

APPLETON CODE

ARTICLE II. WATER UTILITY

Sec. 20-31. Penalty for violation of article.

Any person who shall violate any provision of this article shall be subject to a penalty as provided in §1-16. (Code 1965, §12.11)

Sec. 20-32. Service limits.

(a) The limits of utility service for other than the providing of wholesale water in unincorporated areas outside the corporate limits of the City are as on file in the City Clerk's office.

(b) This section delineates the area within which retail service will be provided, and the City Water Utility shall have no obligation to serve beyond the area so delineated. (Code 1965, §12.12)

Sec. 20-33. Meters and access to premises.

(a) Authorized employees of the Water Utility shall have free access to any premises supplied with water, at proper times, to inspect and ascertain the condition of the meters and fixtures, or for reading meters, and no owner or occupant shall refuse such employees such access. The Water Utility shall have the right to enter any premises to remove the meter for the purpose of examination and test after first notifying the owner or occupant, and may shut off the water from the premises where free access is prevented.

(b) Remote reading devices may be installed on or in all structures supplied with water by the Water Utility. The remote reading device shall be located on the outside of the structure in such a way that it can be serviced and read from a paved walkway accessible year-round and kept free of ice and snow. The remote reading device may not be obstructed by shrubs or obstacles and shall be at a readable height. Original installation shall be at the cost of the Water Utility, but any cost of defacing, vandalism or any other damage shall be charged to the owner or occupant. Water service may be discontinued for failure to comply with the requirements of this subsection.

(c) The owner of any structure supplied with water shall provide a location of adequate size for installation of a water meter. Such location shall be adequately ventilated and shall not be a manhole, pit, vault, or other confined space as defined by the Wisconsin Department of Industry, Labor and Human Relations (DILHR), or the U.S. Department of Labor Occupational Safety and Health Administration (OSHA). The owner of any meter pit or vault considered a confined space (by definition) shall be required to conform with this section at such time as any piping of structural modifications or repairs are made to the structure, within ninety (90) days of a determination that

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the structure is a level 2 confined space as defined by ~~DILHR or OSHA or by January 1, 1997, whichever is sooner.~~ Any additional costs incurred with reading or servicing a water meter is a confined space, including but not limited to, dewatering and confined space entry procedures, shall be billed to the customer. (Code 1965, §12.08; Ord 133-91, §1, 11-20-91)

Cross reference(s) – Supervision of sewer and water services, §4-267; specifications for Water Utility use in mobile home parks, §11-75; hydrant requirements in mobile home parks §11-76.

Sec. 20-34. Authority to discontinue service.

The Water Utility shall discontinue water service on any premises where the water charge remains unpaid thirty (30) days after a statement is rendered. Where such service is discontinued, a connection charge shall be paid before service is rendered. (Code 1965, §12.06)

Sec. 20-35. Adoption of state public safety requirements.

The provisions of Wisconsin Administrative Code, PSC 185.37(4), regarding public safety involving water, are hereby adopted by reference.

Sec. 20-36. Fluoridation of water.

The Appleton Water Treatment Facility shall introduce into water being distributed in the water supply system of the City, and include the cost in the determination of water rates. The levels of fluoride in the water supply shall be set to correspond to the lower end of the recommended range as promulgated by the United States Department of Health and Human Services, and approved by the Wisconsin Department of Natural Resources. (Code 1965, §12.09; Ord 67-95, §1, 5-17-95 ; Ord 198-11, §1, 9-13-11)

Sec. 20-37. Tampering with equipment.

No person, without the written authority of the Water Utility manager, shall operate any valve connected with the street or supply main, or break or tamper with any seal of the water meter in service, or open any fire hydrant connected with the distribution system, whether the hydrant is the property of the City or has been placed by an owner for his own protection, except for purposes of extinguishing fire only, or wantonly injure or impair such equipment. (Code 1965, §12.04)

Cross reference(s) – Citation for violation of certain ordinances, §1-17, schedule of deposits for citation, §1-18.

UTILITIES

Sec. 20-38. Unauthorized connection.

(a) No person not authorized in writing by the Water Utility Manager shall tap or make any connection with any water main or distribution plan belonging to or part of the municipal water utility plant of the city.

(b) The water shall be shut off from such unauthorized tap or connection until inspection thereof has been made and any forfeiture imposed for such offense paid. Such person shall be liable for all water estimated by the Water Utility Manager to have been consumed or to have passed through such connection from the date when the connection was made up to the time such connection or tap was discovered. Charges shall be assessed against the property where the unauthorized tap was made and assessed as a special tax.

(Code 1965, §12.05)

Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 20-39. Leakage in water pipes.

Where a leak develops in the ^{privately owned} water pipe between the ~~curb box and the meter~~, the Water Utility shall ^{follow the approved} serve a ~~written demand upon the property owner to repair the pipe~~ ^{water leak} within ~~twenty-four (24) hours, and in the event of failure so to do the water service to the property shall be discontinued.~~ ^{policy}

(Code 1965, §12.07)

Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 20-40. Use of sprinklers.

No owner or occupant of any lot or premises served by the Water Utility shall suffer, permit or allow the sprinkling of a lawn, garden or premises with water from the Water Utility servicing such lot or premises except between 5:00 p.m. and 8:00 p.m. on even-numbered days on lots and premises having even-numbered house and building numbers, and no owner or occupant shall suffer, permit or allow sprinkling of a lawn, garden or premises except between 5:00 p.m. and 8:00 p.m. on odd-numbered days on lots and premises having odd-numbered house and building numbers. The provisions of this section shall be in effect only upon proclamation of the Mayor.

(Code 1965, §12.10)

Cross reference(s) – Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 20-41. Cross connections.

(a) *Definition.* A cross connection shall be defined as any physical connection or arrangement between two (2) otherwise separate systems, one (1) of which contains potable water from the City Water 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 (2) systems.

(b) *Cross connections 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 regular public water supply of the City may enter the supply or distribution system of the 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 City Water Utility and by the State Department of Natural Resources in accordance with Wisconsin Administrative Code, §NR 111.25(3).

(c) *Inspections.* In accordance with the Cross Connection Prevention Policy and its inspection requirements for different types of properties, it shall be the duty of the City Water Utility to inspect, to cause inspections to be made or require the submission of inspections reports from all properties serviced by the public water system where cross connection with the public water system is deemed possible. The frequency of inspections and reinspection, based on potential health hazards involved, shall be as established by the City Water Utility and as approved by the State Department of Natural Resources. Upon inspection, if a potential cross connection involving a health hazard exists, the City Water Utility's inspector or authorized representative may order that an approved cross connection control device be installed for containment from the public water system.

(d) *Right of entry.* Upon presentation of credentials, the representative of the Water Utility shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the City for cross connections. If entry is refused, such representative shall obtain a special inspection warrant under W.S.A. §66.0119. On request, the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system on such property.

(e) *Authority to discontinue service.* The Water Utility is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under W.S.A. Chapter 68, except as provided in subsection (f) of this section. Water service to such property shall not be restored until the cross