

## CHAPTER 13

### WATER AND SEWERAGE SYSTEMS

#### Section

- 13.01 Board of Water & Sewerage Commissioners
- 13.02 Director (Amended 03-18-02)
- 13.03 Access to Premises
- 13.04 Service Connections
- 13.05 Laying of Mains and Service Pipes When Streets are Paved
- 13.06 Installation Expense
- 13.07 Damage Claims
- 13.08 Opening of Fire Hydrants
- 13.09 Water Service Limits
- 13.10 Use of Public Sewers Required
- 13.11 Sewer Use Definitions
- 13.12 Building Sewers and Connections
- 13.13 Prohibited Discharges
- 13.14 Rejection of Wastes
- 13.15 Pre-treatment of Wastes
- 13.16 Sampling of Sewage
- 13.17 Water and Sewerage Service Charges
- 13.18 Exemption Meters
- 13.19 Waste Meters
- 13.20 Collection of Delinquent Charges
- 13.21 Use of Revenues
- 13.22 Septage Acceptance
- 13.23 Cross-Connection Control (Created 01-19-09)
- 13.24 Penalties (Renumbered 01-19-09)
- 13.25 Validity (Renumbered 01-19-09)
- 13.26 Limit on Payment in Lieu of Taxes Paid to City (Created 02-17-14)

13.01 BOARD OF WATER, &SEWERAGE COMMISSIONERS. There shall be a board of five commissioners appointed according to Sec. 3.35 of the Revised Municipal Code, whose duty it shall be to advise the Common Council on the management and operation of the city water department, and sewerage treatment department.

- (1) Authority. The City, acting through the water, and sewerage treatment departments, may without limitation due to enumeration, acquire, construct, lease, own, operate, maintain, extend, expand, replace, clean, dredge, repair, conduct, manage, and finance such facilities, operations and activities, as are deemed by the City to be proper and reasonably necessary for the departments. These facilities may include, but are not limited to: water, sewer and storm mains and laterals, all distribution and conveyance systems, plants, towers, surface and underground drainage facilities, watercourses, retaining walls, ponds, streets, roads, ditches, and other such facilities which will support the department's activities.

#### 13.02 DIRECTOR

- (1) Appointment. The Mayor pursuant to Section 3.35 (2) of the Revised Municipal Code shall appoint a Director who shall be the general executive of the water and sewerage treatment department.

- (2) Duties. The Director shall have general supervision of the water and sewerage treatment departments under the direction of the advisory board of water and sewerage, commissioners and the Common Council and shall have supervision and control over the buildings, grounds, and all matters connected therewith and shall enforce all ordinances, rules, and regulations of the Common Council or of the board of water, and sewerage, commissioners and determine that the conditions of all contracts relating to the said departments are faithfully complied with and that all charges for the use of the water, sewerage service are duly made and collected. The Director shall be the appointing authority for the purpose of making appointments of employees in the departments, subject to the approval of the advisory board of water, and sewerage commissioners and the Common Council.

- (3) In Charge of New Construction and Installations. The Director shall supervise and superintend the installation of all new machinery, the construction of all new wells and reservoirs, and in general have charge of all improvements of the water, sewage, and stormwater distribution/conveyance systems and plants, including the laying of all mains, and service connections as well as of any repairs or reconstruction of the same or any part thereof. All work of this nature which shall have been let by contract shall be under the Director's direct supervision and if the Common Council shall direct any such work to be done by the City without the intervention of a contract, the Director shall have general supervision of such work and shall, subject to such regulation as the Common Council may adopt, have authority to purchase the material therefore and to employ the necessary help and labor for such work.

- (4) Maps and Records to be Kept. The Director shall supervise the creation and maintenance of maps showing the locations of all the mains, service pipes, and

other infrastructure of the departments with reference to property lines, right-of-way lines and street names.

(5) Other Records to be kept. The Director shall keep a record of all accounts and claims for or against the said departments and all meters and the location thereof and shall perform such other duties as the advisory board of water, sewage, and storm water commissioners or the common council may prescribe.

13.03 ACCESS TO PREMISES. The Director and persons under his/her direction shall have free access to all premises supplied with city water at any reasonable hour for the purpose of inspecting and examining the water service appliances.

#### 13.04 SERVICE CONNECTIONS

(1) Service connections and other attachments to any of the City utilities shall be made in conformity to the rules and regulations of the board of water, and sewerage commissioners.

(2) The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the city and abutting on any street, alley or right of way in which there is located or may in the future be located a public water main of the city, is hereby required at the owner's expense to be connected to the public water supply by means of individual connections or private mains.

(3) The applicant of the building water service permit shall notify the plumbing inspector when the building water service is ready for inspection. The water service may be turned on for testing internal piping and appurtenances. Upon completion of testing, the water service shall be turned off until a water meter has been installed by the water department.

(4) The applicant of the building water service may obtain a temporary meter for construction purposes. A request must be made to the plumbing inspector and be authorized by the inspector. The applicant shall be responsible for any damage to or loss of the water meter. The temporary meter must be surrendered to the water department upon completion of construction.

(5) The applicant of the water service shall provide an opening for a water meter according to dimensions provided by the water department. The meter shall be located in a horizontal position not more than 18 inches from where the water connection or main enters the premise. A water meter shall be installed after the plumbing inspector has authorized the Director to do so.

(6) Water service may be disconnected upon discovery of a service ahead of the building control valve in front of the inlet side of the water meter.

(7) No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, remove, or tamper with any structure, appurtenance, or equipment which is part of the waterworks, including turning on or

off of the water connection. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

13.05 LAYING OF MAINS AND SERVICE PIPES WHEN STREETS ARE PAVED. Whenever the common council shall determine to pave or repave any street or portion thereof in which water, sanitary sewer, or storm sewer mains, service pipes, or other infrastructure have not been laid or constructed, it shall be the duty of the city clerk to notify the Director in writing of such determination and the Director shall proceed to lay or construct the necessary infrastructure before the improvement of said street.

#### 13.06 INSTALLATION EXPENSES.

(1) Water – The initial expense of laying service laterals from the main to the service manhole including the connection to the main shall be charged to and is made a lien upon the real estate to be served by such service pipes. Such service pipes shall be maintained and kept in repair under the supervision and direction of the water and sewerage commissioners. After installation, the water lateral shall become property of the water utility and maintained by the water utility at the expense of the utility. Such service pipes shall be laid and connections made for the actual cost thereof for all service lines above 2 inches in diameter. For service lines that are 2 inch in size, the standard service rate as calculated by the Public Service Commission shall be paid plus the cost of restoration. If said expenses shall not be paid within 30 days from the time of billing, a 1% per month late payment charge will be added to the bill. If said expense, including late charge, shall not be paid by November 1st, the same shall be levied, plus a 10% penalty and collected as a special tax upon the real estate so to be served.

Sanitary – The expense of laying service laterals from the main to the property line shall be charged to and is made a lien upon the real estate to be served by such service pipes. Such service pipes shall be maintained and kept in repair under the supervision and direction of the water and sewerage commissioners. After installation, the sanitary lateral shall remain the property of the real estate owner to be served by such sanitary lateral and shall be maintained by the real estate owner at the expense of the real estate owner. Such service pipes shall be laid and connections made for the actual cost thereof. If said expenses shall not be paid within 30 days from the time of billing, a 1% per month late payment charge will be added to the bill. If said expense, including late charge, shall not be paid by November 1<sup>st</sup>, the same shall be levied, plus a 10% penalty and collected as a special tax upon the real estate so to be served.

(2) Storm - The expense of laying service laterals from the main to the property line shall be charged to and is made a lien upon the real estate to be served by such service pipes. Such service pipes shall be maintained and kept in repair under the supervision and direction of the water and sewerage commissioners. After installation, the storm lateral shall remain the property of the real estate owner to be served by such storm lateral and shall be maintained by the real estate owner at the expense of the real estate owner.

Such service pipes shall be laid and connections made for the actual cost thereof. If said expenses shall not be paid within 30 days from the time of billing, a 1% per month late payment charge will be added to the bill. If said expense, including late charge, shall not be paid by November 1st, the same shall be levied, plus a 10% penalty and collected as a special tax upon the real estate so to be served.

13.07 DAMAGE CLAIMS. No claims shall be allowed against the city on account of the interruption of the water supply caused by the breaking of pipes or machinery or by the stoppage for repairs or by stoppage or recession of flow or on account of fire or other emergency, nor shall any claims be allowed for any damages caused by the breaking of any pipe or machinery.

13.08 OPENING OF FIRE HYDRANTS.

(1) No unauthorized person shall open, obstruct, or interfere with any fire hydrant except Stevens Point Water Dept. personnel for operational purposes; Fire Dept. personnel for purposes of fire suppression, related emergencies or training.

(2) The use of any fire hydrant for bulk water use will only be allowed with prior authorization from the Director of the Stevens Point Water Dept. All bulk water used by contractors, customers, and any other city or county departments, shall be available from a fill station at the Stevens Point Water Dept. service garage.

13.09 WATER SERVICE LIMITS.

(1) Reason for Extended Service. In order to provide adequate fire protection for persons and property within the corporate limits of the City of Stevens Point and to insure protecting the public health and safety of the residents of the city without placing an undue financial burden upon city taxpayers and to effectively coordinate water department operations with other municipal public works activities, and for the purpose of conserving the available water supply, it is hereby determined that it is necessary to specifically limit the territory beyond the corporate limits of the city to which the municipal water utility holds itself out to serve.

(2) Area to be Served. Based upon a survey of the outside area now served, the City of Stevens Point herewith acts pursuant to section 66.0813(1) of the Wisconsin Statutes to restrict its holding out to provide water service beyond the corporate limits to the territory specifically set forth as follows:

(a) Hull

3313 E. Maria Drive	3319 E. Maria Drive
3508 E. Maria Drive	3601 E. Maria Drive
4611 E. Maria Drive	1825 Country Club Drive
1628 Country Club Drive	1903 Country Club Drive

4818 Wojcik Memorial Drive (operated by the Town of Hull as a municipal fire station. Such extension of water shall be limited to such building during its occupancy as a fire station for the Town of Hull)

All dwellings and places of business existing on June 2, 1967 which lie within 175 feet from the center line of the following described streets; and all dwellings and places of business created after June 2, 1967 which lie within 125 feet from the center line of the following described streets:

Maria Drive from Hwy. 66 east to Barbara's Lane  
 Green Avenue from E. Maria Drive south to city limits.

(b) Park Ridge

4 Park Ridge Drive	10 Park Ridge Drive
11 Park Ridge Drive	20 Park Ridge Drive
22 Park Ridge Drive	23 Park Ridge Drive
28 Park Ridge Drive	29 Park Ridge Drive
31 Park Ridge Drive	32 Park Ridge Drive
37 Park Ridge Drive	38 Park Ridge Drive
39 Park Ridge Drive	41 Park Ridge Drive
49 Park Ridge Drive	51 Park Ridge Drive
69 Park Ridge Drive	105 Sunrise Avenue
112 Sunrise Avenue	77 Sunset Boulevard

(c) Whiting

River Pines Community Health Center, 1800 Sherman Avenue

(d) Other.

In addition, any other users, or any other area, for which the common council has authorized or may in the future authorize service. No properties except those within the above-described area shall be rendered water or water service.

(e) Water service in the form of a fire hydrant at the corner of Hillcrest and Sunset Avenues which shall be installed for fire purposes and for no other purpose.

(3) Right of Further Limitation Reserved. The city reserves the right to further limit such area by subsequent action.

(4) Rules Governing Extended Service. The extension and the furnishing of water and water service to such area described in subsection (2), but outside the corporate limits of the city, shall be subject to the rules and ordinances governing water takers inside the city, with the following exceptions:

(a) The water rate will be the urban general service rate plus a surcharge of twenty-five percent or such other rate fixed by the Public Service Commission.

(b) Application will be made in writing by the property owner upon the regular water and sewage department application blanks and must be accompanied by the regular street opening permit fee.

(c) If the application is approved by the common council; the main will be tapped and service pipe installed. The meter will be set and the water turned on upon payment of:

1. The same water main assessment as would be paid if the lot or lots to be served were inside the city limits.
2. The cost of the service pipe and meter which were installed by the water department to serve the applicant's property.

(5) Application for Extending Service. Applications for extensions and furnishing of water and services outside the areas described in subsection (2) of this section shall be subject to the action of the common council. Where an extension to the distribution system is approved by the common council, the plans for the extension must be approved by the Director and installed at the expense of the applicant.

(6) In order to insure and protect the public health and safety of the residents of the city without placing an undue financial burden upon city taxpayers and to effectively coordinate sanitary sewer department operations with other municipal public works activities, and for the purpose of regulating the available sewer capacity, it is hereby determined that it is necessary to specifically limit the territory beyond the corporate limits of the city to which the municipal sewer service holds itself out to serve.

(7) Based upon a survey of the outside area now served, the City of Stevens Point herewith acts pursuant to section 66.0813(1) of the Wisconsin Statutes to restrict its holding out to provide service beyond the corporate limits except to the territory specifically set forth as follows:

Village of Park Ridge per agreement

(8) Future service area. At such time as any area located in Section 208 N.R. WIS. AD service area annexes into the corporate limits of the city, such area shall be eligible for service.

(9) Definition. The term "providing sewer service" includes the extension of sewer pipes or any internal plumbing which carries sewage, which ultimately connects or discharges into the city sewer system.

#### 13.10 USE OF PUBLIC SEWERS REQUIRED

(1) It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the city, or in any area under the jurisdiction of said city, any human or animal excrement, garbage, or other objectionable waste.

(2) It shall be unlawful to discharge to any natural outlet within the city, or in any area under jurisdiction of said city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.

(3) Except as hereinafter provided it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

(4) When public sewers approved by the Department of Natural Resources become available to the premises served within the territorial boundaries of the City of Stevens Point, the use of the private sewage system shall be discontinued within that period of time required by order, but not to exceed one year. The building sewer shall be disconnected from the private sewage system and be connected to the public sewer, at the property owner's expense.

(5) Whenever the City has installed a sewer interceptor which benefits a particular property and/or a sewer service pipe adjacent thereto for which no special assessment was levied at the time of construction, the City Water and Sewer Department shall calculate the proportionate share of cost of the particular improvement which affects the property for which an application to connect to the sewer system is made. The following information pertains to the Industrial Park Expansion efforts and relates only to those customers connecting to the Industrial Park Extension Force Main within the pre-determined boundaries of this expansionary effort. Any future installations of sewer interceptors by the City benefiting a particular property and subject to a connection fee will require an amendment to this ordinance outlining the fee schedule and the area in which connection to the system will result in a connection fee.

- (1) **STARTING DATE – INDUSTRIAL PARK.** The starting date for the connection fees provided for in this section shall commence October 31, 2011 and will be paid at the time of the application.
- (2) **CALCULATION OF THE CONNECTION FEE – INDUSTRIAL PARK.** The methodology and calculation used to determine the sewer connection fees provided for herein are based on a Report on Sewer Connection Fees prepared by Baker Tilly Virchow Krause, LLP dated December, 2010.
- (3) **CONNECTION FEE – INDUSTRIAL PARK.** The table below outlines the connection fees established by year and water meter size using the equivalent service method.
- (4) **APPLICABILITY – INDUSTRIAL PARK.** This fee will be applied to all buildings connected to the Industrial Park Extension Force Main and for any alterations or improvements to an existing building where a change in meter size is requested, the owner of record shall be assessed a connection fee equal to the difference between the new meter size and the existing meter size at the time of the alteration or improvement.

Meter Size	Ratio	2011	2012	2013*	2014*	2015*
5/8"	1	\$ 33	\$ 57	\$ 91	\$ 124	\$ 158
3/4"	1	33	57	91	124	158
1"	1.3	43	74	118	161	205
1 1/4"	1.7	56	97	154	211	268
1 1/2"	2	66	115	181	248	316
2"	3	99	172	272	372	473
2 1/2"	3.5	116	200	317	435	552
3"	4	132	229	362	497	631
4"	5	165	286	453	621	789
6"	6	198	344	543	745	947
8"	7	231	401	634	869	1,105
10"	8	264	458	724	993	1,262
12"	9	297	515	815	1,117	1,420

\* Ratios based on standards developed by the Public Service Commission of Wisconsin

\*\* Fee would increase each year in accordance with the table on Attachment 5 of the Report on Connection Fees.

13.11 SEWER USE DEFINITIONS

(1) "Ammonia nitrogen (NH3-N)" shall mean one of the oxidation states of nitrogen, in which nitrogen is combined with hydrogen in molecular form as NH3 or in ionized form as NH4. Quantitative determination of ammonia nitrogen shall be made in accordance with procedures set forth in "standard methods" or Chapter NR 149 of the Wisconsin Administrative Code.

(2) "BOD" shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C., expressed in milligrams per liter.

(3) "Building drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

(4) "Building sewer" shall mean the extension from the building drain to the public sewer or other place of disposal.

(5) "Cross connection" shall mean any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the City of Stevens Point water system, and the other, 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 systems.

(6) "Debt service" shall mean costs to the sewer department for the retirement of debts incurred in the provision of sewerage system facilities including both principal and interest.

(7) "Garbage" shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage and sales of meat, fish, fowl, fruits, vegetables, and condemned food.

(8) "Holding tank wastes" shall mean wastewater from facilities designated as holding tanks according to COMM 81-82 regulations.

(9) "Industrial users" shall mean any non-governmental, non-residential users of a publicly owned treatment works which discharges more than the equivalent of 25,000 gallons per day (gpd) of sanitary waste and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:

Division A - Agriculture, Forestry and Fishing

Division B - Mining

Division D - Manufacturing

Division E - Transportation, Communications, Electric, Gas and Sanitary Services

Division I - Services

(10) "Industrial wastes" shall mean wastes discharged by "industrial users".

(11) "Natural outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface or groundwater.

(12) "Normal Concentration" shall mean:

- (a) 5-Day 20 degrees C., BOD of not more than 250 mg/L.
- (b) A suspended solids content of not more than 250 mg/L.

(13) "Normal Sewage" shall mean sanitary sewage or other wastes in which BOD or suspended solids concentrations do not exceed normal concentrations.

(14) "Operation and Maintenance" shall mean costs to the Sewage Treatment Department Account for the provision of labor, utilities, supplies, equipment maintenance, and other normal costs necessary for the provision of sewage service. Operation and maintenance includes replacement.

(15) "Person" shall mean any individual, firm, company, municipal, or private corporation, association, society, institution, enterprise, governmental agency, or other entity.

(16) "PH" shall mean the logarithm (base 10) of the reciprocal of the hydrogen ion concentration expressed in moles per liter as determined by "standard methods".

(17) "Plumbing inspector" shall mean the plumbing inspector for the City of Stevens Point, or authorized agent or representative.

(18) "Properly ground garbage" shall mean the wastes from the preparation, cooking, and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers with no particle greater than one-half inch in any dimension.

(19) "Public sewer" shall mean a sewer in which all owners of abutting properties have equal rights and is controlled by public authority.

(20) "Quarter" shall mean any consecutive ninety days as determined by the sewage treatment utility.

(21) "Replacement" shall mean expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary to maintain the capacity and performance during the service life of the treatment works for which such works were designed and constructed.

(22) "Septage" shall mean wastewater from private systems which have been held more than 30 days and have a concentration of BOD greater than 600 mg/L and a concentration of suspended solids greater than 1,800 mg/L.

(23) "Sewage" shall mean a combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

(24) "Sanitary sewer" shall mean a sewer which carries sewage and to which storm, surface, and ground-waters are not intentionally admitted.

(25) "Sewage treatment plant" shall mean any arrangement of devices and structures used to treat sewage.

(26) "Sewage works" shall mean all facilities for collecting, pumping, treating, and disposing of sewage.

(27) "Sewer" shall mean a pipe or conduit for carrying sewage.

(28) "Shall" is mandatory; "may" is permissive.

(29) "Slug" shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period longer than fifteen minutes more than five times the average twenty-four hour concentration or flows during normal operation.

(30) "Storm sewer" shall mean a sewer which carries storm and surface waters and drainage but excludes sewage and industrial wastes, other than unpolluted cooling water.

(31) "Suspended solids" shall mean solids that either float on the surface of, or are in suspension in, water, sewage, or other liquids, and which are removable by laboratory filtering.

(32) "User charge" shall mean a charge levied on users of the treatment works for the user's proportional share of the cost of operation, maintenance and replacement of such works.

(33) "Watercourse" shall mean a natural or artificial channel for passage of water.

(34) "WPDES Permit" shall mean the Wisconsin pollutant discharge elimination system permit issued by the department under chapter 283, Wis. Stats., for the discharge of pollutants.

### 13.12 BUILDING SEWERS AND CONNECTIONS

(1) No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the plumbing inspector.

(2) All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the city from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

(3) A separate and independent building sewer shall be provided for every building.

(4) Old building sewers may be used in connection with new buildings only when they are found, upon examination and test by the plumbing inspector, to meet all requirements of this ordinance.

(5) The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city.

(6) Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer at the owner's expense.

(7) Roof-leaders, surface drains, groundwater drains, foundation footings drains, and other clear water drains shall be connected wherever possible with a storm sewer, but they shall not be connected to a building sewer which discharges into a sanitary sewer or private sewage treatment plant. All such connections existing at the time of passage of this ordinance shall thereafter be illegal. If storm water or clear water is being discharged into a sanitary sewer, the plumbing inspector shall give the offending person 15 days notice to disconnect. Failure to disconnect after such notice shall authorize the plumbing inspector to cause disconnection and assessment of the costs of such disconnection against the property involved. The plumbing inspector may, in the alternative, institute action for violation of this subsection.

(8) The connection of the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the city.

(9) The applicant for the building sewer permit shall notify the plumbing inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the plumbing inspector.

(10) All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the city at the owner's expense.

(11) New connections to the collection system will be allowed only if adequate capacity exists in all downstream conveyance and treatment facilities.

### 13.13 PROHIBITED DISCHARGES

(1) No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, sub-surface drainage, uncontaminated cooling water, or unpolluted industrial process waters to sanitary sewer. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers to a natural outlet approved by the plumbing inspector.

(2) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

(a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.

(b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two mg/L as CN in the wastes as discharged to the public sewer.

(c) Any waters or wastes having a pH lower than 5.5, or having any other corrosive property capable of causing damage or hazards to structures, equipment, and personnel of the sewage works.

(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, sanitary napkins, disposable diapers, etc., either whole or ground by garbage grinders.

(e) Any effluent from any septic tank, private sanitary holding tank, or private sewer system.

(3) No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the Director that such wastes can harm either the sewers, sewage treatment process, or equipment, have an adverse effect on the receiving stream or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming an opinion as to the acceptability of these wastes, the Director will give consideration to such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capability of the sewage treatment plant, degree or treatability of wastes in the sewage treatment plant, and other pertinent factors. The substances prohibited are:

(a) Any liquid or vapor having a temperature higher than 150 degrees F.

(b) Any water or waste containing fats, wax, grease, or oils, whether emulsified or not, in excess of one hundred mg/L or containing substances which may solidify or become viscous at temperatures between 32 degrees F. and 150 degrees F.

(c) Any garbage that has not been properly ground. The installation and operation of any garbage grinder equipped with a motor of three-fourths

horsepower or greater shall be subject to the review and approval of the plumbing inspector.

(d) Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions whether neutralized or not.

(e) Any waters or wastes containing iron, chromium, cadmium, nickel, copper, zinc, and similar objectionable or toxic substances; or wastes exerting an excessive ultraviolet light requirement to such degree that any such material received in the composite sewage at the sewage treatment plant exceeds the limits established by the Director for such materials.

(f) Any waters or wastes containing phenols or other taste or odor-producing substances in such concentrations exceeding limits which may be established by the Director as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal, or other public agencies of jurisdiction for such discharge to the receiving waters.

(g) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Director in compliance with applicable state or federal regulations.

(h) Any waters or wastes having a pH in excess of 9.5.

(i) Any materials which exert or cause:

1. Unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

2. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).

3. Unusual BOD, chemical oxygen demand, phosphorus, nitrogen, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment plant.

4. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.

(j) Any waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of their agencies having jurisdiction over discharge to the receiving waters.

(k) No statement contained in this section shall be construed as preventing any special agreement or arrangement between the department and any industrial concern whereby an industrial waste of unusual strength or character may be

accepted by the department for treatment, subject to equitable payment therefore by the industrial concern.

(1) Accidental Discharges. The accidental discharge of any prohibited waste into any sewer shall be reported to the Director by the person responsible for the discharge, or by the owner or occupant of the premises where the discharge occurs, immediately upon obtaining knowledge of the fact of such discharge so that steps may be taken to minimize its effect on the treatment plant.

(m) Protection from Damage. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct.

13.14 REJECTION OF WASTES. If any waters or wastes are discharged, or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in Section 13.13 and which, in the judgment of the Director may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Director may:

(1) Reject the wastes.

(2) Require pre-treatment to an acceptable condition for discharge to the public sewers.

(3) Require control over the quantities and rates of discharge.

(4) Require payment to cover the added cost of handling and treating the wastes not covered by existing sewage service charges under the provisions of this chapter.

#### 13.15 PRE-TREATMENT OF WASTES

(1) If the Director permits the pre-treatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Director and subject to the requirements of all applicable codes, ordinances, and laws.

(2) Grease, oil, and sand interceptors shall be provided as required by the state plumbing code for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be a type and capacity approved by the plumbing inspector and shall be located as to be readily and easily accessible for cleaning and inspection.

(3) Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his/her expense.

#### 13.16 SAMPLING OF SEWAGE

(1) When required by the Director, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Director. The manhole shall be installed by the owner at his/her expense and shall be maintained by the owner so as to be safe and accessible, at all times.

(2) Waste Sampling. Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration. A determination shall be made as often as deemed necessary. Where samples are taken often enough to produce meaningful averages, charges will be determined based on the average values determined during the billing period after due allowances for values not believed to be representative. Any person may request the department to make new tests, such tests to be at the expense of the person discharging the waste and such tests to be of a minimum 24-hour duration unless otherwise approved. If the Director is satisfied that such test was made when the plant was operating under normal conditions, the results of these tests shall be used in computing the subsequent billing, as described in Section 13.17.

(3) Testing. All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," published jointly by the American Public Health Association, the American Water Works Association, and the Water Environment Federation (WEF), and shall be determined at the control manhole provided, or upon suitable samples taken as said control manhole.

(4) Entering Private Property. The Director and other duly authorized employees of the departments bearing proper credentials and identification shall be permitted to enter all private properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this ordinance.

The Director or his/her representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.

The Director and other duly authorized employees of the department bearing proper credentials and identification shall also be permitted to enter all private properties through which the city holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and

maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

(5) Liability. While performing the necessary work on private properties referred to above, the Director or duly authorized employees or agents of the departments shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the department employees and the department shall indemnify the company against the loss or damage to its property by department employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions.

### 13.17 WATER AND SEWERAGE SERVICE CHARGES

#### (1) Water Service Charges

(a) Normal Water Service Charge. There is hereby levied and assessed upon each lot, parcel of land, building, or premises having a connection with the city water main, a water service charge based on the quantity of water used as measured by the department and upon rates established by the Wisconsin Public Service Commission. Said charges shall be assessed and collected in four quarterly periods.

(b) The water meters shall be furnished by the water department and installed under its supervision, all other costs being at the expense of the person requiring the meter.

#### (2) Stormwater Utility Charges.

1) Definitions. As used in this ordinance, the following words and phrases shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

(a) Impervious area: Land area covered by buildings, pavement or other material that prevents storm water from penetrating the soil.

(b) Pervious area: All land area that is not impervious.

(c) Stormwater: Atmospheric precipitation, surface water or non-contact cooling

(d) Stormwater system: Public sewers, drains, ditches, retention ponds, dams, river impoundments and flood control facilities used for collection, transporting and treating of stormwater.

2) Stormwater Service Charges. All owners of real property in the City of Stevens Point shall be charged for the use of the City's stormwater system based on the amount of stormwater and rate of flow of stormwater which is determined to be entering the stormwater system from the property. The impact of the stormwater from the property on the system shall be determined on the basis of the flat rates or the measurements contained in this ordinance.

3) RATE CHANGES

The rate to be applied per ERU (Equivalent Runoff Unit) in the rate schedule below is **\$59.08 / Year.**

One ERU is equivalent to 3,364 Sq. Ft.

RATE CLASS	NUMBER OF ERU's	Annually	Quarterly
Single Family Residence	1	\$59.08	\$14.77
Duplex	1.6	\$94.52	\$23.63
Triplex	2.4	\$141.80	\$35.45
Commercial	Actual square footage		
Industrial	Actual square footage		
Public	Actual square footage		

**CREDIT POLICY:**

The purpose of the storm water credit policy is to encourage property owners to engage in activities that either 1) reduce storm water flow and/or 2) reduce the utility cost in providing proper management of storm water runoff and treatment. The operation of the Storm Water Utility has fixed costs and variable costs. The fixed costs of the utility are non-eligible for credit. The variable costs are eligible for either a one-time credit or an on-going credit. The fixed and variable costs are as follows:

Fixed costs = 50%                      Variable costs = 50%

Because the percentage of the operation that is fixed versus variable can change over time, the fixed and variable percentages will be part of future rate adjustments. Customer charges and credits will be based on the most recently adopted values.

**Residential Properties (Single Family, Duplex, Triplex) -**

*Rain Barrel & Rain Garden Installation* – For residential properties there will be a one-time credit for the amount of the annual storm water fee for the installation of a rain barrel or a rain garden. The installations must meet the criteria provided upon applying for the credit through the utility office.

*Riparian Properties* – Properties that discharge directly to the Wisconsin River or Plover River without draining toward a facility maintained by the Storm Water Utility may be eligible for a riparian credit. The amount of the available credit will be calculated by prorating the total available credit by the amount (%) of the property that drains directly to one of the aforementioned water bodies. Credit eligibility will be calculated as part of the application process.

**Non-Residential Properties (Commercial, Public, Industrial) –**

*Properties Exceeding Flow Control Requirements* - This credit applies to all properties that provide privately constructed and maintained runoff flow control measures. The customer must submit documentation demonstrating that a management practice on their property exceeds the peak flow reduction criteria to the Department of Public Utilities. The amount of credit will be based on the prorated amount that the property is exceeding the requirements. (Example: If eligible levels of control reduce the flow by 50% beyond the minimum requirement, the eligible credit would be 50% of the variable costs associated with the utility bill (50% of 50%, or 25% of the total bill)). The amount of the credit will be based on the following minimum criteria:

1. Post-development flow must meet the minimum requirements defined in the DNR Administrative Code NR 152, and Municipal Ordinance Chapter 32.
2. Properties must reduce the flow from their property below the minimum flow control requirement for the 10-yr, 24-hour, SCS Type II distribution rainstorm of 4.0 inches in 24 hours. Pre-development conditions shall be calculated using Table 1 criteria in NR 152.

*Riparian Properties* – Properties that discharge directly to the Wisconsin River or Plover River without draining toward a facility maintained by the Storm Water Utility may be eligible for a riparian credit. The amount of the available credit will be calculated by prorating the total available credit by the amount (%) of the property that drains directly to one of the aforementioned water bodies. Credit eligibility will be calculated as part of the application process.

*Properties or portions of properties that have 90% perviousness* – This credit applies to properties where either the entire property, or significant and contiguous portions of the property can be calculated at 90% or more pervious surfaces. The amount of credit given to eligible properties will be equal to 60% of the stormwater fee for the eligible area. The customer must submit proof and documentation demonstrating eligibility for this credit to the Department in order to receive the credit. Any disputes as to the applicability of this credit to a particular property shall be heard by the Board of Water and Sewerage Commissioners.

Note: Properties located on creeks, streams, and/or ditches not identified above are not eligible for riparian credit.

Note: Properties are not eligible for a credit for any best management practices (BMP's) that are not required by local, state, or federal regulations.

4) Property Affected. Except as provided in this section, all real property shall be subject to the stormwater service charges regardless of whether privately or publicly owned, with the exception of land used for highway and runway purposes.

5) Billing. All stormwater utility assessments based on the above-rates

shall be collected and billed with the sewer and water statement. A property owner aggrieved by the City Water and Sewerage of the basis for the stormwater service charges may appeal that determination to the Water and Sewerage Commission.

6) Use of Funds. All funds collected for stormwater service shall be placed in a separate account and shall be used solely for the construction, operation and maintenance of the stormwater system.

7) Effective Date. The schedule of rates shall be charged as of January 1, 2013 until otherwise amended by the Common Council of the City of Stevens Point.

(3) Sanitary Sewer Service Charges

(a) Schedule of Rates:

1. Minimum quarterly sewage service charge plus volume charges per 100 cu. Ft. as follows:

Current	Effective 04/01/2010
\$2.64	\$3.31

2. Minimum quarterly sewage service charges shall be based on the size water meter in service as per the following schedule:

	Current	Effective 04/01/2010
5/8"	\$ 24.00	\$ 29.50
3/4"	\$ 28.00	\$ 34.00
1"	\$ 37.00	\$ 44.00
1 1/2"	\$ 57.00	\$ 69.00
2"	\$ 82.00	\$ 99.00
3"	\$140.00	\$169.00
4"	\$223.00	\$269.00
Unmetered flat	\$ 90.00	\$112.25

Meter installation, maintenance and reading for Park Ridge customer - \$5.00 per year.

(b) The amount of water used by residential customers during the winter quarter of each year shall be used as a basis for determining the maximum sewage service charge for that particular quarter and the three succeeding quarters. If a customer used less water during any one of the succeeding three quarterly periods, the charge for that quarter will be reduced accordingly.

(c) The method of determining the maximum sewage service charges for residential customers outlined in paragraph (b) above shall not apply to commercial, industrial and public users. The sewage service charge for commercial, industrial and public customers shall be based on the amount of water used each individual quarter.

(d) The sewage service rates for all sewage customers located outside the corporate limits of the City of Stevens Point shall be the same as those given in the foregoing schedules, plus a surcharge of 25 percent for costs related to retirement of debt.

(e) In the event a residential sewage customer moves from one location to another, the sewage service charge at the new location shall be the same as that charged at the previous location until a winter quarter has passed at the new location.

(f) In the event a lot, parcel of land, building or premises discharging sanitary sewage, industrial wastes, water or other liquids into the city sewer system, either directly or indirectly, is not a user of water supplied by the City Water Department, the water used therein or thereon shall be measured by a meter to be furnished by the department in accordance with subsection (2) of this section, or otherwise be charged a flat rate in order to establish the sewage service charge provided in this section, as per the following schedule:

06/01/2009	04/01/2010
\$90.00	\$112.25

(g) Biennial Audit. An audit of the water and sewage treatment department's financial standing shall be made biennially. This audit will be used to review the adequacy of the then existing rates and said rates shall be adjusted if necessary to provide sufficient revenues to adequately finance the operation in accordance with the original intent of the rate structure. The biennial audit and review shall also be used to assure that each recipient of sewage service (or user class) is charged in proportion to the cost of providing said recipient (or user class) with sewage service. Excess revenues collected for operation and maintenance from a class of users shall be applied to the costs of operation and maintenance attributable to that class for the next year and the rates shall be adjusted accordingly. Users will be notified annually of the portion of service charges attributable to operation and maintenance.

(h) Replacement Fund. Annual income from wastewater service charges which constitute funds required for "replacement" shall be separately accounted for and shall not be utilized for any purposes other than replacement.

(i) Debt Retirement. Debt incurred as a part of the expansion, modification or upgrade of existing treatment facilities will be repaid out of monies collected under user charges as defined in this section.

(4) The amount of surcharge shall reflect the cost incurred by the sewage treatment department in removing BOD and suspended solids, as follows:

	06/01/2009	04/01/201
BOD	\$0.43	\$0.52
Suspended Solids	\$0.42	\$0.43
Phosphorous	\$1.41	\$1.54

(5) Industrial Waste Pre-Treatment. Where it is necessary that the department provide pre-treatment of industrial wastes, the entire cost of such pre-treatment shall be charged to the person producing the industrial wastes. The costs shall include but not be limited to capital expenditures, operation and maintenance expenses, labor, chemicals, heat, and power.

(6) Where industrial wastes are of such a strength or magnitude or are delivered over such a period of time that the above surcharges do not reflect the actual cost of treatment to the sewer department, the department reserves the right to establish a special charge for handling the waste. That portion of the charge related to capital investment shall be based on the design capacity required for the particular waste. In no event shall the charges be less than those charges determined by applying the above surcharge.

(7) Service Area. Nothing in this ordinance shall prohibit the city from providing sewage services to persons outside the corporate limits of the city under mutually agreeable conditions.

(8) User Charge System Methodology. Service charges collected shall be sufficient to pay all expenses of the sewer utility including operation and maintenance, replacement and debt retirement. Service charges include applicable customer charges, volume charges and surcharges. Costs shall be distributed proportionally among user classes (residential, commercial, public, and industrial), on the basis of their respective impacts on sewer utility expenses. Each user will be notified annually of the rate and charge attributable to wastewater treatment services. Charges collected for replacement shall be accounted for in a segregated fund and shall be utilized solely for replacement of sewer utility equipment.

(9) Determination of Rates. Rates as determined in this section shall be reviewed biennially by the sewage utility. The revisions shall include a report with specific recommendations on the required rate modifications. Rates determined shall be consistent with the provisions contained in these ordinances. In general, the rate system shall be developed on a "cost of service" basis, recognizing both basic costs and commodity costs. Basic costs

shall be collected on the basis of a quarterly meter charge, and shall include administrative, billing and collecting, local sewer maintenance, infiltration-inflow, reserve capacity and other costs not directly attributable to wastewater flow or loading.

Commodity costs shall be collected on the basis of volume charges for normal strength wastewater, with surcharges for BODS and TSS discharges greater than normal strength. Volume charges and surcharges shall be computed based on an allocation of costs which reflects the actual cost to the sewage utility to provide and operate and maintain wastewater treatment facilities.

13.18 EXEMPTION METERS. Said meter shall be furnished by the Water Department and installed under its supervision, all other costs shall be at the expense of the person requiring the meter, including any piping revisions required to insure that only water not reaching the sanitary sewer is metered by the exemption meter.

13.19 WASTE METERS. Devices for metering the volume of waste discharged may be required by the Director if these volumes cannot otherwise be determined by the use of water meters and exemption water meters. Metering devices for determining the volume of waste shall be purchased, installed, owned, and maintained by the person. The type of meter and metering arrangement shall be approved by the Director before installation and it shall be installed in accordance with approved methods. Following approval and installation, such meters may not be removed without the consent of the Director.

13.20 COLLECTION OF DELINQUENT CHARGES. Each year the Water and Sewage Departments shall furnish the City Clerk with a list of all lots and parcels of real estate in the City to which water and sewage treatment service has been furnished during the preceding year and the amount of charges now delinquent for same. Said charges, including a 1% per month late payment charge, plus a 10% service charge, shall be a lien on the real estate to which the water and sewage service was furnished and the Clerk shall insert the same in the tax roll as delinquent tax against the property. All proceedings in relation to the collection, return, and sale of property for delinquent city taxes shall apply to said tax.

13.21 USE OF REVENUES. Revenues in excess of these requirements may be used in any manner authorized by section 66.0811 (2) (3) of the Wisconsin Statutes.

#### 13.22 SEPTAGE ACCEPTANCE

(1) Notwithstanding section 13.13(2)(e), pursuant to section 281.49 of the Wisconsin Statutes, the Director shall accept septage from a licensed disposer during a period of time commencing on November 15th and ending April 15th. The Director is not required to accept septage from a licensed disposer if:

(a) Treatment of the septage would cause the sewage system to exceed its operating design capacity or to violate any applicable effluent limitations or

standards, water quality standards or any other legally applicable requirements, including court orders or state or federal statutes, rules, regulations or orders.

(b) The septage is not compatible with the sewage system.

(c) The licensed disposer has not applied for and received approval under sub (e) to dispose of septage in the sewage system or the licensed disposer fails to comply with the disposal plan.

(d) The licensed disposer fails to comply with septage disposal rules promulgated by the municipal sewage system.

(e) If the municipal sewage system can accept some, but not all, of the septage offered for disposal, the municipal sewage system may accept septage which is generated within the sewage service area before accepting septage which is generated outside the sewage service area.

(2) A licensed disposer shall make application to the water and sewage commission, prior to September 1st, for permission to dispose of septage in the sewer system. Thereafter, the commission shall approve applications for septage disposal or reject those applications which do not qualify, no later than October 1st of each year. The water and sewage commission is directed to establish reasonable terms and conditions for the septage disposal including:

(a) Specific quantities, locations, times, and methods for discharge of septage into the sewage system.

(b) Requirements to report the source and amounts of septage placed in the sewage system.

(c) Requirements to analyze septage characteristics.

(d) Actual and equitable disposal fees based on the volume of septage introduced into the municipal sewage systems and calculated at the rate applied to other users of the municipal sewage system, and including the costs of additional facilities or personnel necessary to accept septage at the point of introduction into the municipal sewage system.

Holding tank wastes, without specific analysis, are assumed to be 600 mg/l for BOD, 1800 mg/l for SS and 20 mg/l for Phosphorous. Septic tank wastes, without specific analysis, are assumed to be 3,500 mg/l for BOD, 7,000 mg/l for SS and 250 mg/l for Phosphorous. High quality wastes are those that the Director determines are of high quality, very high organic strength, and provide benefit to the operation of the plant.

Current rates are as follows:

(All rates are listed as dollars/1,000 gallons)

	6/1/2009	4/1/2010	5/16/16
Holding Tank	11.50	6.06	11.30
Septage	84.06	29.00	39.88
High Quality			6.06

TESTING AND ADMINISTRATIVE CHARGE PER MONTH \$10.00

(3) The water and sewage commission shall prepare a disposal plan for each licensed disposer whose application for septage disposal is approved. The disposal plan shall consist of the approved application and all terms and conditions imposed on the licensed disposer.

(4) The Director may require the licensed disposer to analyze representative samples of septage placed in the sewer system in order to determine the characteristics of the septage and the compatibility of the septage with the municipal sewer system.

(5) No person shall discharge or cause to be discharged any waste water or material from any septic tank or holding tank, into or upon any city sanitary sewer, storm sewer, drain or right-of-way or private property without first having obtained a permit from the Director of the water utility department or the department of natural resources.

13.23 CROSS-CONNECTION CONTROL

(1) Definitions.

(a) Backflow. The undesirable flow of water or mixtures of water and other liquids, gases, solids or other substances into the Stevens Point Water Department's (herein after "department") distribution pipes of the potable supply of water from any source.

(b) Backflow Preventer. A device, assembly or means designed to prevent backflow caused by backpressure or back-siphonage; most commonly categorized as air gap, reduced pressure principle backflow preventer, double check valve assembly, pressure vacuum breaker, atmospheric vacuum breaker, hose connection vacuum breaker, hose connection backflow preventer, backflow preventer with intermediate atmospheric vent, and barometric loop.

(c) Backpressure. An elevation of pressure in the downstream piping system (i.e., pump, elevation of piping, or steam and/or air pressure) above the Department supply pressure, which would cause or tend to cause a reversal of the normal direction of flow.

(d) Back-siphonage. The flow of water or other liquids, mixtures or substances into the distribution pipes of the Department's potable water supply system from any source caused by the sudden reduction of pressure in the Utility's potable water supply system.

(e) Cross-connection. Any physical connection, potential connection, or arrangement between two otherwise separate systems, one of which contains potable water from the Department, 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 systems.

(2) Cross Connections Prohibited. No cross-connection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the City of Stevens Point may enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Stevens Point Water Department and by the Wisconsin Department of Natural Resources in accordance with Section NR 810.15(2), Wisconsin Administrative Code.

(3) Inspections. It shall be the duty of the Department to cause inspections to be made of all properties serviced by the Department, and where any cross-connection with the public water system is deemed possible. The frequency of inspections and re-inspection shall be based on potential health hazards involved and shall be as established by the Stevens Point Water Department as approved by the Wisconsin Department of Natural Resources and shall be in accordance with section NR 810.15, Wisconsin Administrative Code. The Stevens Point Water Department will charge fees back to the customers based on the cost of performing the cross-connection control program as approved by the State of Wisconsin Public Service Commission.

(4) Testing Documents. A copy of the test results document for any backflow preventer shall be provided to the Department at the time of testing.

(5) Disconnection. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes.

(6) Emergency Disconnection. If it is determined by the Stevens Point Water Department that a cross-connection or an emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is filed with the clerk of the City of Stevens Point and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an

opportunity for hearing under Chapter 68, Wisconsin Statutes, within 10 days of such emergency discontinuance.

#### 13.24 PENALTIES

(1) Any person violating any section of this ordinance shall suffer a forfeiture not to exceed \$1,000 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense. Failure to pay such forfeiture shall result in commitment to the county jail not to exceed thirty days.

(2) Any person violating any of the provisions of this ordinance shall become liable to the city for any expense, loss or damage occasioned by the city by reason of such violation.

#### 13.25 VALIDITY

(1) Any ordinance or parts of ordinances of the Code of General Ordinances in conflict herewith are hereby repealed.

(2) The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

#### 13.26 LIMIT ON PAYMENT IN LIEU OF TAXES PAID TO CITY

(1) The payment in lieu of taxes paid to the City of Stevens Point by the Water Department pursuant to Wisconsin Statutes § 66.0811 and Chapter PSC 109, Wisconsin Administrative Code, shall not exceed the greater of 15% of Water Department revenue from the previous year or \$870,000.00 per year.