

CHAPTER 432

PROVIDING A PROGRAM FOR PROTECTING THE PUBLIC WATER SYSTEM FROM CONTAMINATION DUE TO BACKFLOW OF CONTAMINANTS THROUGH THE WATER SERVICES CONNECTING INTO THE PUBLIC WATER SYSTEM BY PROHIBITING CROSS-CONNECTIONS TO THE CITY WATER SUPPLY

[History: Enacted by Ord 1985-5 as Chapter 485; Renumbered Chapter 432 by Ord 2013-1]

432.01 DEFINITION. A cross connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the City of Richland Center water system, and the other containing water from a private source, water of unknown or questionable safety, 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.

432.02 CROSS CONNECTIONS PROHIBITED. No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of City of Richland Center may enter the supply or distribution system of said City unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Richland Center Water Utility and by the Wisconsin Department of Natural Resources in accordance with Section NR 111.25 (3), Wisconsin Administrative Code.

432.03 DUTY OF THE CITY WATER UTILITY. It shall be the duty of the Richland Center Water Utility to cause inspections to be made of all properties served by the public water system where cross connections with the public water system are deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the utility and as approved by the Wisconsin Department of Natural Resources.

432.04 RIGHT OF INSPECTION. Upon presentation of credentials, any agent or representative of the Richland Center Water Utility shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of City of Richland Center for cross connections. If entry is refused, such representative may apply to the appropriate court for a special inspection warrant under sec. 66.122, [now renumbered 66.0119] Wisconsin Statutes. On request, the owner, lessee or occupant of any property so served shall furnish to the inspecting agency any pertinent information regarding the piping system or systems on such property.

432.05 ENFORCEMENT AND PENALTIES.

(1) **DISCONTINUATION OF SERVICE.** The Richland Center Water Utility is hereby authorized and directed to discontinue water service to any property wherein any cross connection in violation of this chapter exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued

only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in Section 432.06. Water service to such property shall not be restored until all cross connections have been eliminated in compliance with the provisions of this chapter. The taking of such action by or on behalf of the City shall not be deemed to constitute a waiver of or to be in lieu of the forfeiture as set forth hereunder.

(2) **FORFEITURE.** Any person, partnership, corporation, voluntary association or other legal entity who shall violate or fail or refuse to comply with any section of this chapter shall, upon conviction thereof, forfeit to the City of Richland Center not less than \$25.00 nor more than \$400.00, together with the costs of prosecution and any applicable penalty assessment, and in the event such forfeiture, costs and assessment are not paid, such person, any partner of such partnership, or any officer or director of any corporation or any officer of such voluntary association may, upon order of the Circuit Court, be imprisoned in the Richland County Jail until such forfeiture, costs and assessment are paid, but not to exceed 90 days. Each day that a violation is maintained or permitted to exist shall constitute a separate violation. Such forfeiture may be imposed in addition to the discontinuation of water service to the affected property.

432.06 EMERGENCY ACTION. If it is determined by the Richland Center Water Utility that a cross connection or other water quality emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is filed with the Clerk of the City of Richland Center and delivered to the customer's premises, service may be immediately discontinued. The customer shall, upon delivery to the City Clerk of a written request therefor, be afforded a hearing on the propriety of such disconnection, within ten (10) days after such emergency discontinuance or within ten (10) days after written request for a hearing whichever is later. Such hearing shall be conducted pursuant to Chapter 68, Wisconsin Statutes.

432.07 STATE PLUMBING CODE ADOPTED. The City of Richland Center hereby adopts and incorporates herein by reference the State Plumbing Code of Wisconsin, as set forth in Chap. 82, Wisconsin Administrative Code, as the same may be amended from time to time, it being intended hereby to adopt and incorporate herein all future amendments to said Chapter 82.

432.08 CITY ORDINANCE SUPPLEMENTARY TO STATE PLUMBING CODE. It is intended that this chapter shall not supersede either the State Plumbing Code or Chapter 457 of the Code of Ordinances of the City of Richland Center, but is rather to be supplementary thereto.

432.09 EFFECTIVE DATE. This chapter shall take effect and be in force from and after the 3rd day of December, 1985.

(Authority: Chapters NR 111 and ILHR 82, Wisconsin Administrative Code)

CHAPTER 432

**PROVIDING A PROGRAM FOR PROTECTING THE PUBLIC WATER
SYSTEM FROM CONTAMINATION DUE TO BACKFLOW OF
CONTAMINANTS THROUGH THE WATER SERVICES CONNECTING
INTO THE PUBLIC WATER SYSTEM BY PROHIBITING
CROSS-CONNECTIONS TO THE CITY WATER SUPPLY**

[History: Enacted by Ord 1985-5 as Chapter 485; Renumbered Chapter 432 by Ord 2013-1]

WHEREAS, Chapters NR 810, Section NR 810.15, Chapter 811, Sections NR 811.06, NR 811.07, NR 811.68, SPS 382, Wisconsin Administrative Code and Department of Safety and Professional Services 305.381-384, require protection for the public water system from contamination due to backflow of contaminants through the water service connection; and

Formatted: Font color: Text 1

WHEREAS, the Wisconsin Department of Natural Resources requires the development and implementation of a comprehensive cross connection control program to effectively prevent the contamination of potable water systems;

432.01 DEFINITION. A cross connection shall be defined as any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the City of Richland Center water system, and the other containing water from a private source, water of unknown or questionable safety, 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.

432.02 CROSS CONNECTIONS PROHIBITED. No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. No

interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of City of Richland Center may enter the supply or distribution system of said City unless such private,

auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Richland Center Water Utility and by the Wisconsin Department of Natural Resources in accordance with Section NR 111.25 (3), Wisconsin Administrative Code.

432.03 DUTY OF THE CITY WATER UTILITY. It shall be the duty of the Richland Center Water Utility to cause inspections to be made of all properties served by the public water system where cross connections with the public water system are deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the utility and as approved by the Wisconsin Department of Natural Resources.

432.04 RIGHT OF INSPECTION. Upon presentation of credentials, any agent or representative of the Richland Center Water Utility shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of City of City Utilities of Richland Center for cross connections. If entry is refused, such representative may apply to the appropriate court for a special inspection warrant under sec. 66.122, [now renumbered 66.0119] Wisconsin Statutes. On request, the owner, lessee or occupant of any property so served shall furnish to the inspecting agency any pertinent information regarding the piping system or systems on such property.

432.05 ENFORCEMENT AND PENALTIES.

(1) **DISCONTINUATION OF SERVICE.** The Richland Center Water Utility is hereby authorized and directed to discontinue water service to any property wherein any cross connection in violation of this chapter exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in Section 432.06.

Water service to such property shall not be restored until all cross **connections have** been eliminated in compliance with the provisions of this chapter. The taking of such action by or on behalf of the City shall not be deemed to constitute a waiver of or to be in lieu of the forfeiture as set forth hereunder.

(2) **FORFEITURE.** Any person, partnership, corporation, voluntary association or other legal entity who shall violate or fail or refuse to comply with any section of this chapter shall, upon conviction thereof, forfeit to the City of Richland Center not less than \$25.00 nor more than \$400.00, together with the costs of prosecution and any applicable penalty assessment, and in the event such forfeiture, costs and assessment are not paid, such person, any partner of such partnership, or any officer or director of any corporation or any officer of such voluntary association may, upon order of the Circuit Court, be imprisoned in the Richland County Jail until such forfeiture, costs and assessment are paid, but not to exceed 90 days. Each day that a violation is maintained or permitted to exist shall constitute a separate violation. Such forfeiture may be imposed in addition to the discontinuation of water service to the affected property.

432.06 EMERGENCY ACTION. If it is determined by the Richland Center Water Utility that a cross connection or other water quality emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is filed with the Clerk of the City of Richland Center and delivered to the customer's premises, service may be immediately discontinued. The customer shall, upon delivery to the City Clerk of a written request, therefore, be afforded a hearing on the propriety of such disconnection, within ten (10) days after such emergency discontinuance or within ten (10) days after written request for a hearing whichever is later. Such hearing shall be conducted pursuant to Chapter 68, Wisconsin Statutes.

432.07 STATE PLUMBING CODE ADOPTED. The City of Richland Center hereby adopts and incorporates herein by reference the State Plumbing Code of Wisconsin, as set forth in Chapters NR 810, Section NR 810.15, Chapter 811, Sections NR 811.06, NR 811.07, NR 811.68, SPS 382, Wisconsin Administrative Code and Department of Safety and Professional Services 305, 381-381 – 384, Chap. 82, Wisconsin Administrative Code, as the same may be amended from time to time, it being intended hereby to adopt and

incorporate herein all future amendments to said Chapter SPS 382, and DSPS 305, 381 - 384.

432.08 CITY ORDINANCE SUPPLEMENTARY TO STATE PLUMBING CODE. It is intended that this chapter shall not supersede either the State Plumbing Code or Chapter 457 of the Code of Ordinances of the City of Richland Center, but is rather to be supplementary thereto.

432.09 EFFECTIVE DATE. This chapter shall take effect and be in force from and after the 3rd day of December, 1985.

Formatted: Highlight