

**ORDINANCE 242 - VILLAGE OF STETSONVILLE**  
**AN ORDINANCE ESTABLISHING A WATER UTILITY OF THE VILLAGE OF STETSONVILLE,**  
**OF TAYLOR COUNTY, WISCONSIN, AND ESTABLISHING WATER RATES, RULES AND**  
**REGULATIONS CONCERNING THE GOVERNMENT THEREOF AND ALSO CONCERNING**  
**GOVERNMENT OF WATER TAKER, LICENSED PLUMBERS AND OTHER, AND PENALTIES.**

The Village of Stetsonville of Taylor County, Wisconsin, does hereby ordain as follows:

**SECTION 1.01.** The management, operation, and control of the water utility for the Village of Stetsonville (hereinafter "Village") is vested in the Village Board Trustees. All records, minutes, written proceedings and financial records of the water utility shall be kept by the Clerk/Treasurer of the Village.

**SECTION 1.02.** The water utility of the Village shall have the power to construct water lines for the public use, and shall have the power to lay pipes in and through the alleys, streets, and public grounds of the Village and the surrounding areas as necessary and lawful; and generally, to do all such work as may be necessary or convenient in the management of the water utility. The Village and their agents shall have to power to perform all necessary duties under this Ordinance; and the Village shall have the power to purchase and acquire for the water utility all real and personal property which may be necessary for the construction of the water system, or for any repair, remodeling, or additions to the system.

**SECTION 1.03 - Condemnation of Real Estate.** Whenever any real estate or any easement upon any land shall in the judgment of the Village be necessary to the water utility, and whenever, for any reason, an agreement for the purchase of such land or easement cannot be made with the owner of subject property, the Village may proceed with all necessary steps to take such estate 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.

**SECTION 1.04 - Title to Real Estate and Personality.** All real and personal property, acquired for the construction of the water system, and all plans, specifications, diagrams, papers, books and records connected with the water system, shall be the property of the Village.

**SECTION 2.00 - User rules and Regulations.** All applicable rules, regulations, and water rates which may apply shall be considered a part of the contract with every person, company, or corporation who is connected with the water system and every such person, company, or corporation by connection with the water system shall be considered as expressing their assent to be bound by the rules and regulations. The Village reserves the right to change their rules, regulations, and water rates from time to time as they may deem advisable; and to make special rates and contracts in all proper cases, all subject to the authority of the Wisconsin Public Service Commission.

**SECTION 3.00.** The following rules and regulations for the government of licensed plumbers, water takers and other, are hereby adopted and established:

**SECTION 3.01 - PLUMBERS.** No plumber, pipe fitter, or other person will be permitted to do any plumbing or pipe fitting in connection with the water system without first receiving a license from the State of Wisconsin.

**SECTION 3.02 - USERS**

**A. Lateral Charges**

- (i) "Street Laterals" will be installed by the Utility (on existing mains) according to the following schedule of charges: (All charges to be paid in advance.)

Water

1"	@	\$2,250.00
1 1/2"	@	\$2,650.00
2"	@	\$3,100.00
3"	@	At Village Actual Cost
4"	@	At Village Actual Cost

- (ii) If a request for an extension to the system is granted, the cost of such extension, including laterals, will be paid for by the requestor. Upon inspection and approval by the Utility, the extension will be dedicated to the Utility. There will be no additional charge for laterals installed by this method. All plans and specifications must be approved by the Utility before construction begins.
- B. **Tap Permits.** After water 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 from the Village.
- C. **User to Keep in Repair.** All users shall keep their own service pipes in good repair and protected from the frost, at their own risk and expense, and shall prevent any unnecessary waste of water.
- D. **User to Permit Inspection.** Every use shall permit the Village or their duly authorized agent(s), at all reasonable hours under the circumstances, to enter their premises or building to examine the pipes and fixtures and the manner in which water is used, and candidly provide information to the Village regarding the makeup, condition and use of their system.
- E. **Water Use Claim.** No claim shall be made against the Village water utility by reason of the breaking; clogging, stoppage, or freezing of any service pipe; nor from any damage arising from repairing mains, making connections or extensions or any other work that may be deemed necessary. The Village also reserves the right to cut off water service at any time for purposes necessary to maintain the integrity of the water system. When it shall become necessary to shut off the water service within any portion of the water utility the Village shall, if practicable, give notice to each and every consumer within the service area affected, of the date and time when such service will be shut off.
- F. **Meters.** It shall be the duty of the owner of any premises to provide a location for a water meter, and to maintain such locations and passageway thereto, clean and sanitary and free from any obstruction of any conditions of a hazardous nature. No connections for water meters shall be installed in any location which is in the opinion of the water utility not easily accessible, or which is may be, unclean, unsanitary, or in any manner unsafe to utility employees in the discharge of their duties.

### **SECTION 3.03 - EXCAVATIONS**

- A. In making excavations in streets or highways for laying service pipe or making repairs, the paving and earth removed must be deposited in such a manner that will occasion the least inconvenience to the public.
- B. 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.
- C. In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than nine 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 as it was before it was disturbed, and satisfactory to the Village. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.

### **SECTION 3.04 - TAPPING THE MAINS**

- A. No person, except those having the special permission from the Village, or persons in their service and approved by them will be permitted, under any circumstances to tap the water mains or distribution pipes. The kind and size of the connection with the pipe shall be that specified in the permit or order from said Village.
- B. Pipes should be tapped on the top half of the pipe, not within six inches (15 cm) of the joint, or within 24 inches (60 cm) of another connection.

### **SECTION 3.05 - INSTALLATION OF HOUSE LATERALS**

A. All water lines on private property, whether underground or within a structure, will be installed in accordance with State of Wisconsin Administration Code, H-62, "Design, Construction, Installation, Supervisions and Inspection of Plumbing," specifically Section H-62, "Water Distribution Systems."

B. The building's water line shall be inspected upon completion of placement of the pipe and before backfilling and, tested for leaks before or after backfilling.

### **SECTION 3.06 - WATER UTILITY RATES**

A. So called standard rules published by the Public Service Commission of Wisconsin (small utility rules), and the rates as provided by the Public Service Commission finding of Fact, Certification, and Order are hereby adopted by the Village as applicable to the Water Utility.

### **SECTION 3.07 - MANDATORY HOOK-UP**

A. The owner of each parcel of land adjacent to a water main on which there exists a building useable for human habitation or in a block through which such system is extended, shall connect to such system within ninety (90) days' notice in writing from the Village. Upon failure to do so, the Village may cause such connection to be made and bill the property owner for the costs. All costs not paid shall be assessed as a special tax lien against the property, all pursuant to Section 144.06 Wisconsin Statutes provided, however, that the owner within thirty (30) days after the completion of the work file a written option with the Village Clerk, stating that he cannot pay such amount in one sum and ask that they be levied for a period not to exceed five (5) equal annual installments and that the amount shall be collected with the interest at a rate acceptable to the water utility beginning from the completing of the installation. Any unpaid balance shall become a special tax lien, all pursuant to Section 144.06 Wisconsin Statutes.

B. In lieu of the above, the Village at their option may impose a penalty for the period the violation continues, after ten (10) days written notice to any owner failing to make a connection to the water system in an amount of \$500.00 per month for each residential unity equivalent 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 Section 144.06 Wisconsin Statutes.

C. Failure to connect to the water system is contrary to the minimum health standards of the Village and fails to assure preservation of the public health, comfort, and safety of all Village residents.

### **SECTION 3.08 - MAINTENANCE OF SERVICE**

A. All water services within the limits of the water system from the street main to the property line and including all controls between the same will be maintained by the Water Utility without expense to the property owner, except when the services are damaged as a result of negligence on the part of the property owner, a tenant, or an agent of the owner, in which case they will be repaired at the expense of the property owner. All water services from the point of maintenance by the Utility to and throughout the premises must be maintained free of defective conditions, by and at the expense of the owner of the property.

### **SECTION 3.09 - PAYMENT OF BILLS**

A. All reasonable care will be exercised in the proper delivery of water bills. Failure to receive a water bill, however, shall not relieve any person of the responsibility for payment of water rates within the prescribed period, nor exempt any person from any penalty imposed for delinquency in payment.

B. Billing. The property owner is held responsible for all water bills on premises are occupied or leased to others. All water bills and notices of any nature, relative to the water service, will be addressed to the owner and delivered to the premises referred to on such bill or notice.

### **SECTION 3.10 - PENALTY FOR IMPROPER USE**

A. It shall be unlawful for any person to in any manner contaminate water supplied by the source of water as set forth in Wisconsin Administrative Code NR 112.21 of the Code.

B. Cross-connections are not permitted between the water utility system and any other source of water as set forth in Wisconsin Administrative Code NR 111.25 and H 62.14.

C. All private wells which are unused, unsafe or do not comply with appropriate Wisconsin Administrative Code must be abandoned in compliance with Section NR 112.21 of the Code.

**SECTION 3.11 - DAMAGE RECOVERY**

A. The utility shall have the right from all person, any expense incurred by the utility for the repair or replacement of any water pipe, curb stop, gate valve, hydrant, or valve box damaged in any manner by any person. Owners or operators of motor vehicles will be held liable for the costs of repair of any hydrant damaged by them and the utility will not be responsible for the damage due the motor vehicle by reason of such accident.

**SECTION 3.12 - PENALTIES**

A. Any person who shall violate any of the provisions of this Ordinance or other rules or regulations of the Village of Stetsonville, or who shall connect a service pipe without first having obtained a permit 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 forfeit not less than \$10.00 per day nor more than \$200.00 per day plus the costs of prosecution. This, however, shall not bar the Village from enforcing the connection duties set out in Section 3.07 for mandatory hookup.

**SECTION 4.00 - Miscellaneous Rules and Regulations**

**SECTION 4.01 - CHARGES ARE A LIEN ON PROPERTY**

All water services, charges and special assessments shall be a lien on a lot, part of a lot, or land on which water services were supplied. All sums which have been accrued during the preceding year, and which are unpaid by the first day of October of any year, shall be certified to the Village clerk to be placed on the tax roll for collection as provided by Section 66.069(1) of Wisconsin Statutes.

**SECTION 4.02 - ADOPTION OF OTHER RULES**

There is hereby adopted all the rules and regulations of the State Plumbing and State Building Codes and the rules and regulations of the Department of Commerce, and the Department of Natural Resources of the State of Wisconsin, insofar as the same are applicable to the Village of Stetsonville Water Utility. Any rule, regulation, statute or other applicable law described herein which may become renumbered or modified in any manner shall apply to this ordinance, notwithstanding the changes.

**SECTION 4.03 - SEVERABILITY**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, the validity of the remaining portions of the ordinance shall not be affected.

Adopted at an official meeting of the Village of Stetsonville, Wisconsin, this 10<sup>th</sup> day of May 2011.

/s/ Greg Brunner, Village President

Attest:

/s/ Amanda Gardner