1.**

All bulk water supplied to fill tank trucks or swimming pools from the water system through hydrants or other connections shall be metered. Utility personnel shall supervise the delivery of the water.

Service charge - \$10.00  
 Plus volume charge - \$ .80 per 1,000 gallons

**SEC. 9-1-13 BUILDING AND CONSTRUCTION WATER SERVICE--MZ1.**

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

**SEC. 9-1-14 SEASONAL, EMERGENCY, OR TEMPORARY SERVICE--MGT-1.**

Seasonal customers shall be served at the general service rate (Mg-1), except that each customer served under this rate shall pay an annual seasonal service charge equal to four (4) times the applicable quarterly service charge. Water use in any quarter shall be billed at the applicable volume schedule in Mg-1 and the charge added to the annual seasonal service charge.

**SEC. 9-1-15 THROUGH SEC. 9-1-19 RESERVED FOR FUTURE USE.**

## ARTICLE B

### Rules and Regulations

#### SEC. 9-1-20 COMPLIANCE WITH RULES.

All persons now receiving a water supply from the City of Park Falls water utility, or who may hereafter make application therefore, 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 curb line to the point of use, and laid not less than six (6) feet below the surface of an established or proposed grade, and according to utility's specification, and
  - (3) Premises have adequate piping beyond metering point.
- (c) The owner of a multi-unit dwelling has the option of being served by individual metered water service to each unit. The owner, by selecting this option, is required to provide interior plumbing and meter settings to enable individual metered service to each unit and individual disconnection without affecting service to the other units. Each meter and meter connection will be a separate water utility customer for the purpose of the filed rules and regulations.
- (d) No division of the water service of any lot or parcel of land shall be made for the extension and independent meterage of the supply to an adjoining lot or parcel of land. No division of a water supply service shall be made at the curb for separate supplies therefrom for two (2) or more separate premises having frontage on any street or public service strip whether owned by the same or different parties.
- (e) The Utility is hereby empowered to withhold approval of any application wherein full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner.

#### SEC. 9-1-22 SERVICE CONTRACT.

- (a) The minimum service contract period shall be one (1) year unless otherwise specified by special contract or in the applicable rate schedule. Where the Utility service has been disconnected at the customer's request prior to expiration of his minimum contract period, a reconnection charge shall be made, payable in advance, when the customer requests reconnection of service. (See schedule R-1 for applicable rate.) The minimum contract period is renewed with each reconnection.
- (b) A reconnection charge shall also be required from consumers whose services are disconnected (shut off at curb stop) because of non-payment of bills when due (not including



disconnection for failure to comply with deposit or guarantee rules). (See Schedule R-1 for applicable rate.)

- (c) A consumer shall be considered as the same consumer provided the reconnection is requested for the same location by any member of the same family, or if a place of business, by any partner or employee of the same business.

#### **SEC. 9-1-23 TEMPORARY METERED SUPPLY, METER AND DEPOSITS.**

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

#### **SEC. 9-1-24 WATER FOR CONSTRUCTION.**

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

#### **SEC. 9-1-25 USE OF HYDRANTS.**

- (a) In cases where no other supply is available, permission may be granted by the Utility to use a hydrant. No hydrant shall be used until it is equipped with a sprinkling valve. In no case shall any valve be moved except by a member of the Utility.
- (b) Before a valve is set, payment must be made for its setting and for the water to be used at the scheduled rates. Where applicable, see Schedule H-1 for deposits and charges. Upon completing use of the hydrant, the customer must notify the Utility to that effect.
- (c) In the use of a hydrant supply, the hydrant valve will be set at the proper opening by the Utility when the sprinkling valve is set, and the flow of water must be regulated by means of the sprinkling valve. If the water is to be used through iron pipe connections, all such pipe installations shall have the swing joint to facilitate quick disconnection from the fire hydrant.

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#### **SEC. 9-1-26 OPERATION OF VALVES AND HYDRANTS; UNAUTHORIZED USE OF WATER; PENALTY.**

Any person who shall, without authority of the Utility, allow contractors, masons, or other

unauthorized persons to take water from their premises, operate any valve connected with the street or supply mains, or open any fire hydrant connected with the distribution system, except for the purpose of extinguishing fire, or who shall wantonly damage or impair the same shall be subject to a fine as provided by municipal ordinances. Permits for the use of hydrants apply only to such hydrants as are designated for the specific use.

#### **SEC. 9-1-27 REFUNDS OF MONETARY DEPOSITS.**

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

#### **SEC. 9-1-28 SERVICE CONNECTIONS (OR WATER LATERALS).**

- (a) No water service shall be laid through any trench having cinders, rubbish, rock or gravel fill, or any other material which may cause injury to or disintegration of the service pipe, unless adequate means of protection are provided by sand filling or such other insulation as may be approved by the Utility. Service pipes passing through curb or retaining walls shall be adequately safeguarded by provision of a channel space or pipe casing, not less than twice the diameter of the service connection. The space between the service pipe and channel or pipe casing shall be filled and lightly caulked with an oakum, mastic cement or other resilient material, and made impervious to moisture.
- (b) In backfilling the pipe trench, the service pipe must be protected against injury by carefully hand tamping the ground filling, free from hard lumps, rocks, stones, or other injurious material, around and at least six (6) inches over the pipe.
- (c) All water supplies shall be of undiminished size from the street main in to the point of meter placement. Beyond the meter outlet valve the piping shall be sized and proportioned to provide, on all floors, at all times, an equitable distribution of water supply for the greatest probable number of fixtures or appliances operating simultaneously.

#### **SEC. 9-1-29 SERVICE PIPING FOR METER SETTINGS.**

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

### **SEC. 9-1-30 TURNING ON WATER.**

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

### **SEC. 9-1-31 FAILURE TO READ METERS.**

- (a) Where the utility is unable to read a meter after two (2) successive attempts, the fact will be plainly indicated on the bill, and either an estimated bill will be computed, or the minimum charge applied. The difference shall be adjusted when the meter is again read, that is, the bill for the succeeding quarter will be computed with the gallons or cubic feet in each block of the rate schedule doubled and credit will be given on that bill for the amount of the minimum bill paid the preceding month. Only in unusual cases or where approval is obtained from the customer shall more than two (2) consecutive estimated bills be rendered.
- (b) If the meter is damaged (see Surreptitious Use of Water) or fails to operate, the bill will be based on the average use during the past year unless there is some reason why the use is not normal. If the average use cannot be properly employed, the bill will be estimated by some equitable method.

### **SEC. 9-1-32 COMPLAINT METER TESTS.**

See Wis. Adm. Code, Chapter PSC 185.77.

### **SEC. 9-1-33 THAWING FROZEN SERVICES**

See Wis. Adm. Code, Chapter PSC 185.89.

### **SEC. 9-1-34 STOP BOXES.**

The consumer shall protect the 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 stop box and shut off the water in case of a leak on the consumer's premises.

### **SEC. 9-1-35 INSTALLATION OF METERS.**

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

### **SEC. 9-1-36 REPAIRS TO METERS.**

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

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

#### **SEC. 9-1-37 REPLACEMENT AND REPAIR OF SERVICE PIPE.**

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

#### **SEC. 9-1-38 CHARGES FOR WATER WASTED DUE TO LEAKS.**

See Wis. Adm. Code, Chapter PSC 185.35(6).

#### **SEC. 9-1-39 INSPECTION OF PREMISES.**

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

#### **SEC. 9-1-40 CUSTOMER'S DEPOSITS.**

See Wis. Adm. Code, Chapter PSC 185.

#### **SEC. 9-1-41 DISCONNECTION AND REFUSAL OF SERVICE.**

- (a) **Reasons for Disconnection.** Service may be disconnected or refused for any of the following reasons:
  - (1) Failure to pay a delinquent account or failure to comply with the terms of a Deferred Payment Agreement
  - (2) Violation of the utility's rules and regulations pertaining to the use of service in a manner which interferes with the service of others or to the operation of nonstandard equipment, ~~if the customer has first been notified and provided with reasonable opportunity to remedy the situation.~~
  - (3) Failure to comply with deposit or guarantee arrangements as provided for in these rules and regulations.
  - (4) Diversion of service around the meter.

**(b) Disconnection for Delinquent Accounts.**

- (1) A bill for service is delinquent if unpaid after the due date shown on the bill. The utility may disconnect service for a delinquent bill by giving the customer at least eight (8) calendar days prior to disconnection, a written disconnect notice which may be included with the bill for service. For purposes of this rule, the due date shall not be less than twenty (20) days after issuance.
- (2) The utility may disconnect without notice where a dangerous condition exists for as long as the condition exists. Service may be denied to any customer for failure to comply with the applicable requirements of the rules and regulations of the Public Service commission or of these rules and regulations, or if a dangerous or unsafe condition exists on the customer's premises.
- (3) The utility shall notify the County Department of Health and Social Services at least five (5) calendar days prior to any scheduled disconnection of residential service if the customer or responsible person has made a written request for this procedure. The utility shall apprise customers of this right upon application for service. If service to a residential customer which has been disconnected has not been restored within twenty-four (24) hours after disconnection, the utility shall notify the appropriate county Sheriff's Department of the billing name and service address and that a threat to health and life might exist to persons occupying the premises.

**(c) Deferred Payment Agreement.**

- (1) The utility shall offer Deferred Payment Agreements to residential customers. The Deferred Payment Agreement shall provide that service will not be discontinued for the outstanding bill if the customer pays a stated reasonable amount of the outstanding bill and agrees to pay a stated reasonable portion of the remaining outstanding balance in installments until the bill is paid. In determining what amounts are "reasonable", the parties shall consider the:
  - i. size of the delinquent account.
  - ii. customer's ability to pay
  - iii. customer's payment history
  - iv. time that the debt has been outstanding
  - v. reasons why the debt has been outstanding
  - vi. any other relevant factors concerning the circumstances fo the customer.
- (2) In the Deferred Payment Agreement it shall state immediately preceding the space provided for the customer's signature and in boldface print at least two (2) sizes larger than any other used thereon, the following:

"If you are not satisfied with this agreement, do not sign. If you do sign this agreement you give up your right to dispute the amount due under the agreement except for the utility's failure or refusal to follow the terms of this agreement."
- (3) A Deferred Payment Agreement shall not include a finance charge.
- (4) If an applicant for service has not fulfilled the terms of a Deferred Payment Agreement, the utility shall have the right to disconnect service or refuse service in accordance with these rules and under such circumstances, it shall not be required to offer subsequent negotiation of a Deferred Payment Agreement prior to disconnection.
- ~~(5) Any payments made by the customer in compliance with a Deferred Payment Agreement, or otherwise, shall be first considered made in payment of the previous account balance with any remainder credited to the current bill.~~

(d) **Dispute Procedures.**

- (1) Whenever the customer advises the utility's designated office prior to the disconnection of service that all or part of any billing as rendered is in dispute, or that any matter related to the disconnection is in dispute, the company shall investigate the dispute promptly and completely, advise the customer of the results of the investigation, attempt to resolve the dispute, and provide the opportunity for the customer to enter in to a Deferred Payment Agreement when applicable in order to settle the dispute.
- (2) After the customer has pursued the available remedies with the utility, he may request that the Public Service Commission's staff informally review the disputed issue and recommend terms of settlement.
- (3) Any party to the dispute after informal review may make a written request for a formal review by the Commission. If the Commission decides to conduct a formal hearing on the dispute, the customer must pay fifty percent (50%) of the bill in dispute or post a bond for that amount on or before the hearing date. Failure to pay the amount or post the bond will constitute a waiver of the right to a hearing. Service shall not be disconnected because of any disputed matter while the disputed matter is being pursued under the disputes procedure. In no way does this relieve the customer from the obligation of paying charges which are not disputed.
- (4) The form of disconnection notice to be used is as follows:

**DISCONNECTION NOTICE**

Dear Customer:

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

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

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

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

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 8 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)

- (5) In the event the utility is not able to collect any bill for water service even though Deposit and Guarantee Rules are on file, the bill may be put upon the tax roll as provided in Sec. 66.069, Wisconsin Statutes.

**SEC. 9-1-42 SURREPTITIOUS USE OF WATER.**

(a) When the utility has reasonable evidence that a consumer is obtaining his supply of water, in whole or in part, by means of devices or methods used to stop or interfere with the proper metering of the utility service being delivered to his equipment, the utility reserves the right to estimate and present immediately a bill for service unmetered as a result of such interference and such bill shall be payable subject to a twenty-four (24) hours disconnection of service. When the utility shall have disconnected the consumer for any such reason, the utility will reconnect the consumer upon the following conditions:

- (1) The consumer will be required to deposit with the utility an amount sufficient to guarantee the payment of the consumer's bills for utility service to the utility.
- (2) The consumer will be required to pay the utility for any and all damages to its equipment on the consumer's bills for utility service to the utility.
- (3) The consumer must further agree to comply with reasonable requirements to protect the utility against further losses.
- (4) Sections 98.26 and 943.20, Wisconsin Statutes, as relating to water service, are hereby adopted and made a part of these rules.

**SEC. 9-1-43 VACATION OF PREMISES.**

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

#### **SEC. 9-1-44 REPAIRS TO MAINS.**

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

#### **SEC. 9-1-45 DUTY OF UTILITY WITH RESPECT TO SAFETY OF THE PUBLIC.**

It shall be the duty of the utility to see that all open ditches for water mains, hydrants, and service pipes are properly guarded to prevent accident to any person or vehicle and at night there shall be displayed amber signal light in such manner as will, so far as possible, insure the safety of the public.

#### **SEC. 9-1-46 HANDLING WATER MAINS AND SERVICE PIPES IN SEWER OR OTHER TRENCHES.**

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

#### **SEC. 9-1-47 COLLECTION OF OVERDUE BILLS.**

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

#### **SEC. 9-1-48 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 wither 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 preention 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 9-1-49 CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION

### General Policy.

(a) **Purpose** The purpose of this ordinance is:

- (1) To protect the health and welfare of users of the public potable water supply of the City of Park Falls' water utility from the possibility of contamination or pollution of the potable water system(s) under the direct authority of the City of Park Falls' water utility.
- (2) To promote for the control and/or elimination of existing cross connections (actual or potential) between the customer's potable water system(s) and other environment(s) containing substance(s) which may contaminate or pollute the water supply.
- (3) To provide for the maintenance of a continuing Comprehensive Program of Cross Connection Control which will systematically and effectively prevent the contamination or pollution of all potable water system(s) under the direct authority of the City Water Utility.

(b) **Definitions**

- (1) **Backflow:** The undesirable flow of water or mixtures of water and other liquids, solids, gases or other substances under positive or reduced pressure into the City of Park Falls Water System potable supply of water from any source.
- (2) **Backflow Prevention:** A means designed to prevent backflow caused by backpressure or backsiphonage; most commonly categorized as air gap, reduced pressure principle backflow assembly, double check valve assembly, pressure vacuum breaker assembly, backsiphonage backflow vacuum breaker (spill resistant pressure vacuum breaker) assembly, pipe applied atmospheric vacuum breaker, flush tank ballcock, laboratory faucet backflow preventer, backflow preventer for carbonated beverage machine, vacuum breaker wall hydrants, (freeze resistant automatic draining type), chemical dispensing machine, hose connection vacuum breaker, hose connection backflow preventer, backflow preventer with intermediate atmospheric vent and barometric loop.
- (3) **Backpressure:** An elevation of pressure in the downstream piping system (i.e. Pump, elevation of pumping, or steam and/or air pressure) above the utility supply pressure, which would cause or tend a reversal of the normal direction of flow.
- (4) **Backsiphonage:** The flow of water or other liquids, mixtures or substances into the utility's potable water system from any source caused by the sudden reduction of pressure in the utility's potable water supply system.
- (5) **Cross Connection:** Any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the utility, and the other containing water from a private source, water of unknown or questionable safety, or steam, gases or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the two systems.
- (6) **Cross Connection Control Manual:** Policies and procedures for cross connection control and backflow prevention for the City of Park Falls Water Utility.

(c) **Cross Connection Prohibited:** No person shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply, other than the public water supply of the utility, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply have been approved by the utility and the Wisconsin Department of Natural Resources.

(d) **Responsibility:** The City of Park Falls Water Utility shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to backflow of contaminants or pollutants. ~~The utility shall charge fees according to the utility's "Cross Connection Control Manual" for maintaining a Comprehensive Cross Connection Control Protection Plan.~~

(e) **Owner Responsibility:**

- (1) The property owner shall be responsible for the protection of the customer's potable water system. The responsibilities include the elimination of or protection from all cross connections on their premises. The owner shall, at their own expense, install, maintain and test any and all backflow preventers on their premises in compliance with the Department of Commerce Comm 82.21 requirements and the utility's "*Cross Connection Control Manual*". The property owner shall have corrected any malfunction revealed by periodic testing of any backflow preventer on their premises. The property owner shall inform the utility of any proposed or modified cross connections and also any existing cross connections that are not protected by an approved backflow prevention means.
- (2) The property owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type in the by-pass. Property owners who cannot shut down operation for testing of the backflow prevention assembly must supply additional assemblies necessary to allow testing and maintenance to take place. In the event the property owner installs potable water using fixtures, equipment or appurtenances upstream of a backflow preventer, such must have its own approved backflow prevention means.
- (3) The property owner is required to follow the protection practices described in the American Water Works Association publication AWWA M-14 titled "*Recommended Backflow Prevention and Cross Connection Control*", United States Environmental Protection Agency publication titled "*Cross Connection Control Manual*", Wisconsin Department of Commerce Plumbing Code, Comm 82-84 and the utility's "*Cross Connection Control Manual*", unless the utility requires or authorizes other means of protecting the potable water supply system. These requirements or authorizations will be at the discretion of the utility.

(f) **Inspections:** It shall be the duty of the utility to cause surveys to be made of all properties serviced by the utility where cross connections with the public water system is deemed possible. Residential properties serviced by the utility shall be surveyed on a 10-year interval. The utility may, but is not required to, perform the cross connection survey of the customer's property. If, in the opinion of the utility, the utility is not able to perform the survey, the property owner must, at their own expense, have the water system piping surveyed for cross connections by a person who has been properly trained in accordance with the American Society of Sanitary Engineers (ASSE) Standard number 5120 as a Cross Connection Control Surveyor. All non-residential properties serviced by the utility shall be surveyed on an interval not exceeding 2 years. The utility may, but is not required to, perform the cross connection control survey of the customer's property. If, in the opinion of the utility, the utility is not able to perform the survey, the property owner must, at their own expense, have the water piping system surveyed for cross connections by a person who has been properly trained in accordance with the American Society of Sanitary Engineers (ASSE) Standard number 5120 as a Cross Connection Control Surveyor. The frequency of required surveys and resurveys, based upon the potential health hazards, may be shortened by the utility.

(g) **Right of Entry:** Upon presentation of credentials, representatives of the utility shall have the right to request entry at any reasonable time to examine property served by a connection to the public potable water system of the utility for cross connections. If entry is refused, such representatives shall obtain a special inspection warrant under s.66.122, Wisconsin Statutes. The utility shall charge the property owner a fee of \$75.00 per day for refusal to allow entry to examine any property. Upon request, the owner, lessee or occupant of any property served shall furnish to the inspection agency any pertinent information regarding the piping system on such property.

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(h) **Authority to Discontinue Service:** The utility is hereby authorized and directed to discontinue water service to any property herein any connection in violation of this section exists and to take such other precautionary measures deemed necessary to eliminate any damage of contamination of the potable water system. Water service shall be discontinued

if the means of backflow prevention required by the utility is not installed, tested, maintained and/or repaired in compliance with this ordinance, the Department of Commerce Plumbing Code Comm 82-84 and the utility's "*Cross Connection Control Manual*", or if it is found that the means of backflow prevention required by this ordinance has been removed or bypassed. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in subsection (9) of this section.

- (i) **Reconnection of Service:** Water service to any property disconnected under provisions of this ordinance shall not be restored until the cross connection(s) has been eliminated or a backflow prevention means approved by the utility has been installed in compliance with the provisions of this section.
- (j) **Emergency Discontinuance of Service:** If it is determined by the utility that a cross connection or an emergency endangers public health safety or welfare and requires immediate action, service may be immediately discontinued. The owner, lessee or occupant shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes within 10 days of such emergency discontinuance. Such hearing shall be before the City of Park Falls Water Utility and shall conform to all existing due process requirements.
- (k) **Additional Protection:** In the case of premises having (a) cross connections that cannot be permanently corrected or controlled, or (b) intricate plumbing and piping arrangements or making it impractical or impossible to ascertain whether or not dangerous cross connections exist, the public water supply system shall be protected in the service line. In the case of any premises where there is any material dangerous to health that is handled in such a manner that, in the opinion of the utility, could create an actual or potential hazard to the public water supply system, an approved air gap separation or an approved reduced pressure principle backflow assembly shall protect the public water supply system. Examples of premises where these conditions will exist include premises with auxiliary water supplies either interconnected or not interconnected with the public water supply, premises where inspection is restricted, hospitals, mortuaries, clinics, laboratories, piers, docks, and other water front facilities, sewage treatment plants, sewage lift stations, food and beverage, processing plants, chemical plants using a water process, metal processing plants or nuclear reactors, car washing facilities and premises with reclaimed water systems. In the case of any presence of toxic substances, the utility may require an approved air gap or reduced pressure principle backflow assembly at the service connection to protect the public water supply system. This requirement will be at the discretion of the utility.
- (l) **Public Water Supplies:** This section does not supersede the Wisconsin Uniform Plumbing Code and/or the City of Park Falls Plumbing Ordinance, but is supplementary to it.
- (m) **Plumbing Code:** The City of Park Falls Water Utility adopts by reference the Wisconsin Uniform Plumbing Code being Chapter Comm 82-84, Wisconsin Administrative Code and as subsequently amended. This section does not supersede the Wisconsin Uniform Plumbing Code and/or the City of Park Falls Plumbing Ordinance, but is supplementary to it.

## CHAPTER 2

### Sewer Utility Rates and Regulations

- 9-2-1 Definitions
- 9-2-2 Management, Operation and Control
- 9-2-3 User Rules and Regulations
- 9-2-4 Use of the Public Sewers
- 9-2-5 Sewer Use Charge System
- 9-2-6 Control of Industrial Wastes
- 9-2-7 Payment of Charges
- 9-2-8 Audit
- 9-2-9 Violations and Penalties

#### SEC. 9-2-1 DEFINITIONS.

- (a) The following definitions shall be applicable in this Chapter:
- (1) Approving Authority shall mean the Common Council of the City of Park Falls, Price County, Wisconsin, or its duly authorized committee, agent or representative.
  - (2) Biochemical Oxygen Demand (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at twenty (20) degrees Centigrade, expressed as milligrams per liter (mg/l). Quantitative determination of BOD shall be made in accordance with procedures set forth in "Standard Methods."
  - (3) 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.
  - (4) Building Sewer shall mean the extension from the building drain to the public sewer or other place of disposal beginning outside the inner face of the building wall.
  - (5) Chlorine Requirement shall mean the amount of chlorine in milligrams per liter which must be added to sewage to produce a specified residual chlorine content in accordance with procedures set forth in "Standard Methods."
  - (6) Compatible Pollutants shall mean biochemical oxygen demand, suspended solids, phosphorus, pH or fecal coliform bacteria, plus additional pollutants identified in the WPDES Permit for the publicly owned treatment works receiving the pollutants if such works were designed to treat such additional pollutants to a substantial degree.
  - (7) Floatable Oil is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.

- (8) Garbage shall mean the residue from the preparation, cooking and dispensing of food and from the handling, storage and sale of food products and produce.
- (9) Ground Garbage shall mean the residue from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing to public sewers with no particle greater than one-half (1/2) inch in any dimension.
- (10) 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.
- (11) Industrial Waste shall mean the wastewater from industrial process, trade or business, as distinct from sanitary sewage, including cooling water and the discharge from sewage pretreatment facilities
- (12) Natural Outlet shall mean any outlet, including storm sewers and combined sewer overflows, into a water course, pond, ditch, lake or other body of surface water or groundwaters.
- (13) 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.
- (14) Person shall mean any and all persons, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, government agency or other entity.
- (15) pH shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of hydrogen ions in grams per liter of solution. Neutral water, for example, has a pH value of seven (7) and a hydrogen ion concentration of ten (10) exp minus seven (-7).
- (16) Public Sewer shall mean any sewer provided by or subject to the jurisdiction of the City of Park Falls. It shall also include sewers within or outside the corporate boundaries that serve one (1) or more persons and ultimately discharge into the City sanitary sewer system, even though those sewers may not have been constructed with Village funds.
- (17) Sanitary Sewage shall mean a combination of liquid and water-carried wastes discharged from toilets and/or sanitary plumbing facilities, together with such ground, surface and storm waters as may be present.
- (18) 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.
- (19) Sewage is the septic water of a community. The preferred term is "waste-water."
- (20) Sewer Service Charge is a service charge levied on users of the wastewater collection and treatment facilities for payment of use-related capital expenses as well as the operation and maintenance costs, including replacement of said facilities.
- (21) Shall is mandatory; may is permissible.

- (22) Shock 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 adversely affects the system and/or performance of the wastewater treatment works
- (23) Standard Methods shall mean the examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes" published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.
- (24) Storm Drain (sometimes termed "storm sewer") shall mean a drain or sewer for conveying water, groundwater, subsurface water or unpolluted water from any source.
- (25) Stormwater Runoff shall mean that portion of the rainfall that is drained into the sewers.
- (26) Suspended Solids shall mean solids that either float on the surface of, or are in suspension in, water, wastewater or other liquids and that are removable by laboratory filtering as prescribed in "Standard Methods for Examination of Water and Wastewater" and are referred to as nonfilterable residue.
- (27) Unpolluted Water is water of 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 benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.
- (28) 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 stormwater that may be present.
- (29) Wastewater Facilities shall mean the structures, equipment and processes required to collect, carry away and treat domestic and industrial wastes and dispose of the effluent.
- (30) Wastewater Treatment Works shall mean an arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with waste treatment.
- (31) Watercourse shall mean a natural or artificial channel for the passage of water, either continuously or intermittently.
- (32) Wisconsin Pollutant Discharge Elimination System (WPDES) Permit is a document issued by the Wisconsin State Department of Natural Resources which establishes effluent limitations and monitoring requirements for the municipal wastewater treatment facility.

#### **SEC. 9-2-2 MANAGEMENT, OPERATION AND CONTROL.**

- (a) **Management.** The management, operation and control of the sewer system for the City of Park Falls is vested in the Mayor of said City; all records, minutes, financial

records and all written proceedings thereof shall be kept by the Clerk-Treasurer of the City of Park Falls.

- (b) **Construction.** The sewer utility of the City shall have the authority to construct sewer lines for public use and shall have the authority to lay sewer pipes in and through the alleys, streets and public grounds of the City and generally to do all such work as may be found necessary or convenient in the management of the sewer system. The City of Park Falls shall have authority by themselves, their officers, agents and servants, to enter upon any land for the purpose of making examination or supervise in the performance of their duties under this Chapter, without liability therefor; and the Common Council shall have power to purchase and acquire for the City of Park Falls all real and personal property which may be necessary for construction of the sewer system or for any repair, remodeling or additions thereto.
- (c) **Maintenance of Services.**
  - (1) The utility shall maintain sewer service within the limits of the City from the street main to the property line and including all controls between the same, 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 an agent of the owner. All sewer services from the point of maintenance by the system 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) When any sewer service is to be relaid and there are two (2) or more buildings on such service; each building shall be disconnected from such service and a new sewer service shall be installed for each building.
- (d) **Condemnation of Real Estate.** Whenever any real estate or any easement therein, or use thereof, shall, in the judgment of the City of Park Falls, be necessary to the sewer system and whenever, for any cause, an agreement for the purchase thereof cannot be made with the owner thereof, the City of Park Falls shall proceed with all necessary steps to take such real estate easement or use by condemnation in accordance with the Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if federal funds are used.
- (e) **Title to Real Estate and Personalty.** All property, real, personal and mixed, acquired for the construction of the sewer system, and all plans, specifications, diagrams, papers, books and records connected with said sewer system, and all buildings, machinery and fixtures pertaining thereto shall be the property of the City of Park Falls.

### SEC. 9-2-3 USER RULES AND REGULATIONS.

- (a) **General.**
  - (1) The rules, regulations and sewer rates of the City of Park Falls hereinafter set forth shall be considered a part of the contract with every person, company or corporation who is connected to the sewer system of the City of Park Falls; and every such person, company or corporation by connecting with the sewer 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 said City of Park Falls may hereafter adopt, are violated, the service shall be shut

off from the building or place of such violation [even though two (2) or more parties are receiving service through the same connection] and shall not be reestablished, except by order of the City of Park Falls, and on payment of all arrears, the expenses and established charges of shutting off and putting on and such other terms as the City of Park Falls may determine, and a satisfactory understanding with the party that no further cause for complaint shall arise. In case of such violation, the City of Park Falls, furthermore, may declare any payment made for the service by the party or parties committing such violation to be forfeited, and the same shall thereupon be forfeited. The right is reserved to the City of Park Falls to change the said rules, regulations and sewer rates from time to time as it may deem advisable and to make special rates and contracts in all proper cases

(2) The rules and regulations of the Chapter for the government of licensed plumbers, sewer users and others are hereby adopted and established.

(b) **Plumbers.** No plumber, pipe fitter or other person will be permitted to do any plumbing or pipe fitting work in connection with the sewer system without first receiving a license from the State of Wisconsin.

(c) **Users.**

(1) Mandatory Hookup.

- a. The owner of each parcel of land adjacent to a sewer main on which there exists a building usable for human habitation or in a block through which such system is extended shall connect to such system within thirty (30) days of notice in writing from the City. Upon failure to so do, the City 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; however, the owner may, within thirty (30) days after the completion of the work, file a written option with the City Clerk-Treasurer stating that he cannot pay such amount in one (1) sum and ask that there be levied in not to exceed five (5) equal installments and that the amount shall be so collected with interest at the rate of eight percent (8%) per annum from the completion of the work, the unpaid balance being a special tax lien, all pursuant to Sec. 144.06, Wis. Stats.
- b. In lieu of the above, the City, at its option, may impose a penalty for a period that the violation continues, after (10) days' written notice to any owner failing to make a connection to the sewer system of an amount equal to one hundred fifty percent (150%) of the minimum quarterly charge for sewer service payable quarterly 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, all pursuant to Sec. 144.06, Wis. Stats.
- c. This Chapter ordains that the failure to connect to the sewer system is contrary to the minimum health standards of said City and fails to assure preservation of public health, comfort and safety of said City.



- (2) Septic Tanks Prohibited. The maintenance and use of septic tanks and other private sewage disposal systems within the area of the City of Park Falls serviced by its sewer system are hereby declared to be a public nuisance and a health hazard. From and after September 7, 1982, the use of septic tanks or any private sewage disposal system within the area of the City serviced by the sewerage system shall be prohibited.
- (3) Application for Service.
  - a. Every person connecting with the sewer system shall file an application in writing to the City of Park Falls in such form as is prescribed for that purpose. Blanks for such applications will be furnished at the office of the Clerk-Treasurer of the City of Park Falls. The application must state fully and truly all the use which will be allowed, except upon further application and permission regularly obtained from said City of Park Falls. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. Persons connected to the sewer system of the City of Park Falls are referred to herein as "Users."
  - b. The application may be for service to more than one (1) building or more than one (1) unit of service through one (1) service connection; and, in such case, charges shall be made accordingly.
  - c. If it appears that the service applied for will not provide adequate service for the contemplated use, the City of Park Falls may reject the application. If the City of Park Falls shall approve the application, it shall issue a permit for services as shown on the application.
- (4) Connection Charge. Persons attaching to a main of Park Falls Municipal Sewer Utility shall pay a connection charge as established by the City, plus that person shall have the lateral from the sewer main installed at his own expense.
- (5) Tap Permits. After sewer connections have been introduced into any building or upon any premises, no 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 City of Park Falls.
- (6) User to Keep in Repair. 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 overburdening of the sewer system
- (7) User Use Only. No user shall allow others or other services to connect to the sewer system through his lateral.
- (8) Vacating of Premises and Discontinuance of Service. Whenever premises served by the system are to be vacated or whenever any person desires to discontinue service from the system, the City must be notified in writing. The owner of the premises shall be liable for any damages to the property of such damage which may be discovered having occurred to the property or the system other than through the fault of the system or its employees, representatives or agents
- (9) User to Permit Inspection. Every user shall permit the City, 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 drains and sewer connections operate; and they must, at all times, frankly and without concealment, answer all questions put to them relative to its use, all in accordance with this Chapter and Sec. 156.71, Wis. Stats.

- (10) **Utility Responsibility.** It is expressly stipulated that no claim shall be made against said City of Park Falls or acting representative by reason of the breaking, clogging, stoppage or freezing of any service pipes; 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 sewer within any district of the City of Park Falls, the City shall, if practicable, give notice to each and every consumer within said City of the time when such service will be so shut off.

(d) **Excavations.**

- (1) In making excavations in streets or highways for laying service pipe or making repairs, the paving and the earth removed must be deposited in a manner that will occasion the least inconvenience to the public
- (2) 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) In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than nine (9) 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 City of Park Falls. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.

(e) **Tapping the Mains.**

- (1) No person, except those having special permission from the City of Park Falls, or persons in their service and approved by them will be permitted, under any circumstances, to tap the mains or collection pipes. The kind and size of the connection with the pipe shall be that specified in the permits or order from said City of Park Falls to insure that new sewers and connections to the sewer system are properly designed and constructed.
- (2) Pipes should always be tapped on the top and not within six (6) inches [fifteen (15) centimeters] of the joint, or within twenty-four inches [sixty (60) centimeters] of another lateral connection.

(f) **Installation of House Laterals.**

- (1) All service pipes (laterals) on private property will be installed in accordance with State of Wisconsin Administration Code Chapter H 82, "Design, Construction, Installation, Supervision and Inspection of Plumbing," specifically, Section H 82.04(4), "Building Sewers."
- (2) Per Section H 82.04(3), all laterals will be inspected: "The building sewer and/or private interceptor main sewer shall be inspected upon completion of

placement of the pipe and before backfilling; and tested before or after backfilling."

(g) **Extensions.** The Park Falls Municipal Sewer Utility shall extend sewer mains to a new person(s) in accordance with the following charges and the following conditions, to wit:

- (1) When an extension main is required by the prospective user, said person shall make an application for such an extension in writing to the Common Council of the City of Park Falls by filing a written application for the same with the City Clerk-Treasurer. After the filing of such an application, the Common Council shall first determine the logical location of the next manhole or manholes. Next, the Council shall determine the length and location of the extension, taking into consideration the future prospective demands for service, the capacity of downstream facilities and the orderly development of the particular area. No extension shall be made for a distance less than to the next manhole. All sewer extensions shall be constructed in compliance with local and state laws, ordinances and regulations.
- (2) The person who requests the extension shall pay the entire costs of said extension, including the manhole or manholes that are part of the extension. If more than one (1) user is involved, the entire cost shall be divided among these users.
- (3) After making the decision as to the length and location of the extension and prior to the time of making the charge to the person(s), the Common Council shall determine the benefits to be received by any parcel that can be served by said extension. Before making a determination as to benefits received, said Council shall first divide the area to be served into logical building lots. Such Council may consider the recommendations of the landowner in determining said building lots if the landowner, as a part of his application, accompanies said application with a proposed division of said land into lots for sale or use in determining the amount to be paid by the original users if more than one (1) user is involved, the division of the charge shall be made by considering each building lot owned by one (1) of the original applicants as a separate user.
- (4) Payments are to be considered contributions to construction and after the original contribution in any future connection by a user other than to a lot owned by a party making a previous contribution, such user shall be required to pay to the City his pro rata share of the lot or lots owned by the new attaching user in the entire extension cost as if said user had been one (1) of the original contributors.
- (5) When the City receives a future contribution, it shall, after receiving the money, pay said money to the previous contributors by paying to each of the previous contributors equal amounts by counting each previous contributing lot as a separate contributor. The City shall not make payments to a previous contributor if ten (10) years have expired from the date of the original contribution. Said money paid shall be retained by the City.
- (6) It is hereby provided that the right to contribution shall follow the land and not the contributor, with the reimbursement to go to the person who is the owner of the receiving lot at the time of the reimbursement. If a contributor owns

more than one (1) lot at the time of contribution, he shall be required to designate one (1) of the lots as the lot entitled to contribution and the owner of such lot at the time of any contribution shall receive the reimbursements for all of the lots owned by the original contributor at the time of the original contribution. Such lot designation shall be filed with the Clerk-Treasurer of the City of Park Falls, Price County, Wisconsin, and may be filed in the office of the Register of Deeds for Price County, Wisconsin. The owner of such designated lot may, by filing a corrective designation, change said designation to another lot owned by him as long as such new lot is one of the lots to be served by said extension. The total amount of reimbursement that any contributor may receive shall be the total payment made by him less the benefits conferred upon the lot or lots owned by him at the time of his contribution.

- (7) In addition to the charge made as above provided to each lot, each user shall pay the full cost of the lateral from the main to this building.
- (h) **Additional Authority.** The Common Council may, at any time, establish specific connection and lateral charges for any main not covered by any other provisions in this Chapter or when the City has made an extension and the Common Council has failed to provide lateral or connection charges. It is further provided that the Common Council may amend or alter any connection or lateral charge after its establishment under the terms of this Chapter or previous Ordinances or Resolutions.

#### **SEC. 9-2-4 USE OF THE PUBLIC SEWERS.**

- (a) **Prohibitions Against Discharge.** No person shall discharge or cause to be discharged any of the following described liquids or solid wastes to any sanitary sewer:
- (1) Any storm water, surface water, groundwater, roof run-off or surface drainage or any other connections from inflow sources to the sanitary sewer.
  - (2) Any gasoline, benzene, naphtha, fuel oil, lubricating oil or other flammable or explosive liquid, solid or gas or other substances which, by themselves or by interaction with other substances, may cause fire or explosion hazards or in any other way be injurious to persons, property or the operation of the wastewater facilities.
  - (3) Any waters or waste containing a toxic or poisonous substance in sufficient quantity, either singly or by interaction with other wastes, which will injure or interfere with any wastewater treatment process, constitute a hazard to humans or animals, create a public nuisance in the receiving waters of the wastewater treatment plant or interfere with the disposal of sludge.
  - (4) Any waters or wastes having a pH lower than six (6) or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel or the wastewater works.
  - (5) Any waters or wastes having a pH in excess of nine (9).
  - (6) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater 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, and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

- (7) Any discharge into the sanitary sewerage system that is in violation of the requirements of the WPDES Permit and the modifications thereof.
- (8) Wastewater having a temperature higher than one hundred fifty (150) degrees Fahrenheit.
- (9) Any water or wastes which may contain more than one hundred (100) parts per million by weight of oils, fat or grease.
- (10) Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
- (11) Any waters or waste containing iron, chromium, copper, zinc, mercury and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Approving Authority for such materials.
- (12) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Approving Authority.
- (13) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Approving Authority in compliance with applicable state or federal regulations.
- (14) Quantities of flow, concentrations, or both, which constitute a "shock" as defined herein.
- (15) Incompatible pollutants containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
- (16) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system or create a condition deleterious to structures and treatment processes.
- (17) Materials which exert or cause:
  - a. Unusual BOD, chemical oxygen demand or chlorine requirements such as, but not limited to, whey in such quantities as to constitute a significant load on the wastewater treatment plant.
  - b. Unusual volume of flow or concentration of wastes constituting "shocks" as defined herein.
  - c. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium sulfate).
  - d. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

- (b) **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 City of Park Falls.
- (c) **Special Agreements.** No statement contained in this Section shall be construed as prohibiting any special agreement between the Approving Authority and any person whereby an industrial waste of unusual strength or character may be admitted to the wastewater treatment works, either before or after pretreatment, provided that there is no impairment of the functioning of the wastewater treatment works by reason of the admission of such wastes and no extra costs are incurred by the City without recompense by the person, provided that all rates and provisions set forth herein are complied with.

#### **SEC. 9-2-5 SEWER USE CHARGE SYSTEM.**

- (a) **Definitions.** The following terms shall have the following meanings under this Section:
  - (1) Normal Domestic Strength Wastewater shall mean wastewater with concentrations of BOD<sub>5</sub> and suspended solids no greater than two hundred fifty (250) to three hundred (300) milligrams per liter respectively.
  - (2) User Classes. The various users of the sewer system shall be divided into the following classifications:
    - a. Residential User shall be a user whose contributions to the wastewater treatment works consist only of normal domestic strength wastewater originating from a house, apartment or other dwelling constituting a distinct household.
    - b. Commercial User shall be a user whose contributions to the wastewater treatment works consist only of normal domestic strength wastewater originating from an office, store or other distinct commercial enterprise.
    - c. Public User shall be a user whose contributions to the wastewater treatment works consist only of normal domestic strength wastewater originating from a public building or public institution.
    - d. Industrial User shall be a user whose contributions to the wastewater treatment works result from a manufacturing, processing or other industrial operation distinct from domestic use.
  - (3) Replacement Costs shall include all costs associated with establishing a fund to accumulate the necessary resources to replace equipment as required to maintain capacity and performance during the design life of the plant.
  - (4) Operation and Maintenance Costs shall include all costs associated with the operation and maintenance of the wastewater collection and treatment facilities. These costs, including costs associated with extraneous (clear water) flows, shall be divided proportionately among the various sewer users.
  - (5) Volume Charge is a charge levied on users of the wastewater collection and treatment facilities as a part of the sewer service charge for payment of variable operation and maintenance costs.

- (6) Equivalent Meter Charge shall include all costs associated with the repayment of debts incurred for the construction and/or rehabilitation of the wastewater collection system and treatment plant, replacement costs and fixed operation and maintenance costs. These costs, including costs associated with extraneous (clear water) flows, shall be divided among all sewer users according to their equivalent size.
- (b) **Policy.** It shall be the policy of the City of Park Falls to obtain sufficient revenues to pay the cost of:
- (1) Any required cash reserve account payment; and
  - (2) Operation and maintenance of the sewage collection and treatment facilities through a system of sewer service charges as defined in this Section. The system shall assure that each user of the sewage works pays a proportionate share of the cost of such works.
- (c) **Base Service Charges.** Sewer and related service charges for the City of Park Falls shall be as follows:

**Domestic Sewage Customers:**

- (1) Metered service shall be by meter size per quarter:

3/4"-\$18	1"-\$25	1 ¼"-\$31	1 ½"-\$37	2"-\$52	3"-\$85
4"-\$134	6"-\$254	8"-\$398	10"-\$591	12"-\$784	

- (2) Service for an unmetered customer shall be \$57.00 per quarter.

**Non-Domestic Sewage Customers:**

- (1) Metered service same as Domestic Sewage Customers.
- (2) Volume Charge same as Domestic Sewage Customers.
- (3) Surcharge for lb. over Domestic Strength Sewage:

B.O.D.	(\$lb.)	0.194
T.S.S.	(\$lb.)	0.155
Phosphorus	(\$lb.)	-
NH3-N	(\$lb.)	-

- (d) **Usage Charges.**
- (1) In addition to the charges as provided in Subsection (c), volume charge rates shall be assessed upon use at the rate of Three and 26/100 Dollars (\$3.26) per one thousand (1,000) gallons used, except as provided herein.
  - (2) For the third quarter of each year, residential customers shall be granted a seasonal sprinkler credit and nonresidential customers may be granted this credit upon application to the City Clerk-Treasurer prior to June 1 of each year. Application of a seasonal sprinkler credit shall be made by saving and averaging the customer's water billing usage for the first and second quarter of that year. At the end of the third quarter billing, the customer shall be billed for the service charges for both water and sewer, the total volume amount for water used, and would be billed the lower of the average usage for the first two (2) quarters or the actual volume of usage for sewer. Actual readings of the customer's meter must be obtained prior to the application of the seasonal sprinkler credit. The seasonal sprinkler credit may be suspended at any time by the Common Council of the City of Park Falls or by the Mayor in an emergency proclamation in the event of a water emergency.
- (e) **Holding Tank and Septic Charges.** The rates for holding tank and septic sewage shall be as follows:
- (1) Holding tank waste - Disposal fee shall be Ten Dollars (\$10.00) per load with a volume charge of \$4.30 per one thousand (1,000) gallons.
  - (2) Septic sewage waste shall have a disposal fee of Ten Dollars (\$10.00) per load with a volume charge of \$32.00 per one thousand (1,000) gallons.

## SEC. 9-2-6 CONTROL OF INDUSTRIAL WASTES.

- (a) **Industrial Discharges.** If any waters or wastes are discharged or proposed to be discharged to the public sewers, which waters or wastes contain substances or possess the characteristics enumerated in Section 9-2-4 and which, in the judgment of the Approving Authority, may have deleterious effects upon the wastewater treatment works, processes, equipment or receiving waters or which otherwise create a hazard to life, health or constitute a public nuisance, the Approving Authority may:
- (1) Reject the wastes.
  - (2) Require pretreatment to an acceptable condition for discharge to the public sewers.
  - (3) Require a control over the quantities and rates of discharge.
  - (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 9-2-4(c).
- (b) **Control Manholes.**
- (1) Each person discharging industrial wastes into a public sewer shall construct and maintain one (1) or more control manholes or access points to facilitate observation, measurement and sampling of his wastes, including domestic sewage.
  - (2) Control manholes or access facilities shall be located and built in a manner acceptable to the Approving Authority. If measuring devices are to be permanently installed, they shall be of a type acceptable to the Approving Authority.
  - (3) Control manholes, access facilities and related equipment shall be installed by the person discharging the waste, at his expense, and shall be maintained by him so as to be in a safe condition, accessible and in proper operating condition at all times. Plans for installation of the control manholes or access facilities and related equipment shall be approved by the Approving Authority prior to the beginning of construction.
- (c) **Measurement of Flow.** The volume of flow used for computing the sewer service and the cost recovery charges shall be based upon the water consumption of the person as shown in the records of meter readings maintained by the Park Falls Water Utility.
- (d) **Provision for Deductions.** In the event that a person discharging industrial waste into the public sewers produces evidence satisfactory to the Approving Authority that more than ten percent (10%) of the total annual volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the Approving Authority and the person.
- (e) **Metering of Waste.** Devices for measuring the volume of waste discharged may be required by the Approving Authority if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of waste shall be installed, owned and maintained by the person. Following approval and installation, such meters may not be removed without the consent of the Approving Authority.



- (f) **Waste Sampling.**
- (1) Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said wastes. The determinations shall be made by the industry as often as may be deemed necessary by the Approving Authority.
  - (2) Samples shall be collected in such a manner as to be representative of the composition of the wastes. The sampling may be accomplished either manually or by the use of mechanical equipment acceptable to the Approving Authority.
  - (3) Testing facilities shall be the responsibility of the person discharging the waste and shall be subject to the approval of the Approving Authority. Access to sampling locations shall be granted to the Approving Authority or its duly authorized representatives at all times. Every care shall be exercised in the collection of samples to insure their preservation in a state comparable to that at the time the sample is taken.
- (g) **Pretreatment.** Where required, in the opinion of the Approving Authority, to modify or eliminate wastes that are harmful to the structures, processes or operation of the wastewater treatment works, the person shall provide, at his expense, such preliminary treatment or processing facilities as may be required to render his wastes acceptable for admission to the public sewers.
- (h) **Grease and/or Sand Interceptors.**
- (1) Grease, oil and sand interceptors shall be provided when, in the opinion of the Approving Authority, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts as specified in Section 9-2-4(a) or any flammable wastes, sand or other harmful ingredients.
  - (2) All interceptors shall be of a type and capacity approved by the Approving Authority and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Approving Authority. Any removal and hauling of the collected materials not performed by the owner's(s') personnel must be performed by currently licensed waste disposal firms
- (i) **Analyses.**
- (1) All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this Chapter shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association and "Guidelines Establishing Test Procedures for Analysis of Pollutants" (1978, 40 C.F.R. 136). Sampling methods, locations, times, durations and frequencies are to be determined on an individual basis subject to approval by the Approving Authority.
  - (2) Determination of the character and concentration of the industrial wastes shall be made by the person discharging them or his agent, as designated and required by the Approving Authority. The Approving Authority may also make its own analyses on the wastes, and these determinations shall be used as a basis for charges. If the person discharging the waste contests the

determination, the Approving Authority may elect to have an independent laboratory determine the character and concentration of the waste. Said independent laboratory shall be acceptable to both the City and the person discharging the waste. All cost incurred by the independent laboratory in making the determination shall be assumed by the discharger.

- (j) **Submission of Information.** Plans, specifications and any other pertinent information relating to proposed flow equalization, pretreatment or processing facilities shall be submitted for review of the Approving Authority prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers
- (k) **Submission of Basic Data.**
  - (1) Within three (3) months after passage of this Chapter, each person who discharges industrial wastes to a public sewer shall prepare and file with the Approving Authority a report that shall include pertinent data relating to the quantity and characteristics of the waste discharged to the wastewater works.
  - (2) Similarly, each person desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and file with the Approving Authority a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.
- (l) **Extension of Time.** When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule imposed herein, a request for extension of the time may be presented for consideration by the Approving Authority.

#### **SEC. 9-2-7 PAYMENT OF CHARGES.**

- (a) **Payment and Penalty.** The sewerage service charge shall be for the corresponding period of the water bills and shall be payable to the City Clerk-Treasurer of the City of Park Falls, Wisconsin, not later than thirty (30) days after the end of each period. A penalty of one and one-half percent (1-1/2%) shall be added to all bills not paid by the late fixed for final payment.
- (b) **Charges a Lien.** All sewage charges shall be a lien upon the property served pursuant to Sec. 66.076(7), Wis. Stats., and shall be collected in the manner therein provided.
- (c) **Disposition of Revenue.** The amounts received from the collection of charges authorized by this Chapter shall be credited to a sanitary sewerage account which shall show all receipts and expenditures of the sewerage system. When appropriated by the Common Council, the credits to said account shall be available for the payment of the requirements for operation, maintenance, repairs and depreciation of the sewerage system consistent with 40 C.F.R. 35.929. Any surplus outside the purview of 40 C.F.R. 35.929 in said account shall be available for the payment of principal and interest of bonds issued and outstanding, or which may be issued, to provide funds for said sewerage system, or part thereof, and all or a part of the expenses for additions and improvements and other necessary disbursements or indebtedness, and the Common Council may, by resolution, pledge such surplus or any part thereof for any such purposes. All present outstanding sewer system general obligation bonds,

including the refunding bonds, shall be paid from this fund as to both principal and interest.

- (d) **Additional Charges.** Additional charges shall be imposed upon each lot, parcel of land, building or premises served by public sewer and wastewater facilities located outside the boundaries of the Approving Authority to equalize local capital costs. Such additional charges shall result in a minimum charge equal to the debt charge for each user according to the schedule for debt repayment from utility revenues. Such additional charges shall be added to the sewer bill for each billing period.

#### **SEC. 9-2-8 AUDIT.**

The City shall conduct an annual audit, the purpose of which shall be to maintain the proportionality between users and user classes of the user charge system and to insure that adequate revenues are available relative to increasing operation, maintenance and replacement costs.

#### **SEC. 9-2-9 VIOLATIONS AND PENALTIES.**

- (a) **Written Notice of Violation.** Any person found to be violating a provision of this Chapter shall be served by the Approving Authority with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- (b) **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 a forfeiture, pay the amount to cover damages, both values to be established by the Approving Authority.
- (c) **Continued Violations.** Any person, partnership or corporation or any officer, agent or employee thereof who shall continue any violation beyond the aforesaid notice time limit provided shall, upon conviction thereof, be subject to a forfeiture as prescribed in Section 1-1-7, together with the costs of prosecution. In default of payment of such forfeiture and costs, said violator shall be imprisoned in the Price County Jail for a period not to exceed three (3) days. Each day in which any violation is continued beyond the aforesaid notice time limit shall be deemed a separate offense.
- (d) **Liability to City for Losses.** Any person violating any provisions of this Chapter shall become liable to the City for any expense, loss or damage occasioned by reason of such violation which the City may suffer as a result thereof
- (e) **Damage Recovery.** The system shall have the right of recovery from all persons any expense incurred by said system for the repair or replacement of any sewer pipe damaged in any manner by any person by the performance of any work under their control or by any negligent acts.
- (f) **Penalties.** Any person who shall violate any of the provisions of this Chapter or rules or regulations of the City of Parks Falls or who shall connect a service pipe without first having obtained a permit therefor, 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, be subject to a forfeiture as

prescribed in Section 1-1-7 and the costs of prosecution. This, however, shall not bar the City from enforcing the connection duties set out in Section 9-2-3(c) for mandatory hookup.

## CHAPTER 3

### Miscellaneous Utilities Regulations

- 9-3-1 Private Well Abandonment and Well Operation Permits
- 9-3-2 Collection of Delinquent Utility Charges
- 9-3-3 Extensions of Water Mains
- 9-3-4 Natural Gas Franchise
- 9-3-5 Compulsory Connection to Sewer and Water
- 9-3-6 Emptying of Drains and Sewers Prohibited
- 9-3-7 Draining Surface Water Into Sanitary Sewer Prohibited

#### **SEC. 9-3-1 PRIVATE WELL ABANDONMENT and WELL OPERATION PERMITS.**

- (a) Purpose. This Section regulates the sealing and filling of private wells within the boundaries of this City. The purpose of this Section is to prevent unused and/or improperly constructed wells from serving as a passage for contaminated surface or near-surface waters or other materials to reach the usable ground water. These wells must be properly filled and sealed. To encourage conservation of water. This section also promotes and encourages the conservation of water.
- (b) COVERAGE. All private wells located on any premises which is served by the public water system of the City of Park Falls shall be properly filled by the property owner. Only those wells for which a well operation permit has been granted by the City Clerk-Treasurer may be exempted from this requirement, subject to conditions of maintenance and operation.
- (c) Definitions.
  - (1) "Municipal water system" means a community water system owned by a city, village, county, City, Town sanitary district, utility district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.
  - (2) "Noncomplying" means a well or pump installation which does not comply with s.NR812.42 Wisconsin Administrative Code, and which has not been granted a variance pursuant to s.NR812.43 Wisconsin Administrative Code.
  - (3) "Pump installation" means the pump and related equipment used for withdrawing water from a well including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.
  - (4) "Unsafe" means a well or pump installation which 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.
  - (5) "Unused" means a well or pump installation which is not used or does not have a functional pumping system.
  - (6) "Well" means an excavation or opening into the ground made by digging, boring, drilling, driving, or other methods for the purpose of obtaining groundwater for consumption or other use.

(7) "Well Abandonment" means the proper filling and sealing of a well according to the provisions of s.NR812.26 Wisconsin Administrative Code.

(d) WELL OPERATION PERMITS. Owners of wells on premises served by the municipal water system wishing to install or retain wells for any use shall make application for Well Operation Permit for each well no later than ninety (90) days before installation of a new well or ninety (90) days after connection to the municipal water system for an existing well. The Park Falls Common Council shall grant a permit to a well owner to operate a well for a period not to exceed one (1) year. The following conditions must be met for issuance or renewal of a well operation permit:

- (1) The well and pump installation meet the requirements of Chapter NR812.26, Wis. Adm. Code, and well constructor's report is on file with the Department of Natural Resources or certification of the acceptability of the well has been granted by the Private Water Supply Section of the Department of Natural Resources.
- (2) The well and pump shall have a history of producing safe water evidenced by at least three (3) coliform bacteria samples taken a minimum of two (2) weeks apart. In areas where the Department of Natural Resources has determined that groundwater aquifers are contaminated with substances other than bacteria, additional chemical tests may be required to evidence safety of the water. Laboratory analysis by a certified laboratory shall be completed every year and submitted with the permit application.
- (3) The proposed use of the well can be justified as being necessary in addition to water provided by the public water system.
- (4) There shall be no cross-connections between the private well's pump installation or distribution piping and the municipal water system.
- (5) A well log documenting the depth, diameter, method of construction and casing depth shall be provided with the application for permit.
- (6) The well water shall not discharge into a drain leading directly to a public sewer utility unless properly metered and authorized by the sewer utility.
- (7) The well shall have a functional pumping system and the proposed use of the well water can be justified as reasonable in addition to water provided by the municipal water system.
- (8) City water customers are metered and charged based on the volume of water used.
- (9) Payment of an annual permit fee based on the rated capacity of the installed well pump, in accordance with the following schedule:

Well Pump Capacity	Annual Fee
a. 0 to 10 GPM	\$130.00
b. 11 to 20 GPM	\$400.00
c. 21 to 50 GPM	\$1,840.00
d. 51 to 100 GPM	\$5,870.00
e. 101 to 200 GPM	\$15,600.00
f. 201 to 300 GPM	\$32,460.00
g. 301 to 400 GPM	\$54,510.00
h. 401 to 500 GPM	\$81,740.00
i. > than 500 GPM	Request

(e) METHODS. Wells to be abandoned shall be filled according to the procedures outlined in

Chapter NR 812, Wis. Adm. Code. The pump and piping must be removed and the well checked for obstructions prior to plugging. Any obstructions or liner must be removed.

- (f) **REPORTS AND INSPECTION.** A well abandonment report must be submitted by the well owner to the Department of Natural Resources on forms provided by that agency (available at the office of the City Clerk-Treasurer). The report shall be submitted immediately upon completion of the filling of the well. The filling must be observed by a representative of this City.
- (g) **Non-compliance.** A special assessment charge of \$75.00 per day shall be assessed to all property not in compliance with this ordinance. Prior to imposing the charges as a special assessment against the property served, notice of the violation of this ordinance shall be sent to the property owner advising that if they do not become compliant within thirty days that a special assessment of \$75.00 per day will be assessed against the property and that said assessment shall be retroactive to the date of the notice of the violation of the ordinance.

### **SEC. 9-3-2 COLLECTION OF DELINQUENT UTILITY CHARGES.**

- (a) Delinquent charges for electric, water, or sewer services from the City shall be imposed as a special charge against the property served, pursuant to Sec. 66.60(16), Wis. Stats., which statute is hereby incorporated herein by reference. Such rule, however, shall not preclude collection of such charges by any other means allowed by law.
- (b) Prior to imposing such charges as a special charge against the property served, notice of the delinquent bill shall be sent to both the customer and the property owner advising that if the bill is not paid within thirty (30) days of the date of the notice, the bill will be placed on the tax roll as a delinquent tax for collection. If the bill is not so paid, then it shall be so placed on the tax roll pursuant to Sec. 66.60(16)(b), Wis. Stats.

### **SEC. 9-3-3 EXTENSIONS OF WATER MAINS.**

- (a) Water mains will be extended for new customers on the following basis:
  - (1) Where the cost of the extension is to immediately be collected through assessment against the abutting property, the procedure set forth under Sec. 66.60 of the Wisconsin Statutes will apply and no additional customer contributions to the utility will be required.
  - (2) Where the City is unwilling or unable to make a special assessment, then extension will be made on a customer-financed basis as follows:
    - i. 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 this Subsection.
    - ii. Part of the contribution required in Subsection (a)(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 this Subsection 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 this Subsection nor will it exceed the total assessable costs of the original extension.

- (3) When a new customer(s) is connected to an existing main not financed by customer contribution, it shall not be considered as a main extension and no contribution may be collected from the customer(s). This applies only to main extensions constructed after the effective date of this rule.
- (b) Application for installation of water mains in regularly platted real estate development subdivisions shall be filed with the utility and shall set forth the following information:
- (1) Name of subdivision.
  - (2) Legal description.
  - (3) Map or, if necessary under the Subdivision Control Ordinance of the City of Park Falls, a Preliminary Plat, showing streets, lots, and sizes of proposed mains and hydrants and street laterals.
  - (4) Date of approval of the subdivision plan by the State Department of Local Affairs and Development and by the Planning Commission and Common Council, if necessary.
  - (5) Date of approval of proposed mains by the State Department of Natural Resources.
  - (6) Number of houses presently under construction.
    - i. Upon receipt of the application, the water utility will prepare detailed estimates of the cost of extending water mains and hydrants of the necessary size in the subdivision and submit the same to the municipal governing body for approval of the extension as it pertains to public fire protection service requirements.
    - ii. The applicant for water service to be supplied to a subdivision shall be required to advance to the utility, prior to the beginning of the construction, the total estimated cost of the extension. If the final costs exceed estimated costs, an additional billing will be made for the balance of the cost due, with the balance to be paid within thirty (30) days. If the final costs are less than estimated, a refund of overpayment will be made by the water utility.
    - iii. If the developer, or a contractor employed by the developer, is to install the water mains (with approval of the water utility), the developer shall be responsible for the total cost of construction.

#### **SEC. 9-3-4 NATURAL GAS FRANCHISE.**

- (a) The City of Park Falls hereby grants unto Northern States Power Company, a Wisconsin corporation, its successors and assigns, an exclusive franchise to construct and maintain facilities within said City for the distribution and sale of natural gas to customers within the said City and for such purpose as said Company is authorized to enter upon and use and occupy the streets, alleys, bridges, avenues, and public grounds and places of the said City to construct, lay, maintain, operate and extend thereon, through and thereunder, such mains, pipes, apparatus, equipment, and appliances as may be necessary or appropriate for the sale, distribution, and delivery of natural gas to consumers within the said City, subject, however, to the conditions hereinafter set forth.
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- (b) For the purpose of carrying into effect the franchises and privileges granted by Subsection (a) hereof, Northern States Power Company, its successors and assigns, is hereby authorized



to make all necessary excavations in streets, alleys, avenues and public grounds and places, which shall be done with reasonable dispatch and with the least possible interference with, or inconvenience to, the rights of the public. Northern States Power Company shall restore all streets, alleys, avenues, and public grounds and places when excavated by it to their original condition of safety and utility. If Northern States Power Company shall use any bridges or viaducts on which to lay mains or other facilities, it shall lay or place such mains or other facilities over, under or upon such bridge or viaducts with the least practicable interference with, or inconvenience to, the rights of the public.

- (c) Except in emergencies, Northern States Power Company shall give the official or committee designated by the City twenty-four (24) hours' notice of its intention to excavate in any street, alley, avenue or public ground or place, and such excavation shall be made on the side or portion of the street, alley, avenue or public ground or place as may be directed by such official or committee.
- (d) Prior to commencing the construction of its natural gas distribution system and facilities in this City, Northern States Power Company shall procure any authority from the Public Service Commission of Wisconsin, and any other regulatory body having jurisdiction, required to authorize construction of said facilities and to supply natural gas to customers within the said City
- (e) The franchise granted in this Section is subject to all lawful rules and regulations of the Common Council and to all provisions of statutory law applicable thereto and to all legal orders, rules, and regulations of the Public Service Commission of Wisconsin and of any other state agency having authority under law, from time to time, over any phase of the operations of Northern States Power Company under or pursuant to the franchise granted in this Section.

#### **SEC. 9-3-5 COMPULSORY CONNECTION TO SEWER AND WATER**

- (a) **WHEN REQUIRED.** Whenever a sewer or water main becomes available to any building used for human habitation, the Board of Public Works shall notify the owner or his agent in writing in the manner prescribed by the Wisconsin Statutes or by registered mail addressed to the last-known address of the owner or his agent.
  - (b) **CONTENTS OF NOTICE.** The notice required by this Section shall direct the owner or his agent to connect the building to such main or mains in the manner prescribed by the Board of Public Works and to install such facilities and fixtures as may be reasonably necessary to permit passage of sewage incidental to such human habitation into the sewerage system and to furnish an adequate supply of pure water for drinking and to prevent creation of a health nuisance.
  - (c) **CONNECTION AT EXPENSE OF OWNER.** If the owner or his agent fails to comply with the notice of the Board of Public Works within ten (10) days of service or mailing thereof, the Board of Public Works may cause connection to be made and the expense thereof shall be assessed as a special tax against the property.
  - (d) **INSTALLMENT OPTION.** The owner or his agent may, within thirty (30) days after completion of the work, file a written option with the City Clerk-Treasurer stating that he cannot pay the cost of connection in one (1) sum and electing that such sum be levied in three (3) equal annual installments, with interest at a rate established by the Council
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- (e) **PRIVIES, CESSPOOLS, ETC., PROHIBITED AFTER CONNECTION WITH SEWER.** After connection of any building used for human habitation to a sewer main, no privy, cesspool, or waterless toilet shall be used in connection with such human habitation.

**SEC. 9-3-6 EMPTYING OF DRAINS AND SEWERS PROHIBITED.**

No person shall permit any drain or sewer from the dwelling house, barn, stable, shop, or other building on the premises occupied or owned by him to empty or run into any open sewer or gutter or into any of the streets or public alleys or upon or over any sidewalk or other public places within the City without authorization.

**SEC. 9-3-7 DRAINING SURFACE WATER INTO SANITARY SEWER PROHIBITED.**

No person shall connect or permit to be connected directly or indirectly the downspout of any building or cistern overflow with any sanitary sewer or in any manner cause or permit rain or surface water to drain into any sanitary sewer designated to carry sanitary sewage only. No foundation or footing drains shall be connected to the sanitary sewer system.