

CROSS-CONNECTION CONTROL ORDINANCE

Section I. Title/Purpose. This Ordinance is entitled "Cross-Connection Control Ordinance." The purpose of this Ordinance is as follows:

To provide a program for protecting the public water system from contamination due to backflow of contaminants through the water service connection into the public water system.

WHEREAS, Chapters NR 810 and SPS 382, Wisconsin Administrative Code, require protection of the public water system from contaminant due to backflow of contaminants through the water service connection; and

WHEREAS, the Wisconsin Department of Natural Resources requires the development and implementation of a comprehensive cross connection control program to effectively prevent the contamination of all potable water systems;

Now therefore, be it ordained by the Town Board of the Town of Shelby, State of Wisconsin.

Section II. Definition of Cross Connection. The Town Board of the Town of Shelby hereby adopts the following:

A. Cross-Connection. That a cross-connection shall be defined as any physical connection or arrangement between two (2) otherwise separate systems, one (1) of which contains potable water from the Sanitary District #2's public water system, and the other of which contains water from a private source, water from of unknown or questionable safety, or steam, gases, or chemicals, whereby there may be a flow from one (1) system to the other, with the direction of flow depending on the pressure differential between the two (2) systems.

B. Unprotected Cross Connections Prohibited. No person, firm, or corporation may establish or maintain, or permit to be established or maintained, any unprotected cross connection. Cross connections shall be protected as required in ch. SPS 382, Wisconsin Administrative Code.

C. Inspection. The water utility may inspect, or arrange for an inspection of, property served by the public water system for cross connections. The frequency of inspections shall be established by the water utility in accordance with Wisconsin Administrative Code. Any unprotected cross connections identified by the inspection shall be promptly corrected. Failure to promptly correct an unprotected cross connection shall be sufficient cause for the water utility to discontinue water service to the property, as provided under paragraph F of this ordinance.

D. Right of Entry. Upon presentation of credentials, a representative of the water utility shall have the right to request entry, at any reasonable time, to a property served by a connection to the public water system for the purpose of inspecting the property for cross connections. Refusing entry to such utility representative shall be sufficient cause for the water utility to discontinue water service to the property, as provided under paragraph F of this ordinance. If entry is refused, a special inspection warrant under Section 66.0119 of the Wisconsin Statutes, may be obtained.

E. Provision of Requested Information. The water utility may request an owner, lessee, or occupant of property served by a connection to the public water system to furnish the water utility with pertinent information regarding the piping systems on the property. Refusing to provide requested information shall be sufficient cause for the water utility to discontinue water service to the property, as provided under paragraph F of this ordinance.

F. Discontinuation of water for violation. The water utility may discontinue water service to any property wherein any unprotected connection in violation of this ordinance exists, and take other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service may be discontinued, however, only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in paragraph G of this ordinance. Water service to such property shall not be restored until the unprotected cross connection has been eliminated.

G. Emergency Discontinuance. If it is determined by the water utility that an unprotected cross connection or emergency endangers public health, safety, or welfare, and requires immediate action, and if a written finding to that effect is filed with the Town Administrator and delivered to the customer's premises, water 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. Water service to such property shall

not be restored until the unprotected cross connection has been eliminated.

Section III. Penalties. Any well owner violating any provision of this ordinance shall upon conviction be punished by forfeiture of not less than one hundred (\$100) and the cost of prosecution. Each day of violation is a separate offense. If any person fails to comply with this ordinance for more than 30 days after receiving written notice of the violation, the municipality may impose a penalty and cause the well abandonment to be performed and the expense to be assessed as a special tax against the property.

Section IV. Effective Date. This Ordinance shall take effect upon passage and publication. The provisions of this Ordinance shall prevail over any previous ordinances of the Town of Shelby that are or may be in conflict there within.

Date passed: 2-13-2012

Timothy L. Candahl
Timothy L. Candahl, Town Chair

Timothy D. Ehler
Timothy D. Ehler, Town Supervisor

Joyce R. Wichelt
Joyce R. Wichelt, Town Supervisor

ATTEST:

Catherine Onsager
Catherine Onsager, Town Clerk