

ORDINANCE NO. 52 C

**PROTECTING THE PUBLIC WATER SYSTEM AND CROSS CONNECTION CONTROL
(TO SUPERSEDE ORDINANCE #52, #52A, and #52B)**

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 contaminants due to backflow of contaminants through the water service connection; and

WHEREAS, the Wisconsin Departments of Natural Resources and Health and Social Services require the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination of all potable water systems to the last flowing tap or end use device; now, therefore,

BE IT ORDAINED by the Board of the Village of Cochrane, State of Wisconsin:

A. Definitions.

1. **Backflow.** The undesirable flow of water or mixtures of water and other liquids, gases or other substances under positive or reduced pressure into the Cochrane Water Utility distribution pipes of the potable supply of water from any source.
2. **Backflow Preventer.** A device or means designed to prevent backflow caused by backpressure or back-siphonage; most commonly categorized as air gap, reduced pressure vacuum breaker, atmospheric vacuum breaker, hose connection vacuum breaker, hose connection backflow preventer, backflow preventer with intermediate vent, and barometric loop.
3. **Backpressure.** An elevation of pressure in the downstream piping system (i.e., pump, elevation of piping, or steam and/or air pressure) above the Utility supply pressure, which would cause or tend to cause a reversal of the normal direction of flow.
4. **Back-siphonage.** The flow of water or other liquids, mixtures or substances into the distribution pipes of the Utility's potable water supply system from any source caused by the sudden reduction of pressure in the Utility's potable water supply system.
5. **Cross-Connection.** Any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the Utility, 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.

B. Cross Connection Prohibited. That no person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the public water supply of the Village of Cochrane 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 Cochrane Village Board and by the Wisconsin Department of Natural Resources. Cross Connections shall be protected as required in Chapter SPS 382, Wisconsin Administrative Code.

C. Inspections. It shall be the duty of the Cochrane Village Board to cause inspections to be made of all properties served by the public water system where cross connections with the public water system are deemed possible. Residential properties serviced by the utility shall be inspected at a minimum of once every ten (10) years. All non-residential properties serviced by the Utility shall be inspected at a minimum of once every two (2) years for high hazard sites, and five (5) years for low hazard sites. Commercial properties of similar or lesser risk to residential properties shall be considered low hazard sites. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the Cochrane Village Board and as approved by the Wisconsin Department of Natural Resources.

The Utility shall charge fees as approved by the Village of Cochrane Utility for on-premises follow-up visits by Utility personnel, for re-inspection due to customer non-compliance, and for after-hours inspections or re-inspections.

Any site deemed by the Utility to have complex or intricate plumbing installed, shall, at the owner's expense, have the cross connection inspection performed by a State of Wisconsin certified cross connection inspector. Results of such inspection shall be provided to the utility within 30 days of completion of the inspection.

D. Right of Entry. That upon presentation of credentials, the representative(s) of the Cochrane Village Board shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the Village of Cochrane for cross connections. If entry is refused, such representative(s) shall obtain a special inspection warrant under s. 66.0119, Wisconsin Statutes. On request, the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. In addition, discontinuance of water service to the property shall occur as provided in Section E of this document.

E. Authority to Discontinue Service. That the Cochrane Village Board is hereby authorized and directed to discontinue water service to any property wherein any unprotected connection in violation of this ordinance exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Chapter 68, Wisconsin Statutes, except as provided in Section G.

F. Reconnection of Service. Water service to any property discontinued under the provisions of this ordinance shall not be restored until the cross-connection has been eliminated or a backflow prevention device approved by the Utility has been installed in compliance with the provisions of this section. The Utility shall charge fees as approved by the Municipality for the reconnection of the water service.

G. Emergency Discontinuance of Service. That if it is determined by the Cochrane Village Board 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 Village of Cochrane 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. Such hearing shall be before the Village of Cochrane governing body.

H. Owner Responsibility. The property owner shall be responsible for the elimination of or protection from all cross-connections on their premises. The owner shall, at their expense, have installed, maintained, and tested any and all backflow preventers on their premises in compliance with Wisconsin Administrative Code NR 810 and SPS 382. The property owner shall have corrected any malfunction, revealed by periodic testing, of any backflow preventer on their premises. The property owner shall inform the Utility of any proposed or modified cross-connections and also any existing cross-connections that are not protected by an approved backflow prevention device. The property owner shall not install a by-pass around any backflow preventer unless there is a backflow preventer of the same type on the by-pass. Property owners

who cannot shut down operation for testing of the backflow prevention device must supply additional devices necessary to allow testing to take place. In the event the property owner installs plumbing upstream of the backflow preventer, such plumbing must have its own approved backflow preventer. These requirements or authorizations will be at the discretion of the Utility.

I. Additional Protection. In the case of a premises having (a) internal cross-connections that cannot be permanently corrected or controlled, or (b) intricate plumbing and piping arrangements or (c) where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing an approved backflow preventer in the service line. In the case of any premises where there is any material danger to health that is handled in such a manner that in the opinion of the Utility, could create an actual or potential hazard to the public water system the public water system shall be protected by an approved air-gap separation or an approved reduced-pressure principle backflow preventer. Examples of premises where these conditions may exist include sewage treatment plants, hospitals, mortuaries, plating plants, and carwash establishments. In the case of any premises where, in the opinion of the Utility, an undue health threat is posed because of the presence of toxic substances, the Utility may require an approved air gap at the service connection to protect the public water system. This requirement will be at the discretion of the Utility.

J. Penalties. Upon completion of any cross connection inspection, the owner shall have thirty (30) days to correct any cross connections found. After thirty (30) days have elapsed, if identified violations have not been corrected, a written reminder (via US Postal Service) will be administered and the owner shall have an additional fifteen (15) days to correct the violations. After these fifteen (15) days has elapsed, if identified violations have not been corrected, a letter will be sent to the owner from the utility and a fine of ten (\$10.00) dollars per day per violation will be charged. The fines will be charged daily until the corrections are made. If fines are not paid, the balance due will be added to the owner's property tax bill at the end of the year.

J. Wisconsin Administrative Code. That the Village of Cochrane adopts by reference Wisconsin Administrative Code SPS 382 and Wisconsin DNR Code NR810.

K. Plumbing Code. That this ordinance does not supercede the State Plumbing Code and the Village of Cochrane plumbing ordinance No. 28, but is supplementary to them.

L. Enforcement. This ordinance shall take effect and be in force from and after its passage and publication.

Dated this 11th Day of September, 2012

/s/ David Busch
Dave Busch, Village President

/s/ Sherry Lorenz
Sherry Lorenz, Village Clerk

This ordinance was unanimously passed and adopted at a Regular Meeting of the Village Board on September 11, 2012.