

Chapter 315

WATER UTILITY

[HISTORY: Adopted by the Village Board of the Village of Hustisford 3-28-1994 as §§ 9-1-20 to 9-1-50 of the 1994 Code; amended in its entirety effective 3-17-2005. Subsequent amendments noted where applicable.]

§ 315-1. Rates. ¹

Current rates for water service are on file at the office of the Village Clerk-Treasurer.

§ 315-2. Compliance with rules.

All persons now receiving water service from this Water Utility, or who may request service in the future, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission of Wisconsin.

§ 315-3. Establishment of service.

- A. Application for water service may 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, the name of the owner, the exact use to be made of the service, and the size of the service lateral and meter desired. Note particularly any special refrigeration, fire protection, or water-consuming air-conditioning equipment.
- B. Service will be furnished only if:
 - (1) The premises has 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 the property owner has agreed to and complied with the provisions of the Water Utility's filed main extension rule;²
 - (2) The property owner has installed or agrees to install a service lateral from the curb stop to the point of use that is not less than six feet below the surface of an established or proposed grade and meets the Water Utility's specifications; and
 - (3) The premises has adequate piping beyond the metering point.
- C. The owner of a multiunit 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

1. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

2. Editor's Note: See § 315-36, Water main extension rule.

to each unit and individual disconnection without affecting service to other units. Each meter and meter connection will be treated as a separate Water Utility account for the purpose of the filed rules and regulations.

- D. No division of the water service lateral to any lot or parcel of land shall be made for the extension and independent metering of the supply to an adjoining lot or parcel of land. Except for duplexes, no division of a water service lateral shall be made at the curb for separate supplies for two or more separate premises having frontage on any street or public service strip, whether owned by the same or different parties. Duplexes may be served by one lateral, provided that individual metered service and disconnection is provided and it is permitted by local ordinance.
- E. Buildings used in the same business, located on the same parcel, and served by a single lateral may have the customer's water supply piping installed to a central point so that volume can be metered in one place.
- F. The Water Utility may withhold approval of any application where full information of the purpose of such supply is not clearly indicated and set forth by the applicant property owner.

§ 315-4. Reconnection of service.

- A. Where the Water Utility has disconnected service at the customer's request, a reconnection charge shall be made when the customer requests reconnection of service. See Schedule R-1 for the applicable rate.³
- B. A reconnection charge shall also be required from customers whose services are disconnected (shut off at the curb stop box) because of nonpayment of bills when due. See Schedule R-1 for the applicable rate.
- C. If reconnection is requested for the same location by any member of the same household or, if a place of business, by any partner of the same business, it shall be considered as the same customer.

§ 315-5. Temporary metered service.

An applicant for temporary water service 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 BW-1 for the applicable rate.⁴

§ 315-6. Water for construction.

- A. When water is requested for construction purposes or for filling tanks or other such uses, an application shall be made to the Water Utility, in writing, giving a

3. Editor's Note: Current rate schedules are on file at the office of the Village Clerk-Treasurer.

4. Editor's Note: Current rate schedules are on file at the office of the Village Clerk-Treasurer.

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 may be required in advance at the scheduled rates. The service lateral must be installed into the building before water can be used. No connection with the service lateral at the curb shall be made without special permission from the Water Utility. In no case will any employee of the Water Utility turn on water for construction work unless the contractor has obtained permission from the Water Utility.

- B. Customers shall not allow contractors, masons, or other persons to take unmetered water from their premises without permission from the Water Utility. Any customer failing to comply with this provision may have water service discontinued and will be responsible for the cost of the estimated volume of water used.

§ 315-7. Use of hydrants.

- A. In cases where no other supply is available, permission may be granted by the Water Utility to use a hydrant. No hydrant shall be used until the proper meter and valve are installed. In no case shall any valve be installed or moved except by an employee of the Water 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 BW-1 for deposits and charges.⁵ Upon completing the use of the hydrant, the customer must notify the Water Utility to that effect.

§ 315-8. Unauthorized use of water and facilities.

Any person who shall, without authority of the Water Utility, allow contractors, masons, or other unauthorized persons to take water from his 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 ordinance. Utility permission for the use of hydrants applies only to such hydrants that are designated for the specific use.

§ 315-9. Refunds of monetary deposits.

All money deposited as security for payment of charges arising from the use of temporary water service on a metered basis, or for the return of a hydrant valve and fixtures 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 Water Utility's equipment.

§ 315-10. Service laterals.

- A. No water service lateral shall be laid through any trench having cinders, rubbish,

⁵. Editor's Note: Current rate schedules are on file at the office of the Village Clerk-Treasurer.

rock or gravel fill, or any other material which may cause injury to or disintegration of the service lateral, unless adequate means of protection are provided by sand filling or such other insulation as may be approved by the Water Utility. Service laterals 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 lateral and the 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 lateral must be protected against injury by carefully hand tamping the ground filling around the pipe. There should be at least six inches of ground filling over the pipe, and it should be free from hard lumps, rocks, stones, or other injurious material.
- C. All water service laterals shall be of undiminished size from the street main into 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 the water supply for the greatest probable number of fixtures or appliances operating simultaneously.

§ 315-11. Replacement and repair of service laterals.

- A. The service lateral 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 Water Utility. The property owner shall maintain the service lateral from the curb stop to the point of use.
- B. If an owner fails to repair a leaking or broken service lateral from the curb to the point of metering or use within such time as may appear reasonable to the Water Utility after notification has been served on the owner by the Water Utility, the water will be shut off and will not be turned on again until the repairs have been completed.

§ 315-12. Abandonment of service.

If a property owner changes the use of a property currently receiving water service such that water service will no longer be needed in the future, the Water Utility may require the abandonment of the water service at the water main. In such case, the property owner may be responsible for all removal and/or repair costs, including the water main and the Utility portion of the water service lateral.

§ 315-13. Charges for water wasted due to leaks.

See § PSC 185.35, Wis. Adm. Code.

§ 315-14. Thawing frozen service laterals.

See § PSC 185.88, Wis. Adm. Code.

§ 315-15. Curb stop boxes.

The curb stop box is the property of the Water Utility. The Water Utility is responsible for its repair and maintenance. This includes maintaining, through adjustment, the curb stop box at an appropriate grade level where no direct action by the property owner or occupant has contributed to an elevation problem. The property owner is responsible for protecting the curb stop box from situations that could obstruct access to it or unduly expose it to harm. The Water Utility shall not be liable for failure to locate the curb stop box and shut off the water in case of a leak on the owner's premises.

§ 315-16. Installation of meters.

Meters will be owned, furnished, and installed by the Water Utility or a Utility-approved contractor and are not to be disconnected or tampered with by the customer. All meters shall be so located that they shall be protected from obstructions and permit ready access for reading, inspection, and servicing, such location to be designated or approved by the Water Utility. All piping within the building must be supplied by the owner. Where additional meters are desired by the owner, the owner shall pay for all piping. Where applicable, see Schedule Am-1 for rates.⁶

§ 315-17. Repairs to meters.

- A. Meters will be repaired by the Water Utility, and the cost of such repairs caused by ordinary wear and tear will be borne by the Water Utility.
- B. Repair of any damage to a meter resulting from the carelessness of the owner of the premises, owner's agent, or tenant, or from the negligence of any one of them to properly secure and protect the same, including any damage that may result from allowing a water meter to become frozen or to be damaged from the presence of hot water or steam in the meter, shall be paid for by the customer or the owner of the premises.

§ 315-18. Service piping for meter settings.

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 unmetered customer, the owner of the premises at his/her expense shall provide a suitable location and the proper connections for the meter. The meter setting and associated plumbing shall comply with the Water Utility's standards. The Water Utility should be consulted as to the type and size of the meter setting.

§ 315-19. Turning on water.

The water may only be turned on for a customer by an authorized employee of the Water Utility. Plumbers may turn the water on to test their work but upon completion must leave the water turned off.

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§ 315-20. Failure to read meters.

- A. Where the Water Utility is unable to read a meter, 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 billing period 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 bill paid the preceding period. Only in unusual cases shall more than three consecutive estimated or minimum bills be rendered.
- B. If the meter is damaged (see § 315-30, 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 determined, the bill will be estimated by some equitable method.
- C. See § PSC 185.33, Wis. Adm. Code.

§ 315-21. Complaint meter tests.

See § PSC 185.77, Wis. Adm. Code.

§ 315-22. Inspection of premises.

- A. During reasonable hours, any officer or authorized employee of the Water Utility shall have the right of access to the premises supplied with service for the purpose of inspection or for the enforcement of the Water Utility's rules and regulations. Whenever appropriate, the Water Utility will make a systematic inspection of all unmetered water taps for the purpose of checking waste and unnecessary use of water.
- B. See § 196.171, Wis. Stats.

§ 315-23. Vacation of premises.

When premises are to be vacated, the Water Utility shall be notified, in writing, at once, so that it may remove the meter and shut off the water supply at the curb stop. The owner of the premises shall be liable for prosecution for any damage to the Water Utility's property. See "Abandonment of Service" in Schedule X-1 for further information.⁷

§ 315-24. Deposits for residential service.

See § PSC 185.36, Wis. Adm. Code.

§ 315-25. Deposits for nonresidential service.

See § PSC 185.361, Wis. Adm. Code.

§ 315-26. Deferred payment agreement.

⁷. Editor's Note: Current rate schedules are on file at the office of the Village Clerk-Treasurer.

See § PSC 185.38, Wis. Adm. Code.

§ 315-27. Dispute procedures.

See § PSC 185.39, Wis. Adm. Code.

§ 315-28. Disconnection and refusal of service.

See § PSC 185.37, Wis. Adm. Code. The following is an example of a disconnection notice that the Utility may use to provide the required notice to customers:

DISCONNECTION NOTICE

Dear Customer:

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

You have 10 days to pay the Water 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 10 days allowed to make reasonable deferred payment arrangement or other suitable arrangement, we will proceed with disconnection action.

To avoid the inconvenience of service interruption and an additional charge of (amount) for reconnection, we urge you to pay the full arrears immediately at one of our offices.

If you have entered into a deferred payment agreement with us and have failed to make the deferred payments you agreed to, your service will be subject to disconnection unless you pay the entire amount due within 10 days.

If you have a reason for delaying the payment, call us and explain the situation.

Please call this telephone number, (telephone number), immediately if:

1. You dispute the notice of delinquent account.
2. You have a question about your Water Utility service arrears.
3. You are unable to pay the full amount of the bill and are willing to enter into a deferred payment agreement with us.
4. There are any circumstances you think should be taken into consideration before service is discontinued.
5. Any resident is seriously ill.

Illness Provision: If there is an existing medical emergency in your home and you furnish the Water 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 you are a residential customer and, for some reason, you are unable to pay the full amount of the Water Utility service arrears on your bill, you may contact the Water 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 Water 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 Water Utility, you may make an appeal to the Public Service Commission of Wisconsin by calling (800) 225-7729.

(WATER UTILITY NAME)

§ 315-29. Collection of overdue bills.

An amount owed by the customer may be levied as a tax as provided in § 66.0809, Wis. Stats.

§ 315-30. Surreptitious use of water.

- A. When the Water Utility has reasonable evidence that a person is obtaining water, in whole or in part, by means of devices or methods used to stop or interfere with the proper metering of the Water Utility service being delivered, the Water Utility reserves the right to estimate and present immediately a bill for unmetered service as a result of such interference, and such bill shall be payable subject to a twenty-four-hour disconnection of service. If the Water Utility disconnects the service for any such reason, the Water Utility will reconnect the service upon the following conditions:
- (1) The customer will be required to deposit with the Water Utility an amount sufficient to guarantee the payment of the bills for Water Utility service.
 - (2) The customer will be required to pay the Water Utility for any and all damages to Water Utility equipment resulting from such interference with the metering.
 - (3) The customer must further agree to comply with reasonable requirements to protect the Water Utility against further losses.
- B. See §§ 98.26 and 943.20, Wis. Stats.

§ 315-31. Repairs to mains.

- A. The Water Utility reserves the right to shut off the water supply in the mains temporarily to make repairs, alterations, or additions to the plant or system. When the circumstances will permit, the Water Utility will give notification, by newspaper publication or otherwise, of the discontinuance of the water supply. No

credit will be allowed to customers for such temporary suspension of the water supply.

- B. See § PSC 185.87, Wis. Adm. Code.

§ 315-32. Protection of public safety.

It shall be the duty of the Water Utility to see that all open ditches for water mains, hydrants, and service laterals are properly guarded to prevent accident to any person or vehicle, and at night there shall be displayed proper signal lighting to ensure the safety of the public.

§ 315-33. Water mains and service laterals in excavation trenches.

Contractors must call Digger's Hotline and ensure a location is done to establish the existence and location of all water mains and service laterals as provided in § 182.0175, Wis. Stats. Where water mains or service laterals have been removed, cut, or damaged during trench excavation, the contractors must, at their own expense, cause them to be replaced or repaired at once. Contractors must not shut off the water service laterals to any customer for a period exceeding six hours.

§ 315-34. Protective devices.

- A. Protective devices in general. The owner or occupant of every premises receiving water supply shall apply and maintain suitable means of protection of the premises supply and all appliances 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- and/or low-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 his own or adjacent premises.
- B. Relief valves. On all closed systems (i.e., systems having a check valve, pressure regulator, reducing valve, water filter, or softener), an effective pressure-relief valve shall be installed at or near the top of the hot-water tank or at the hot-water distribution pipe connection to the tank. No stop valve shall be placed between the hot-water tank and the relief valve or on the drainpipe. See the applicable 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 prevention of undue water hammer. The air chamber shall be sized in conformance with local plumbing codes. Where possible, the air chamber should be provided at its base with a valve for water drainage and replenishment of air.

§ 315-35. Cross-connections.

- A. Every person owning or occupying a premises receiving municipal water supply

shall maintain such municipal water supply free from any connection, either of a direct or of an indirect nature, with a water supply from a foreign source or of any manner of connection with any fixture or appliance whereby water from a foreign supply or the waste from any fixture, appliance, or waste or soil pipe may flow or be siphoned or pumped into the piping of the municipal water system.

- B. See § NR 811.09, Wis. Adm. Code.

§ 315-36. Water main extension rule.

Water mains will be extended for new customers on the following basis:

- A. Where the cost of the extension is to be collected immediately through assessment by the municipality against the abutting property, the procedure set forth under § 66.0703, Wis. Stats., will apply, and no additional customer contribution to the Utility will be required.
- B. Where the municipality is unwilling or unable to make a special assessment, the extension will be made on a customer-financed basis as follows:
 - (1) 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 Subsection A.
 - (2) Part of the contribution required in Subsection B(1) will be refundable. When additional customers are connected to the extended main within 10 years of the date of completion, contributions in aid of construction will be collected equal to the amount which would have been assessed under Subsection A 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 Subsection A, nor will it exceed the total assessable cost of the original extension.
- C. When a customer connects to a transmission main or connecting loop installed at Utility expense within 10 years of the date of completion, there will be a contribution required of an amount equivalent to that which would have been assessed under Subsection A.

§ 315-37. Water main installations in platted subdivisions.

- A. An application for installation of water mains in regularly platted real estate development subdivisions shall be filed with the Utility.
- B. If the developer, or a contractor employed by the developer, is to install the water mains (with the approval of the Utility), the developer shall be responsible for the total cost of construction.
- C. If the Utility or its contractor is to install the water mains, the developer 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. This balance is to be paid within 30 days. If final costs are less than estimated, a refund of the overpayment will be made by the Water Utility.

§ 315-38. Service contract.

- A. The minimum service contract period shall be one 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 the applicable rate.⁸ 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 the curb stop) because of nonpayment of bills when due (not including disconnection for failure to comply with deposit or guarantee rules). See Schedule R-1 for the applicable rate.
- C. A consumer shall be considered as the same consumer, provided that 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.

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