

## Chapter 12

### WATER UTILITY

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**12.01 Compliance with Rules.** All persons who receive a water supply from the North Fond du Lac Water Department (utility) or who may make application therefor, shall be considered as having agreed to be bound by the rules and regulations as filed with the Public Service Commission (PSC) of Wisconsin.

(1) DEFINITIONS. For the purposes of this chapter, Superintendent shall mean the director of public works or his agent.

**12.02 Application for Service.**

(1) APPLICATION. Each applicant for

water service will be required to apply to the North Fond du Lac Water Utility office with the following information:

- (a) the location of the premises to be served;
- (b) the date on which the applicant will be ready for service;
- (c) whether the applicant is the owner or tenant or agent for the premises;
- (d) An agreement to abide by the regulations of the utility;
- (e) Such other information as the utility may reasonably request.

(2) The application does not bind the

applicant to take service for any period of time longer than the one upon which the rates for water service are based. Neither does it bind the utility to give service except under reasonable conditions.

### **12.03 Application for Service Installation.**

(1) APPLICATIONS TO BE FILED PRIOR TO COMMENCING WORK. Application for the original installation of a water service from the utility's mains to the curb line shall be filed at the office of the utility by the owner of the property to be served or by an authorized agent, for the approval of the superintendent of the utility, prior to the performance of any such work.

(2) The owner or his agent shall pay a tap-in fee for 1" service to the utility at the time of his application for a permit to make the service connection. In case a service larger than 1" is desired, the actual cost to the utility of the installation, between the distribution main and the curb line shall be charged to the owner or applicant upon completion of the work.

(3) In the case of a blind lateral or service from the main exists at the time of application for service, the applicant will be required to connect his premises to this service.

(4) When it is deemed necessary to install a larger service to replace an existing small diameter service pipe, the applicant or owner shall be charged for the actual cost of the new service.

(5) Service pipes of polyethylene and copper will be permitted and no other material shall be used. The size of the pipe from the curb stop into the premises shall not be less than the size of the pipe connected to.

(6) All service pipes from the curb stop to the premises shall be installed according to the current code of the village.

(7) In case of multiple metering in premises served by a single service, the point where branch service connection is made in the premises and also the full length of the piping between all branch connections and their meters, shall not be covered or buried and shall be readily accessible for inspection at all times.

(8) A separate service pipe must be laid for each building.

**12.04 Extension of Mains.** All extensions of water mains shall be subject to special assessments to be levied under the provision of the Wisconsin Statutes and section 10.10 of this code, against those properties adjoining any such water main extensions on an equitable basis.

### **12.05 Service Maintenance.**

(1) MAINTENANCE OF THE LINES. The service pipe from the main to the shut off box will be maintained and kept in repair at the expense of the utility. The owner of the premises shall maintain the service pipe from the shut off box to the point of use and can be billed for any water that has not passed through the meter and has been wasted by defective pipes and fixtures.

(2) LEAKING OR BROKEN PIPES. If an owner or consumer fails to repair a leaking or broken pipe from the shut off box to the point of metering or use within such time as may appear reasonable to the superintendent, the water will be shut off and will not be turned on again until the repairs have been completed.

(3) SHUT OFF BOXES. The consumer or owner shall protect the shut off box in his

terrace and shall keep it free from dirt and other obstructions. The utility shall not be liable for failure to locate the shut off box and shut off water in case of a leak on the consumer's premises.

### **12.06 Meters.**

(1) **INSTALLATION.** Meters will be furnished and placed by the utility and are not to be disconnected or interfered with by the customer or his agents.

(a) The utility shall furnish a pair of connections to the customer for each new meter setting at the time the service is installed or existing pipe is changed.

(b) All piping, valves and fittings within the premises must be supplied by the customer or owner, except the meter and its connections.

(c) Each meter installed shall receive water for measurement independent of any other meter, except in the case where it is decided by the superintendent to provide a "battery" of two or more meters if circumstances warrant such installation.

(d) The plumbing inspector shall determine the size of the meter to be installed.

(2) **LOCATION OF METERS.** It shall be the duty of the owner or customer of any premises to provide a location for a water meter and to maintain such location and access thereto, clean and sanitary and free from any condition of a hazardous nature.

(a) Water meters shall not be placed below any plumbing fixtures, or installed in any toilet room in proximity to any plumbing fixtures, nor shall they be located below any stairway, landing or platform unless there is provided a space not less than four feet above the center line of the water meter supply line.

(b) No connection for water meters will be installed in any location not easily accessible; or which is, or may be, unclean, unsanitary or in any manner hazardous to the employees of the utility in the discharge of their duty.

(3) **METER INSTALLATION.** Meters must be installed not more than three feet above the basement floor or the ground floor of the building and whenever possible and practicable, just inside of the wall through which the service pipe enters.

(a) In order that the meter can operate properly, it shall be so connected to the service pipe so that the inlet and the outlet of the meter itself are on approximately the same level and that the meter register dial faces upwards.

(b) When the new service pipe is installed or the existing piping is changed, the plumber shall obtain from the utility exact over-all dimensions of the meter when the meter connections or couplings are obtained from the utility and must set the couplings or connections they obtained from the utility the proper distance apart to accommodate the meter.

(c) All service piping to which the meter is connected must be secured to the walls and ceiling or other supports in order that such piping will not sag or collapse when the meter is removed for any purpose.

### **(4) STOP AND WASTE VALVE.**

(a) On 1" and larger meter installations, the owner must install at his own expense a valve on the inlet and another on the outlet side of the meter, both valves to be within 18" of the meter.

(b) A floor drain shall be provided in all cases where services 1" and larger are installed. The customer or owner shall keep these valves in working order at his own

expense.

(5) **METER REPAIRS.** The utility will repair all water meters owned by it and used in its water service installations. The utility will bear the cost of such repairs when the need for them is caused by ordinary wear.

(a) The cost of meter repair in cases where meters are damaged by frost, heat, hot water, abrasive materials or external violence due to carelessness or neglect of the owner, his tenant or his agents, shall be charged to the owner or customer.

(6) **METER SEALS.** All meters will be sealed by the utility at the time of installation or resetting and no seal shall be altered or broken except by its authorized employees or agents. Any person tampering, altering, or removing the seal, or the meter, shall be subject to a penalty according to 12.25 of this chapter.

**12.07 Billing and Payment (1)** Meter rates hereinafter specified are payable on the dates above named, the amount to be paid being determined by the quantity of water used during the preceding month or in case of private residences by the quantity of water used during the preceding quarter.

(2) Bills for water service are rendered monthly for commercial accounts and quarterly for residential and become due and payable 20 days after issuance.

(a) A late payment charge of 1% per month will be added to bills not paid within 20 days of issuance.

(b) The gross bill is the net bill plus the late payment charge.

(c) The late payment charge is applicable to all customers. The utility customer may be given a written notice that the bill is overdue no sooner than 20 days after the bill is issued and unless payment or

satisfactory arrangements have been made within the next eight days, service may be discontinued pursuant to Chapter 185 PSC Wisconsin Administrative Code. A charge of \$15.00 will be made for turning water on again after shut off for non-payment, increasing to \$25.00 for after hours restoration of service.

### **12.08 Units of Service.**

(1) A customer or unit of service shall consist of any aggregation of space or area occupied for a distinct purpose, such as a residence, apartment, flat, store, office, factory, which is equipped with one or more water fixtures for rendering service separate and distinct from other users.

(2) Suites in houses or apartments where complete housekeeping functions, such as cooking, are not exercised shall be classed as rooming houses. Thus houses and apartments, having suites of one, two or more rooms with toilet facilities, but without kitchen for cooking, are classed as rooming houses.

(3) Where a consumer's premises have several buildings, each supplied with service and metered separately, each building will be billed separately, i.e., the readings will not be cumulated. If these buildings are all used in the same business and are connected by the consumer, they can be metered in one place.

(4) If the utility, for its own convenience, installs more than one meter, the readings will be cumulated for billings.

**12.09 Failure of Meter to Register.** If a meter is damaged or fails to register or operate for any reason, the utility will render a bill for the current period based on normal usage as determined by previous

registrations, provided there is no particular reason why the use during that period has not been normal.

**12.10 Complaint Meter Tests.**

(1) Upon the request of a utility customer to have their meter tested for accuracy the utility clerk shall check the records for the last time the meter was tested or when the meter was installed. If the meter has been in service for less than 24 months or it has been less than 24 months since the first test, this procedure shall be followed.

(a) The customer will be required to pay a \$25.00 deposit before the test is performed.

(b) The utility shall test the meter promptly after receiving the deposit.

(c) If the meter is found to be in error the utility will refund the deposit and correct the billing error.

(d) If the meter is found to be within the PSC standards for accuracy the deposit will be retained by the utility.

(2) If a customer requests a meter test for a meter that has not been tested within the last 24 months the utility will promptly test the meter for accuracy, at no cost to the customer. If the meter is found to be in error the utility will correct the customer's bill immediately.

(3) A report giving the results of such test shall be made to the customer and a complete original test record shall be kept on file in the office of the utility. Upon request, the test shall be made in the presence of the customer during normal business hours.

**12.11 Turning on Water.** Only the duly authorized employee of the utility may

turn on the water supply for a customer. When a plumber has completed a job, he must leave the water turned off. This does not prevent the plumber from testing his work.

**12.12 Water for Air Conditioning and Special Refrigeration.**

No consumer shall install or operate in his premises any apparatus or system for air conditioning or special refrigeration without obtaining the approval of the superintendent. No such appliances or equipment will be permitted which do not utilize all practical water conservation devices. Any system that permits the continual discharge of water into sewers without re-use is prohibited.

Connections to a water conservation device must be so arranged that the supply has a physical break between the utility's mains and said device so it will be impossible for water to siphon back in case of low pressure in the utility's mains. This rule applies to all installations made subsequent to June 1, 1955.

**12.13 Water for Construction and other Purposes.**

(1) CONSTRUCTION. When water is needed for building purposes, application for service must be made in advance to the superintendent.

(a) Permission will not be given to connect with service pipe at the curb line.

(b) The service pipe must be carried inside of the cellar wall from where the water used will be drawn.

(c) No contractor will be allowed to use water from any fire hydrant, whether work is performed for the village or private individuals, without permission from the superintendent.

(2) OTHER USES. Persons desiring water for cisterns, tanks or other intermittent service shall be charged at regularly scheduled rates.

**12.14 Use of Fire Hydrants.** Only such persons as shall be authorized by the superintendent or the chief of the fire department shall be permitted to open any fire hydrant for any purpose whatsoever and no one except such persons shall be permitted to take the hydrant wrenches or cause the same to be taken, from any fire engine house, except for fire purposes.

**12.15 Use of Hydrants.**

(1) CONSTRUCTION. In cases where no other supply is available, permission to use the hydrant may be granted by the superintendent. Charges shall be as specified by the PSC.

(2) UNAUTHORIZED USE OF HYDRANTS. Any person who shall, without authority of the superintendent, operate any hydrant connected with the distribution system except for extinguishing fire, or who shall wantonly injure or impair the same, shall be subject to a fine according to section 12.25 of this code.

(3) DAMAGE BY MOTOR VEHICLES. Owners or operators of motor vehicles shall be held responsible for the cost of repair of any hydrant damaged by being hit by a motor vehicle and the utility will not be responsible for the damage to the motor vehicle by reason of such accident.

**12.16 Flat Rate Service.** In those few cases where, because of conditions beyond the utility's control, meters cannot be installed and the indicated consumption is low, the superintendent may authorize an

unmetered connection service to be paid for in advance. Service connections under flat rates must be provided with a check and waste cock placed in a frost proof and easily accessible location.

**12.17 Vacation of Premises.** When premises are to be vacated, the utility shall be notified at once. The owner of the premises shall be liable for any damage to the property of the utility by reason of failure to notify the utility of the vacancy.

**12.18 Repairs to Mains.** In a case where repairs to mains or services or laying of new mains are necessary the utility reserves the right to shut off the water from any locality and to keep it shut off as long as may be necessary. Notice in advance will be given in all cases where practicable but the utility does not bind itself to give such notice. No claim shall be allowed for damage to pipe, fixtures or appurtenance by reason of interrupted water supply, or variation of pressure.

**12.19 Duty of Superintendent with Respect to Public Safety.** It shall be the duty of the superintendent to see that all open ditches for water mains, hydrants and service pipes are properly guarded to prevent accident to any person or vehicle and at night there shall be displayed amber signal lights in such a manner as will so far as possible, insure the safety of the public.

**12.20 Protective Devices.** The owner or occupant of every premise receiving water supply shall apply and maintain suitable means of protection for premise supply and appliances, against damage arising in any manner from the use of the water supply.

**12.21 Inspection.** The utility, by its superintendent, or other duly authorized agents, shall have the right of access during reasonable hours, to the premises supplied with water service, for the purpose of inspection, or for the enforcement of the utility's rules and regulations.

**12.22 Emergency Water.**

(1) RESTRICTIONS. The Director of Public Works is empowered to impose reasonable emergency restrictions upon the use of water in the village.

(2) Any person desiring to use water while such restrictions are in force and effect must obtain a permit for such use from the director.

(3) Any person who violates this section shall be fined or forfeiture imposed not more than \$100.00 or, in default of payment thereof 6 months imprisonment for each separate offense.

(4) Wis. Stats. §166.23(2) is hereby adopted as it pertains to emergency government situations.

**12.25 Penalty.** In addition to penalties provided in Wisconsin Statutes or other provisions of this code, any person who shall violate any provision of this chapter or regulations made hereunder, shall be subject to the maximum penalty prescribed by statute and/or by section 24.05 of this code.