



## Council Agenda Item

Meeting Date:	September 3, 2024
Agenda Item:	LSL Mandatory Replacement Ordinance
Staff Contact (name, email, phone):	Brad Marquardt, <a href="mailto:bmarguardt@whitewater-wi.gov">bmarguardt@whitewater-wi.gov</a> , 262-473-0139

### BACKGROUND

(Enter the who, what when, where, why)

The Environmental Protection Agency is mandating that all lead service lines (LSL) for water be replaced. To comply with this, Water Department staff inventoried the water lateral material both on the public and private side. Staff is looking at replacing these LSL in 2025 and has submitted a Safe Drinking Water Loan application to receive below market interest rate funds to help pay for the project. On the private side, staff is anticipating receiving up to 100% principal forgiveness, meaning the property owners will not have to pay for their private side LSL replacement. One of the categories in the application that is helping the City receive up to 100% principal forgiveness is the project is replacing all the LSL as part of one project. To help comply with this initiative, it is imperative that all property owners work with the City to replace their LSL. To help ensure this, the City should adopt, as many communities across the state are doing, or have done, a mandatory LSL replacement ordinance.

### PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

At the July 13, 2024 Public Works Committee meeting, the Committee directed staff to draft a Mandatory Lead Service Line Replacement Ordinance and bring back to the Committee for review. The Public Works Committee reviewed and approved sending the attached ordinance to Council at their August 13, 2024 meeting. The Council approved the ordinance at the 1<sup>st</sup> Hearing on August 20, 2024.

### FINANCIAL IMPACT

(If none, state N/A)

The financial impact is tied to the principal forgiveness the City will be receiving with compliance of all private LSL being replaced as part of the project. The estimated principal forgiveness is \$1,350,000.

### STAFF RECOMMENDATION

In order to ensure all LSL are replaced as part of the project, staff believes that a mandatory replacement ordinance is needed. Property owners who are unwilling to allow city staff, contractors and/or inspectors into their building as part of the LSL replacement project would be responsible for 100% of the replacement costs and possible additional penalties. Staff recommends a motion to approve the attached Mandatory Replacement Ordinance.

### ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Lead Service Line Mandatory Replacement Ordinance